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Politics and Religion in Edinburgh, 1617-53

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Laura A M Stewart
PhD Thesis, Edinburgh University, 2003



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L A M Stewart
July 2003

This thesis is entirely my own work.

7.10.2003

Abbreviations

<i>Ancram and Lothian</i>	<i>Correspondence of Sir Robert Kerr, first earl of Ancram and William, third earl of Lothian</i> , ed. D Laing (2 vols, Bannatyne Club, 1875).
APS	<i>Acts of the Parliaments of Scotland</i> , eds T. Thomson and C. Innes (12 vols., 1814-75).
<i>Baillie</i>	<i>Letters and Journals of Robert Baillie</i> , ed. D Laing (2 vols., Edinburgh, 1841).
Balfour, <i>Works</i>	<i>The Historical Works of Sir James Balfour: The Annales of Scotland 1604-1650</i> , ed. J Haig (4 vols, Edinburgh, 1824).
BL	British Library, London.
BOEC	<i>Book of the Old Edinburgh Club</i> .
BUK	<i>Booke of the Universall Kirk of Scotland</i> , ed. A Peterkin (3 vols, Edinburgh, 1839-45).
Calderwood, <i>History</i>	D Calderwood, <i>History of the Kirk of Scotland</i> , ed. T Thomson (8 vols., Edinburgh, 1843).
<i>Commission</i>	<i>The Records of the Commissions of the General Assemblies of the Church of Scotland 1646-52</i> , ed. AF Mitchell and J Christie (3 vols, SHS, 1st ser., 1892-1909).
CSPD	<i>Calendar of State Papers, Domestic</i> , 2nd series, 1625-1702, ed. WD Hamilton <i>et al</i> (77 vols, London, 1897-1937).
ECA	Edinburgh City Archives, City Chambers, Edinburgh.
<i>Edin Recs</i>	<i>Extracts from the Records of the Burgh of Edinburgh, 1403-1589</i> , ed. JD Marwick (4 vols, SBRS, Edinburgh, 1869-82). <i>Extracts from the Records of the Burgh of Edinburgh, 1589-1665</i> , ed. M Wood (5 vols, SBRS, Edinburgh, 1927-40).
<i>Fasti</i>	<i>Fasti Ecclesiae Scoticae</i> , ed. H Scott (8 vols, new edn, Edinburgh, 1915-25).
Gordon, <i>Scots Affairs</i>	J Gordon, <i>History of Scots Affairs, , from MDCXXXVII to MDCXLI</i> , ed. J Robertson and G Grub (3 vols, Spalding Club, 1841).
HMC	Historical Manuscripts Commission.
NAS	National Archives of Scotland, Edinburgh.
NLS	National Library of Scotland, Edinburgh.
OLEAS	<i>Original Letters relating to the Ecclesiastical Affairs of Scotland</i> , ed. B Botfield (2 vols, Bannatyne Club, 1851).
PRO	Public Record Office, Kew, London.
Row, <i>Historie</i>	<i>Historie of the Kirk of Scotland 1558-1637 by John Row with a continuation to July 1639 by his son, John Row</i> , ed. D Laing (Wodrow Society, 1842).
RCRB	<i>Records of the Conventions of Royal Burghs</i> , ed. JD Marwick and T Hunter (4 vols, Edinburgh, 1866-1915).

- RMS* *Registrum Magni Sigilli Regum Scotorum*, ed. JM Thomson *et al* (11 vols, Edinburgh, 1882-1914).
- RPCS* *Register of the Privy Council of Scotland*, 1st series., ed. J Burton *et al* (14 vols, Edinburgh, 1878-1908).
Register of the Privy Council of Scotland, 2nd series., ed. D Masson (8 vols, Edinburgh, 1899-1908).
Register of the Privy Council of Scotland, 3rd series., ed. P Hume Brown (16 vols, Edinburgh, 1908-1970).
- RSCHS* *Records of the Scottish Church History Society*.
- SBRS* Scottish Burgh Records Society.
- Scots Peerage* *Scots Peerage*, ed. J Balfour Paul (9 vols, Edinburgh, 1904-14).
- SHR* *Scottish Historical Review*.
- SHS* Scottish History Society.
- SRS* Scottish Record Society.
- Stirling's Register* *The Earl of Stirling's Register of Royal Letters* (2 vols, Grampian Club, 1885).
- Wariston's Diary* *Diary of Sir Archibald Johnston of Wariston 1632-39*, ed. GM Paul (SHS, 1st series, 1911).
- Wariston's Diary and other Papers* *Diary of Sir Archibald Johnston Lord Wariston 1639 and other papers*, ed. GM Paul *et al* (SHS, 1st series, 1896).

A note on currency

After 1603, the value of £12 Scots was £1 sterling. Sums of money were also often recorded in merks. £1 Scots was worth approximately two-thirds of 1 merk. Unless otherwise stated, all amounts are given in £ Scots.

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Introduction

Edinburgh and the Seventeenth Century

'... a word or two of Edenborough, although I have scarcely given it that due which belongs unto it, for their lofty and stately buildings, and for their faire and spacious streete, yet my minde perswades me that they in former ages that first founded that citie did not so well, in that they built it in so discommodious a place; for the sea, and all navigable rivers, being the chiefe means for the enriching of townes and cities, by the reason of traffique with forraine nations, with exportation, transportation, and receite of variety of marchandizing...'¹

John Taylor, the 'water-poet', 1618

Forsamekle as the burgh of Edinburgh, quhilk is the chief and principall burgh of the kingdome ... is now become so filthie and uncline, and the streities, vennallis, wyndis, and cloisis thair of so overlayde and coverit with middingis, and the filthe and excrementis of man and beast, as the nobilmen, counsalloris, senatoris, and utheris his Majesteis subjectis ... can not have ane clene and frie passage and entrie to thair ludgingis ...²

Scottish privy council, March 1619

These two views of Edinburgh in the early seventeenth century sound as if they might be describing two different towns. Noblemen and merchant princes built great houses in the closes behind the High Street, but they still had to step over human effluence, animals and the begging poor to get to their front doors. On the eve of the Prayer Book crisis, the capital occupied a precarious site barely a square mile in size, which somehow managed to house around 20,000 people.³ About two-dozen markets were crammed into this space, reflecting Edinburgh's primary function as a place to trade. In this respect, Edinburgh would simply have been a bigger, more prosperous version of many other royal burghs, but what made the social mix in the town so unique was the presence of the privy council, the Court of Session and the attendant coterie of lawyers required to service the expanding business of the two bodies. Walter Makey is therefore quite justified in seeing an 'affluent, bustling, riotous and insanitary' town that constantly strained the resources of its government to maintain some semblance of order.⁴

In relation to other towns, Edinburgh dominated Scotland in terms of its size (housing about twice the population of Aberdeen or Dundee) and its monopoly on international trade; during the second decade of the century, Edinburgh's tax assessment was over 2.5 times that of Dundee.⁵ This by no means reflected the true extent of Edinburgh's pre-eminence, because as Michael Lynch has rightly noted, the capital's political

¹ *Early Travellers in Scotland*, ed. P Hume Brown (Edinburgh, 1973), 111-12.

² *RPCS*, 1st ser., vol.xi, 530.

³ JJ Brown, 'The social and economic influences on the Edinburgh merchant elite, 1600-38' (PhD thesis, Edinburgh, 1986), 13. W Makey, 'Edinburgh in the mid-seventeenth century' in M Lynch (ed.), *The Early Modern Town in Scotland*, 198, 206. E Ewan, *Townlife in Fourteenth Century Scotland* (Edinburgh, 1990), 92. A figure which included the suburbs hooked into Edinburgh's jurisdictional net during the seventeenth century would be nearer 30,000.

⁴ Makey, 'Edinburgh', 197.

⁵ ECA, SL35/1/2. Lynch, 'Introduction' in *Early Modern Town*, 8-9.

Introduction

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⁵ ECA, SL35/1/2. Lynch, 'Introduction' in *Early Modern Town*, 8-9.

influence ensured that its inhabitants paid proportionately less tax than their rivals.⁶ Nonetheless, Edinburgh was not a giant like its sister-capital, London, which was ten times the size of England's leading provincial towns. Edinburgh had much in common with the northern European countries in terms of its cultural influences, its experience of population expansion and its responses to the poor.⁷ The Scottish capital after 1603 inevitably looked to London, but it retained a close relationship with the Continent, primarily because of international trade but also, to a lesser extent, through contact with foreign universities.⁸

Despite a burst of interest in Scottish urban history in recent years,⁹ Edinburgh in the seventeenth century has been relatively neglected, perhaps because, as Michael Lynch has hinted, the complexity of the 1640s has proved too daunting a challenge.¹⁰ There is little in print which specifically addresses the seventeenth century, and so a study of the Scottish capital seemed an appropriate place to take up the gauntlet laid down by *The Early Modern Town in Scotland*.¹¹ This was a period when urban communities all across Europe were under pressure from population growth, increasing Crown intervention in their affairs and rising taxation – factors which have led Lynch to surmise that the merchant oligarchies dominating seventeenth-century town councils had retreated into 'authoritarianism and remoteness'¹² in order to maintain their grip on power. Given the upheavals of the civil war period, there was clearly a need to test the validity of this idea.

Analysis of the governmental structures of Edinburgh, presented in Chapter One, created a bedrock for further investigation into the political life of the burgh. The early seventeenth century saw the expansion of local government bureaucracy, in the shape of sub-committees which took on specific tasks delegated to them by the town council. At the same time, the church was going through a period of re-organisation in response to the problem of maintaining a high standard of pastoral care for the capital's mushrooming population. This seemed to suggest the probability that new opportunities were being created for burgh inhabitants not traditionally associated with local government. Lynch has stated that the institutions of burgh government were 'stretched to accommodate and camouflage'¹³ the continuing dominance of the merchant oligarchy. Helen Dingwall's informative article on the composition of Edinburgh town councils

⁶ Lynch, 'Introduction' in *Early Modern Town*, 6.

⁷ OP Grell, A Cunningham and J Arrizabalaga (eds), *Health Care and Poor Relief in Protestant Europe* (London, 1997).

⁸ AL Drummond, *The Kirk and the Continent* (Edinburgh, 1956), 38-40, 54.

⁹ M Lynch, M Spearman and G Stell (eds), *The Scottish Medieval Town* (Edinburgh, 1988). Ewan, *Town Life*. Lynch, *Early Modern Town*. Interest in the history of urban communities is reflected in the Scottish Burgh Survey Series, ed. EP Dennison, *et al.*

¹⁰ M Lynch, *Edinburgh and the Reformation* (Edinburgh, 1981), 2.

¹¹ H Dingwall, 'The importance of social factors in determining the composition of the town councils in Edinburgh, 1550-1650' in *SHR*, lxxv (1986), 17-32. H Dingwall, *Late Seventeenth Century Edinburgh: A Demographic Study* (Aldershot, 1994). See the bibliography for unpublished theses on this subject.

¹² Lynch, 'Introduction' in *Early Modern Town*, 28.

¹³ Lynch, 'Introduction' in *Early Modern Town*, 28.

in the Reformation century suggested this might be true for most of the period, but hinted at social change in the 1640s.¹⁴ A systematic analysis of town council membership, alongside investigation into the composition of the committees and the lower church courts, was intended to provide a definitive response to the questions raised by the work of Lynch and Dingwall.

These concepts are interesting in their own right, but a study of Edinburgh politics would be limited if no consideration was given to interaction with the organs of national government. Maurice Lee's pioneering studies¹⁵ have shown that after 1603, absentee monarchy did not mean absentee government. The privy council provided a valuable mediating role between a monarch who was increasingly out of touch with Scottish affairs and a capital with a very pronounced sense of its own importance. If privy councillors really were 'simply the agents' of the king, receiving his instructions 'submissively, and executing them without demur or remonstrance',¹⁶ Scotland would have been difficult to govern effectively from distant London. Edinburgh in particular, because of its status and the example which it gave the rest of Scotland in all aspects of political, social, religious and economic affairs, needed an authoritative privy council which was supportive without being unduly interfering. This relationship was given added significance by the fact that Edinburgh was the venue for the riot of 23 July 1637, which precipitated the bewilderingly speedy collapse of royal government. While there has been debate amongst historians about the political nature of this breakdown,¹⁷ little attempt has been made to consider Edinburgh as a political player which also contributed significantly, perhaps decisively, to these developments.

The only investigation of seventeenth-century Edinburgh's unique political role has concentrated on opposition to the Crown's religious policies.¹⁸ Despite considerable evidence to the contrary, in easily accessible printed material,¹⁹ the belief that James VI and I achieved parliamentary ratification of the Perth Articles, then 'let them drop' persists.²⁰ It is pleasing to see the Scottish context to the civil wars receiving greater recognition than has heretofore been usual, but the strength of James's reputation as a politically astute monarch has apparently over-ridden historical objectivity.²¹ Strangely, the origin of this assumption is David Stevenson,²² whose own work on religious radicalism does not take into account the

¹⁴ Dingwall, 'The importance of social factors', 17, 25, 31-2.

¹⁵ M Lee, *Government by Pen: Scotland under James VI* (Urbana, 1980). M Lee, *Great Britain's Solomon* (Illinois, 1991). M Lee, *The Road to Revolution: Scotland under Charles I, 1625-37* (Illinois, 1985). See also KM Brown, *Kingdom or Province? Scotland and the Regal Union 1603-1715* (London, 1992).

¹⁶ *RPCS*, 1st ser., vol.xi, p.vi. For a more balanced analysis of the privy council's role, see J Goodare, *The Government of Scotland 1560-1625* (forthcoming, 2004), ch.6.

¹⁷ Lee, *Road to Revolution*, p.ix, 223, 238, 240-41. Brown, *Kingdom or Province?*, 97-111. P Donald, *An Uncounselled King: Charles I and the Scottish Troubles 1637-41* (Cambridge, 1990), 320, 322, 326. D Stevenson, *The Scottish Revolution: The Triumph of the Covenanters, 1637-44* (Newton Abbot, 1973), ch.1. A Macinnes, *Charles I and the Making of the Covenanting Movement* (Edinburgh, 1991), chs.3 and 4.

¹⁸ D Stevenson, 'Conventicles in the Kirk, 1619-37: The emergence of a radical party' in *RSCHS*, xviii (1972-4), 101-8.

¹⁹ *RPCS*, 1st ser., vols.xi-xiii. Calderwood, *History*, vol.vii. Row, *Historie. Edin Recs 1604-26*.

²⁰ C Russell, *The Fall of the British Monarchies 1637-42* (Oxford, 1991), 34. S Schama, *A History of Britain: The British Wars, 1603-1776* (London, 2001), 31.

²¹ Jenny Wormald focuses on James's political successes, not his ecclesiastical policy or religious dissent. J Wormald, 'King James VI and I: two kings or one?' in *History*, lxxviii (1983), 195-205. Lee claims James

way in which the Perth Articles fundamentally altered the nature of dissent. This is not to deny that Stevenson had a valuable point to make when he identified continuity between the aims of the radicals of the 1580s and the faction who took power in September 1648, but Chapter Seven shows that the capital's response to the Perth Articles must be given due recognition if we are to explain how opposition to Crown policy became so sophisticated, organised and effective. Crucially, it was also popular. Focusing exclusively on Charles's policies cannot, therefore, provide the entire picture, hence a start date of 1617, not 1625, for this thesis. At the very least, this suggests a need to reconsider the view that the wise Solomon's work was wholly undone by his stubborn son.²³

New approaches to seventeenth-century British history, stressing the need to address developments in all parts of all the kingdoms,²⁴ has given a broader context to Edinburgh's role in the collapse of royal government in 1637. Unfortunately, having knocked down an edifice of old anachronisms, we are in danger of rebuilding new ones. JGA Pocock addresses the difficulty in a challenging essay, which asks if historians really are looking at the British civil wars, or whether Scotland, Ireland and Wales simply appear in order to explain something that happened in England.²⁵ More importantly, the quite justifiable desire to include Scotland within British history may be retarding research into purely Scottish topics. A full understanding of the role of parliaments and conventions, the operation of government offices and the relationship between centre and locality during the reigns of James and Charles is still frustratingly far in the future.²⁶ The significance of the local dimension in Scottish politics has been explored by Jenny

was too distracted with other affairs to bother with 'too vehement an insistence' on observing the Articles. Elsewhere, he stresses the 'magnitude' of James's achievements after 1603. Lee, *Government by Pen*, 185, 220.

²² Stevenson, *Scottish Revolution*, 24.

²³ Lee, *Road to Revolution*, 4, 244.

²⁴ A basic reading list would supplement n.14 and n.16 with J Morrill (ed.), *The Scottish National Covenant in its British Context 1638-51* (Edinburgh, 1990). C Russell, *The Fall of the British Monarchies 1637-42* (Oxford, 1991). D Stevenson, *Revolution and Counter-revolution in Scotland 1644-51* (London, 1977). SG Ellis and S Barber (eds), *Conquest and Union: Fashioning a British State, 1485-1725* (London and New York). JR Young (ed.), *Celtic Dimensions of the British Civil Wars* (Edinburgh, 1997). J Ohlmeyer and AI Macinnes, *The Stuart Kingdoms in the 17th Century* (Dublin, 2002). M Fissel, *The Bishops' Wars: Charles I's campaigns against Scotland 1638-40* (Cambridge, 1994).

²⁵ JGA Pocock, 'The Atlantic Archipelago and the War of the Three Kingdoms' in B Bradshaw and J Morrill (eds), *The British Problem, c.1534-1707: State Formation in the Atlantic Archipelago* (London, 1996), 172-73, 177. Addressing 'New British Histories' by widening the 'contextualisation' not deepening the 'problematizing' was the theme of AI Macinnes with J Ohlmeyer, 'Introduction: Awkward neighbours?' in AI Macinnes and J Ohlmeyer (eds), *The Stuart Kingdoms in the Seventeenth Century: Awkward Neighbours* (Dublin, 2002), 23.

²⁶ In addition to Lee's work, n.15, see J Goodare and M Lynch (eds), *The Reign of James VI* (East Linton, 2000). AR MacDonald, 'Deliberative Processes in Parliament c.1567-1639: Multicameralism and the Lords of the Articles', *SHR*, lxxxi (2002), 23-51. Dr MacDonald is continuing his work on Scottish parliaments. J Goodare, *State and Society in Early Modern Scotland* (Oxford, 1999), 38-41, 45-9, 97-286, 289-90. J Goodare, 'Scotland's parliament in its British context, 1603-1707' in TH Dickinson and M Lynch (eds), *The Challenge to Westminster: Sovereignty, Devolution and Independence* (East Linton, 2000), 22-32. Goodare, *Government of Scotland*. See also S Adams, 'A regional road to revolution: religion, politics and society in south-west Scotland, 1600-50' (PhD thesis, Edinburgh University, 2002).

Wormald and Keith Brown,²⁷ but their work related to feuding and bonding, which became increasingly irrelevant once the political focus had shifted to London. The absence of local studies is a particular drawback in terms of our understanding of how royal government collapsed in 1637 and a new regime moved into its place. Charles I's government was intrusive, imposed more frequent, innovative taxes and presided in a period of economic contraction. All of these things are true of the Covenanting period, prompting the question of whether force rather than consent was the key factor in its establishment.

Chapters Six and Seven explore this idea, by considering the political implications for Edinburgh of regime change. Possession of the capital was absolutely essential for the king's opponents, not only because it gave them access to Edinburgh's wealthy merchants and its lawyers, but also because it helped to legitimise their actions. Edinburgh's strategic importance, as well as its role as a guide for the rest of Scotland was recognised by Covenanters and king's men alike. Had Charles I's army entered Scotland in the summer of 1640, the siege of Edinburgh Castle could have enabled the king to reclaim his capital. This would have been a political disaster for the town council, who had been persuaded to support the supplication campaign partly on the promise of protection against their understandably unhappy monarch. The defence of Edinburgh therefore became a political and military imperative during the period known as the Bishops' Wars, placing the capital at the heart of efforts to raise men, money and supply. The security of the regime, and Edinburgh's huge political and financial investment in it, was reinforced by success – in August 1641, the king personally ratified the religious and constitutional agenda which had been sustained, against his wishes, in 1638 and 1639.

The remarkable events which took place in Scotland between 1637 and 1641 have often been seen only as a precursor to the remarkable events which took place in England thereafter. The latter has been described as 'the most docile' of Charles I's kingdoms, where a 'groundswell of opposition' was conspicuous by its absence during the 1630s. This has led to the suspicion that the Scots started it all with their tiresome paranoias,²⁸ thereby conveniently stepping over the real problem of Charles acting self-consciously as king of Britain, not king of Scotland and of England and of Ireland. Charles was not lacking in vision, it just happened to be a narrow one which took no account of regional variations. There was not necessarily something inherently antagonistic about the relationship between the king and his Scottish capital after 1603. As Conrad Russell has pointed out, even the merchant adventurers in the Netherlands were forced to adopt a set form of prayer,²⁹ exemplifying the point that although there was a distinctively Scottish context to the British civil wars, there were clearly issues with Charles's regime which a Scotsman, an Englishman or an Irishman could identify with. The irritation experienced in communities throughout Britain during the

²⁷ J Wormald, *Lords and Men in Scotland: Bonds of Manrent, 1442-1603* (Edinburgh, 1985). KM Brown, *Bloodfeud in Scotland, 1573-1625: Violence, Justice and Politics in an Early Modern Society* (Edinburgh, 1986).

²⁸ M Kishlansky, *A Monarchy Transformed: Britain 1603-1714* (London, 1996), 137. See also Conrad Russell's view of the peaceful English kingdom, Russell, *British Monarchies*, 1-2, 27. Kevin Sharpe has modified this view by seeing the Bishops' Wars as the occasion to express dissent against Charles's regime, K Sharpe, *The Personal Rule of Charles I* (New Haven and London, 1992), p.xviii.

²⁹ Russell, *British Monarchies*, 37.

1630s hints at why James was largely, although not completely, successful as a ruler of multiple kingdoms in a way that Charles was not. It was at least partly because his style of governing acknowledged some autonomy in local affairs. As Chapter Seven explains, the success of the Covenanting regime lay in its willingness to allow local political structures mostly to remain intact. The aftermath of the campaigns headed by the royalist James Graham, 1st marquis of Montrose began to affect this situation, but for much of Lowland Scotland generally, and Edinburgh in particular, it would be the Engagement crisis of 1648 which sundered increasingly fragile political alliances at local level.

In the wider debate about the growth of the state which these developments fit into, Michael Braddick identified how the sovereign Scottish kingdom resisted becoming one of 'London's provinces' after 1603.³⁰ The conduct of Scotsmen during this period is seen less in terms of a reaction to Anglicisation, or to the threat of political and economic marginalisation, as a response to the pretensions of absolutist monarchy. Julian Goodare has stated that during the 1640s, 'the issue was squarely about control of state power', in contrast to the collection of localised struggles which amounted to civil war during the early 1570s.³¹ The research presented in this thesis suggests that Edinburgh was self-consciously the capital of a Scottish political scene which possessed its own state apparatus. It operated with reference to London government, but Edinburgh was a centre in its own right. Could the problems which town and privy council experienced during the 1630s partly be attributable to the fact that Scotland was subject to the influence of two potentially contradictory political spheres, at a time when Scotland's indigenous government was becoming more institutionalised?³² As Chapter Four demonstrates, from the very outset of Charles's reign, the established modes of interaction between town council, privy council and monarch were being over-ridden by the personal intervention of the king. In effect, Charles was competing with his own administration for control of Scotland.

As Braddick's work has revealed, the expansion of the state in seventeenth-century Europe was at its most aggressive and pervasive over the issue of taxation. He has identified the English experience as primarily one of 'acquiescence',³³ but the fact that Scotland retained a completely separate tax regime after 1603 makes direct comparisons unhelpful. One of the most notable areas of divergence was the ability to tax Scottish burghs as a separate entity – traditionally at one-sixth of the entire subsidy – whereas English towns were valued within their county. Taxation in urban communities had political significance in Scotland, and their representatives were able to express this, in a way that English townspeople could not, through the Convention of Royal Burghs and burgh representation in Parliament.³⁴ Moreover, taxation

³⁰ Braddick's emphasis on how office 'conferred legal validity on administrative action' and enabled government 'through, rather than by, the monarch' informs this paragraph. MJ Braddick, *State Formation in Early Modern England, c. 1550-1700* (Cambridge, 2000), 21, 24, quotation at 420.

³¹ JM Goodare, 'Parliament and society in Scotland 1560-1603' (PhD thesis, Edinburgh, 1989), 446.

³² Braddick, *State Formation*, 358-61.

³³ M Braddick, *Parliamentary Taxation in Seventeenth-Century England: Local Administration and Response* (Royal Historical Society, 1994), 13.

³⁴ J Goodare, 'Parliamentary Taxation in Scotland, 1560-1603', *SHR*, lxxviii (1989), 27. For example, Norfolk county was split into administrative units, with its four boroughs each existing as a unit. Braddick, *Parliamentary Taxation*, 23-4, 54, 65, 66, 69.

clearly was a political issue in Scottish urban centres during the 1620s and 1630s. After the 1621 parliament,³⁵ Edinburgh's tax-paying population produced around £17,000 every year, except one, until 1632. In January 1634, the burgh was assessed for the unprecedented sum of around £41,000, and until 1637, taxation levelled out at around £27,000. It was not just the amount, but the innovative methods the Crown was using to raise tax which were causing controversy; in 1621, the interest on loans (annual rents) was taxed for the first time, threatening intrusive methods of assessment. Edinburgh avoided this by negotiating for the payment of compounded sums, but there seems little doubt that a new type of tax meant that more people were liable for payment. In 1617, 1,095 individuals were stented in the burgh, but in 1621 this had increased, by approximately one-third, to 1,544 individuals.³⁶

Charles I's reign saw an intensification of these trends, with the new king almost immediately requesting a renewal of his father's Scottish subsidy. In 1633, parliament agreed to a tax which was larger, more complicated, and set for a longer period than any of its predecessors. This thesis cannot address fully the contribution of taxation to dissatisfaction with the Caroline regime or the remarkable reforms which were undertaken, with a surprising level of success, during the 1640s.³⁷ It is clear, however, that the subject was of immense political significance. A supplication was submitted by 'the lords and commissioners of parliament' in 1633, specifically protesting against the 'evills' of the Crown's innovative taxes.³⁸

By 1641, the Scottish Covenanters had rewritten the 'absolutist manifesto'³⁹ set out by James VI over fifty years earlier and reversed a Europe-wide trend towards the subordination of constitutional assemblies to autocratic kings.⁴⁰ Arguably one of the more radical aspects of 'oligarchic centralism'⁴¹ was its ability to give practical expression to the political ambitions of the lesser magistrates in its widest sense. A myriad of committees needed the manpower and expertise which lairds and burgesses could provide, bringing Lynch's 'middling sort' into government in a meaningful way for the first time.⁴² This was an important development, but any potentially revolutionary implications for Scottish politics and society were mitigated by the probability that very few lairds and burgesses were at the heart of the decision-making process. Chapter Seven discusses the role of Edinburgh's political elite in the Covenanting movement and, while there were clearly opportunities for greater involvement in government, only one or possibly two merchant burgesses became significant players in national politics during the 1640s. The significance for Edinburgh

³⁵ For a thorough analysis of this controversial tax, see J Goodare, 'The Scottish Parliament of 1621', *Historical Journal*, xxxviii (1995).

³⁶ ECA, SL35/1/2-3.

³⁷ The author is currently working on taxation in Edinburgh during this period and intends to build on the articles by David Stevenson, 'The King's Scottish Revenues and the Covenanters 1625-51' *Historical Journal*, 17 (1974) and 'The Financing of the Cause of the Covenanters 1638-51', *SHR*, li (1972), 89-123.

³⁸ Parliament was concluded before the supplication could be admitted. Row, *Historie*, 365-66.

³⁹ Goodare, 'Parliament and society', 448.

⁴⁰ Macinnes, *Making of the Covenanting Movement*, 183.

⁴¹ AI Macinnes, 'The Scottish constitution, 1638-51: the rise and fall of oligarchic centralism', in Morrill (ed.), *Scottish National Covenant*, 106-7.

⁴² JR Young, *The Scottish Parliament 1639-61: A political and constitutional analysis* (Edinburgh, 1996). M Lynch, *Scotland: A New History* (Edinburgh, 1991), 181-83, 252-56. For the English context, see J Barry and C Brooks (eds), *The Middling Sort of People* (Basingstoke, 1994).

was not in terms of the extent to which its merchants could influence high-level decision-making, but in their ability to protect the burgh's economic and political primacy. Throughout the 1640s, debate within the town council chamber would revolve around whether the provost and magistrates were fulfilling this function. Allegiance to the idea of the Covenant, and the strain which the Engagement placed on variant interpretations, did generate controversy in Edinburgh, but it was still local issues which dominated political discourse, even after the English invasion.⁴³

Edinburgh had its local concerns, but it remained a community of national and supra-national importance. More work needs to be carried out on the role of the capital's merchants in establishing links with London puritans and parliamentarians, a relationship hinted at in the personnel of the Committee for Scots' Affairs sitting at Goldsmith's Hall.⁴⁴ This can be taken one stage further, as the complementary aspects of Scottish and English interests in Ireland were also reflected in this committee.⁴⁵ The ratification of the Solemn League and Covenant and the creation of the Committee for Both Kingdoms was the British solution to a Scottish problem which had first been expressed on the streets of Edinburgh on 23 July 1637: how could the purest kirk in Christendom be protected from the corruptions of a bigger, richer, more powerful sister-kingdom? As the Scots discovered between 1637 and 1651, there were no easy or entirely palatable solutions to this conundrum.⁴⁶ What follows aims to give the perspective of a particular Scottish local community on these problems. Edinburgh may not be representative of anywhere except itself, but the scope of its influence in Scottish political and religious life means that 'the example of Ed[inbu]r[gh]'⁴⁷ merits investigation merely for its own sake.

⁴³ This is in keeping with John Morrill's influential work on the issue of local politics, *The Revolt in the Provinces: The People of England and the Tragedies of War, 1630-48* (2nd edn, London, 1999), 24-5.

⁴⁴ PRO, Order Book of the Committee for Scots' Affairs, SP23/1A.

⁴⁵ PRO, State Papers, Domestic (Supplementary), SP46/106, ff.90-128.

⁴⁶ For a discussion of the development of a British identity, see KM Brown, 'Scottish identity in the seventeenth century' in B Bradshaw and P Roberts (eds), *British Consciousness and Identity: The Making of Britain, 1533-1707* (Cambridge, 1998). For an overview of the British dimension during the 1640s, see J Morrill, 'The National Covenant in its British Context' in Morrill (ed), *Scottish National Covenant*, 1-31. Goodare, 'Scotland's parliament', 26, 27-8.

⁴⁷ *Stirling's Register*, ii, 800.

The Structure of Burgh Government and its Personnel

In December 1621 a merchant in the burgh of Edinburgh was taken before the town council and warded because the dean of guild claimed he had 'spoken irreverentlie of the counsall'.¹ His words were not recorded, but the incident is still noteworthy. The town council took criticism seriously, and enthusiastically discouraged anyone from voicing unfavourable opinions by employing strict censures against those who were caught doing so. Such instances were rare in Edinburgh and often linked to wider religious and political concerns but, as another case in 1627 reveals, the council's worries focused on the perception that their 'authority' was under attack.² While consensus, not debate or dispute, informed early modern attitudes on good government,³ these incidents also reflected an acute awareness that those who governed came from an exclusive social group, unrepresentative of the bulk of the urban population.

Edinburgh's population was about 25,000 in this period, but only around 6-8,000 were members of families whose heads were burgesses, originally those who had held a specified amount of land within the jurisdiction of the burgh and were consequently able to trade there.⁴ This essential distinction enabled an individual to become a full participant in urban life. He was given exclusive trading privileges, which could be further augmented by a costly admission to the merchant guild. In theory, he was entitled to attend burgh head courts, became liable for taxation and could join the town council. In practice, the pool of personnel for council service was very much smaller. Taxation records and burgess rolls reveal that lawyers, ministers, an expanding rentier class and even some of the landed gentry were playing a significant part in burgh life, but had no direct say in how it was run.⁵ Despite historical precedents for the election of magistrates by the burgess community,⁶ Edinburgh, by at least the mid-sixteenth century, was being ruled by a council which had been elected only by its predecessor. If the standard definition of oligarchy is government 'by a small group of persons',⁷ then in these simplistic terms, seventeenth-century Edinburgh was certainly governed by an oligarchy.

¹ *Edin Recs 1604-26*, 229.

² Examples from 1621 and 1624 reflect religious tensions in the burgh which are discussed in Chapter Seven. Examples from 1648 were probably linked to the town council's controversial support for the Engagement, discussed in Chapter Nine. *Edin Recs 1604-26*, 229, 253. *Edin Recs 1626-41*, 22. *Edin Recs 1642-55*, 152, 153, 154-56. ECA, Town Council Minutes, vol. xvi, f.274.

³ C Patterson, 'Conflict resolution and patronage in provincial towns, 1590-1640' in *Journal of British Studies*, xxxvii (1998), 3-5.

⁴ JK McMillan, 'A study of the Edinburgh burgess community and its economic activities, 1600-80' (PhD thesis, Edinburgh, 1984), 33-35. Ewan, *Townlife*, 92.

⁵ The most useful source for studying Edinburgh's population is the Annuity Tax. It assessed every household in Edinburgh for a contribution towards clerical stipends, but it ran into serious problems which are discussed in Chapter Two.

⁶ Ewan, *Townlife*, 55.

⁷ *The Concise Oxford Dictionary* (Oxford, 1976), 763.

As in many urban centres across Europe, Edinburgh's electoral procedures were well-established by the seventeenth century. Each year around Michaelmas, the council would convene to select its successor.⁸ In a process which usually took up the last week of September and the first week of October, leets were drawn up from which the provost, four bailies, a treasurer and a dean of guild were elected. All these office-holders had to be merchant burghesses with previous council experience, and any craftsman nominated to an office was expected to suspend practice of his craft during his tenure. Office-holders had time-consuming roles to fulfill which, although socially prestigious, could prove politically contentious and financially ruinous. As the symbolic father of his community, the provost also took the brunt of popular disapprobation, as both Sir John Hay and Archibald Tod discovered in the course of their careers.⁹ Treasurers had begun to appear in urban centres around the fourteenth century to manage the burgh's income, its 'common good',¹⁰ and were consequently vulnerable to the increasing inability of the common good to match expenditure. In February 1639 the council had to promise John Fleming that he would not find himself out of pocket on account of the town's cash flow problems.¹¹ As enforcers of the burgh's laws, the bailies held their own court in addition to regular council meetings. They considered trade disputes, set market prices, witnessed and adjudicated on property transactions, passed civil sentences on wrongdoers apprehended by the session, and held criminal trials. The bailies could also pass sentences of banishment or execution, and collect fines and escheats, in accord with the 1482 grant of 'the office of Sheriff within the burgh for ever'.¹² On top of this, the bailies were responsible for collecting taxes.¹³

Assisting the officeholders was an ordinary council made up of another eighteen representatives of Edinburgh's burgh community. After the decret-arbitral of June 1583, which formally admitted craftsmen to the exclusive merchant guild and expanded their limited representation on the council, ten merchants, six deacons from the incorporated crafts and two other craftsmen were ordained as members of the town council. Office-holders were automatically given a seat on the council the following year, while three new merchants and two new craftsmen were also included.¹⁴ In addition, eight extraordinary deacons were nominated, who were convened only when issues relating to the common good were being discussed and when the assent of the full council was required. A penalty of 6s was imposed for non-attendance at the

⁸ *Ancient Laws and Customs of the Burghs of Scotland*, ed. C Innes (2 vols, Edinburgh, 1868), i, 6, 34, 54, 81.

⁹ Sir John Hay was nominated as provost by the king in September 1637 and was associated with the hated Prayer Book. See Chapter Six. Archibald Tod was physically attacked in May 1647 for supporting the Engagement to rescue Charles I from the English army. See Chapter Seven.

¹⁰ Ewan, *Townlife*, 49.

¹¹ ECA, Minutes, vol.xv, f.85.

¹² *Inventory of the Records and of Particular Charters and Documents in the Charter-House of the City of Edinburgh* (Edinburgh, 1894), no.36.

¹³ Ewan, *Townlife*, 46-7. ECA, Burgh Register of Decrees, vol.xi. NAS, Burgh of Edinburgh Register of Deeds, B22/8/31. For referrals from the kirk sessions, see ECA, Black Books, vol.i. ECA, Bailies' Accounts 1564-1689.

¹⁴ JD Marwick, *The Edinburgh Guilds and Crafts* (SBRS, Edinburgh, 1909), 127-29, 164. W Angus, 'The incorporated trade of the skimmers of Edinburgh, with extracts from their minutes, 1549-1603' in *BOEC*, vi (1913), 12-14, 23. Lynch, *Edinburgh*, 5, 15. ECA, Minutes, vol.xiv, 488.

regular council meetings, held at 10am every Wednesday and Friday in the tolbooth. No exceptions were to be made for those conducting private business in Leith.¹⁵

By the second quarter of the seventeenth century, the rules dictating council membership were strictly enforced. Office-holders were almost always merchants in this period,¹⁶ and significantly, this included the provost. For much of the second half of the sixteenth century Edinburgh's provost had more often than not been a royal nominee.¹⁷ The infamous riot of 17 December 1596, which had allegedly threatened the liberty of the king himself, had intensified the perceived need for greater Crown involvement in Edinburgh's affairs.¹⁸ From 1598 until 1607, the provost was a nobleman who had to be made a burghess and guild member of Edinburgh to qualify him for the post.¹⁹ In 1608 the office passed to a privy councillor,²⁰ but after his death in 1615, Edinburgh appears to have exercised more control over their elections. Throughout the period 1616-52, as stipulated in the decret-arbitral, the provost was always a merchant burghess of Edinburgh. The only exception was John Hay in 1637, who was a burghess but not a merchant.

Craft membership of the council was carefully controlled by the merchant élite to ensure that the dignity of office was not tarnished by the membership of anyone deemed to be of 'rude occupation'.²¹ In reality, the distinction between merchants and craftsmen had never been absolute. A 'craft aristocracy' had appeared in Edinburgh, as in other later medieval European towns, who were employers and traders rather than manufacturers.²² Doubt has been cast on the notion that Scottish merchant guilds completely excluded craftsmen. Edinburgh's guild may have intended itself to be 'an association of the merchant elite', but as craftsmen came to be engaged in mercantile activity too, the real division must have increasingly been that between burghesses and non-burghesses.²³ It is important not to simplify this too much – incorporated crafts were clearly of a higher status than unincorporated ones. They emulated the merchant guild, preserved their privileges with ferocious vigour and maintained a rigid hierarchy. Which crafts were allowed to set up their own guilds varied from burgh to burgh,²⁴ but the fact that they existed at all highlights the superficiality of a merchant-craft division in early modern burghs. The terms merchant and craftsman served to obscure more subtle social fault lines, between those born with, or able to acquire, the wealth and connections necessary to participation in political life, and the vast majority who did not. The unifying principle at the

¹⁵ ECA, Minutes, vol.xiv, 162.

¹⁶ Appendix, Table 1.

¹⁷ Lynch, *Edinburgh*, 15.

¹⁸ Lynch, *Edinburgh*, 15. *Edin Recs 1589-1603*, 200, 204.

¹⁹ Alexander Seton, Lord Fyvie and Urquhart, Lord President of the Court of Session, provost 1598-1604. As earl of Dunfermline and Lord Chancellor, provost 1604-1607. *Edin Recs 1589-1604*, 236, 274, 294, 313. *Edin Recs 1604-26*, 7, 15, 23, 33. *RPCS*, 1st ser., vol.vii, 375. *Scots Peerage*, iii, 369-71.

²⁰ Sir John Arnot of Birswick, treasurer depute.

²¹ Marwick, *Guilds and Crafts*, 165.

²² Lynch, 'Introduction' in *Early Modern Town*, 9. D Nicholas, *The Later Medieval City, 1300-1500* (Harlow, 1997), 185-87.

²³ M Lynch, 'Whatever happened to the medieval burgh?' in *Scottish Economic and History Review*, iv (1984), 12-13. Ewan, *Townlife*, 58. SH Rigby and E Ewan, 'Government, power and authority 1300-1540' in *The Cambridge Urban History of Britain: Volume I, 600-1540*, ed. DM Palliser (Cambridge, 2000), 295.

²⁴ Edinburgh had fourteen, but only about six were represented on the council. Lynch, 'Introduction' in *Early Modern Town*, 13. Ewan, *Townlife*, 55-60. ECA, Minutes, vol.xiii, f.76.

top of the social ladder was the maintenance of the burgh as ‘a fortress of economic privilege’,²⁵ which would in turn maintain the political hegemony of those specifically involved in the business of selling goods, regardless of what their occupational designation happened to be.

Political power in Edinburgh, therefore, remained the preserve of a very exclusive group of people. The 1583 decessit-arbitral had allowed for wider social representation on the council but the influential figures were, more than ever, the representatives of Edinburgh’s most wealthy, well-connected families. Although Helen Dingwall hinted that ‘lesser men’ could also enter the council chamber, this statement referred to their wealth, not their social status. The suggestion was that connections were more significant than cash, although James Brown was categorical that even if all the wealthiest men were not politically active, most of the politically active were wealthy men.²⁶ The simple question was whether a systematic analysis of the town council would show these assertions to be true. Given the timeframe encompassed by the thesis, the associated issues of oligarchy and remoteness became all the more important. How was urban government in the Scottish capital affected by the upheavals of the 1640s? Did Edinburgh politics become radicalised, like London’s in the same period?²⁷ Did social groups resentful of the concentration of power in the hands of the mercantile élite make use of the more fluid political scene to push for greater representation? Or had the renegotiation of 1583 built a solid foundation for a system of government which was still visibly meeting the needs of the wider community throughout the first half of the seventeenth century?

The methodology used to address these questions has been founded on Dingwall’s work. Using Margeurite Wood’s printed editions of the town council minutes, in conjunction with the burgess rolls, it was possible to find out who was on the council, whether they were burgesses or members of the merchant guild, and how they came to be so. It became apparent that an assessment of councillors alone would not give a complete picture of town council activity. In practice, burgh government relied on a myriad of committees which were designed to put the town council’s decisions into effect. With only two dozen ordinary members, and a seemingly inexhaustible remit, the council needed subsidiary bodies to take over some of its specialised functions. Although temporary committees were sometimes required to direct particular projects, only the permanent committees were considered. They reflect the town council’s obsession with order and social control, as well as the need to address a growing fiscal burden. Six committees were selected. Their personnel, listed in the manuscript volumes of town council minutes, were also compared against the burgess rolls, and against town council membership.²⁸ Were the committees simply the town council in

²⁵ Lynch, *Edinburgh*, 14, 17-18, 49, 53. This view has been endorsed by Helen Dingwall, ‘The importance of social factors’, 18, 22.

²⁶ Dingwall, ‘The importance of social factors’, 18, 23. Brown, ‘Edinburgh merchant elite’, 38, 40. McMillian, ‘Edinburgh burgess community’, 141, 154. Lynch, *Edinburgh*, 16.

²⁷ R Brenner, *Merchants and Revolution: Commercial Change, Political Conflict and London Overseas Traders, 1550-1653* (Cambridge, 1993), 316-19, 393-99, 460-62, 528, 533.

²⁸ Lists of the members of the town council can be found in *Edin Recs 1604-26, 1626-41, 1642-55*. Mention of committees in the edited records is erratic, and never gives names. ECA, Town Council Minutes, vols xii-xvii. *Roll of Edinburgh Burgesses and Guild-Brethren 1406-1700*, ed. CBB Watson (SRS, Edinburgh, 1928).

minature, or were they a means by which the town council could expand participation in government without diminishing the hegemony of a small merchant élite?

Some explanation of the functions of the six committees is required. By far the largest group of men were the constables. In 1609 an act for justices of the peace was passed by parliament. It placed officials in the localities who were the nominees of the Crown, not of local landowners. Town councils in the burghs were allowed to act as justices within their own bounds.²⁹ Constables first appeared in Edinburgh in 1611, and were given extensive powers to apprehend 'vagabonds', 'ydill persounes', 'undesirables' and any other 'suspicious persons' who were perceived to be proliferating in urban environments.³⁰ Initially, twenty-four men (six for each quarter of the burgh) were elected half-yearly, but this was insufficient to police the expanding town. By 1616 constables were being elected annually. Their ranks had swelled to forty individuals, serving twelve subdivisions each headed by an officer.³¹ Their burdens were greatly increased during the 1640s, when the constabulary became the organisational backbone of the burgh's attempts to combat plague, raise fighting men and defend the burgh against occupation.³² This chapter aimed to investigate the social background of the men who took on these onerous tasks, and whether there were political rewards, in the form of advancement onto the council, for their diligence.

Social control was also a key feature of the work of the correction house committee. Inaugurated with a year-long trial in June 1632,³³ the correction house was part of a wider programme to deal with the persistent problem of the indigent poor. Edinburgh was by no means an innovator in developing strategies to address this issue, and the scheme clearly borrowed from the types of indoor provision which had been experimented with in cities all across Europe.³⁴ In Edinburgh, the correction house was headed by sixteen masters, elected annually, who were charged with reforming those 'licentious' beings whose immorality threatened to bring 'the wrath and displeasure of God' upon the town. Its situation, within the bounds of St Paul's Work near Trinity College Church, made an explicit link between social discipline and gainful employment – the correction house complemented the drapery founded at St Paul's workhouse as a means of dealing with 'maisterles persounes' who were 'leiving ydillie without any occupioun or craft'. Their remit did not end with the unemployed, however, showing how the council's ambitious agenda was intended to encompass the entire urban community. Servants who disobeyed masters, children who were disrespectful of parents, 'lewd leivers', scolds and 'incorrigibil harlots' would be targeted.³⁵ Consideration

²⁹ The act was ratified, in detail, in 1617. *APS*, iv, 434-35, 539. The privy council organised the nomination of justices, *RPCS*, 1st ser., ix, 80.

³⁰ *Edin Recs 1604-26*, 78. *Edin Recs 1626-41*, 107. The author intends to publish on this shortly. LAM Stewart, 'Post-reformation poor relief in Edinburgh: The famine of 1621-24'.

³¹ *ECA*, Minutes, vol.xii, f.484. See Appendix, Map 2.

³² *Edin Recs 1604-26*, 77, 78, 282.

³³ *Edin Recs 1626-41*, 107.

³⁴ Edinburgh's implementation of poor relief measures lagged behind London, Paris or Geneva but seems to have been on a par with other north European cities. P Slack, *Poverty and Policy in Tudor and Stuart England* (London, 1988), 8. See also OP Grell and A Cunningham (eds), *Health Care and Poor Relief in Protestant Europe 1500-1700* (London, 1997).

³⁵ *Edin Recs 1626-41*, 107-9. *ECA*, Minutes, vol.xiv, 565. M Wood, 'St Paul's Work' in *BOEC*, xvii (1930), 55-64, 67-8.

was also given to the enemy without, who might bring their 'lewd and unlawfull' ways into the community. There are frequent references to the town council's attempts to identify and deal with able-bodied beggars 'frome all the pairtis of the cuntrey' and from abroad.³⁶ The correction house was consequently a single component of a much wider programme which sought to enforce a social and moral agenda on a fluid population,³⁷ and its masters must have faced an endless (and probably thankless) task.

In its battle against moral backsliding, the town council was theoretically in alliance with the kirk session, but jurisdictional overlap between the civic and spiritual spheres could result in antagonism rather than cooperation.³⁸ The Crown's religious policies, centred on the contentious Five Articles of Perth, gave new impetus to the Melvillian debate on how the secular and religious authorities should interact with one another,³⁹ and the period saw a determined campaign by the town council to assert control over the kirk sessions. The creation of the kirk council, which managed the finances of Edinburgh's churches, was part of this campaign. It was certainly in existence by 1595, when it is first mentioned in the printed records.⁴⁰ Unlike the other five committees considered here, the kirk council had an inbuilt bias favouring merchants; all the other committees usually had equal numbers of merchants and craftsmen.⁴¹ It was supposed to (but did not always) meet once a week, and its work was dominated by making sense of the feued lands and rentals belonging to the patrimony of Edinburgh's churches.⁴² The kirk council seems to have been solely an organ of the town council and even if elders or deacons sat on that committee, it was more a matter of the same people wearing different hats, rather than an intended kirk session presence. Given the religious climate in Edinburgh during the second decade of the century, the kirk council's importance as a lever of control over potentially unruly kirk sessions cannot be underestimated.⁴³

The town council's close relationship with the merchant guild was embodied in the person of the dean of guild.⁴⁴ William I had granted the liberty of buying and selling goods within burghs around the end of the twelfth century, although a demand that practising craftsmen should be excluded from the guild during the

³⁶ For example, *Edin Recs 1604-26*, 170, 242, 250.

³⁷ For a more comprehensive discussion of Scottish poor relief, particularly in towns, see J Goodare, 'Parliament and society in Scotland, 1560-1603' (PhD Thesis, Edinburgh, 1989), ch.8. R Mitchison, *The Old Poor Law in Scotland: The Experience of Poverty, 1574-1845* (Edinburgh, 2000), ch.1.

³⁸ Lynch, *Edinburgh*, 20. Consider Goodare, *State and Society*, 172-73.

³⁹ Andrew Melville (1545-1622) articulated the idea that the secular and religious authorities had separate, if complementary, jurisdictions but it remained a contentious and largely unrealised claim. Goodare, *State and Society*, 198-202.

⁴⁰ *Edin Recs 1589-1603*, 127.

⁴¹ ECA, Minutes, vol.xii, 493. The kirk council of 1616-17 was typical in having seven merchants and three craftsmen as members. Other committees had equal numbers of merchants and craftsmen. ECA, Minutes, vol.xii, 480, 491. The act establishing the constabulary stipulated that there should be equal numbers of merchants and craftsmen, but the need for personnel superceded this rule. *Edin Recs 1604-26*, 77. ECA, Minutes, vol.xii, 484.

⁴² The records of the kirk council have been labelled incorrectly as kirk session minutes. NAS, Edinburgh Kirk Council Book 1625-57, CH2/136/84, 21 Oct 1625, 23 Dec 1625, 30 Dec 1625, 20 Jan 1626.

⁴³ Chapter Two expands the theme of secular and religious authority in the town. See Chapter Five for non-conformity before the 1637 Prayer Book crisis.

⁴⁴ Ewan, *Townlife*, 61. Ewan and Rigby, 'Government', 295.

reign of David I shows it was in existence much earlier.⁴⁵ Like the bailies, the dean was entitled to hold his own court, which in Edinburgh consisted of three merchants and three craftsmen, elected annually. The guild's historical concern with trade led to the dean becoming responsible for the registration of new burgesses, guild members and apprentices, which consequently entailed the punishment of those who took on the privileges of the burgh illegally. He was allowed to raise money amongst guild members for both their more unfortunate brethren and the poor of the wider community, while provision for altars in the burgh's churches led on to administrative responsibility for the maintenance of ecclesiastical buildings long after the Reformation.⁴⁶ During the 1630s, the dean was active in the business of the erection of a parliament house, the construction of two new churches and the raising of St Giles' to a cathedral. In the 1640s, the dean's energies would be focused on the defence of the town and the fortifications at the port of Leith.

Financial affairs were handled by the audit and the extent committees. The huge task of verifying the town's accounts, which were recorded formally by the town treasurer, was tackled each year by a committee of eight merchants and eight craftsmen. During the 1620s and 1630s, the job took around six months to a year from the end of the treasurer's tenure of office, but the impact of war on the town's finances meant the process became more protracted as the 1640s progressed. Thomas Moodie's accounts were written up in the autumn of 1643, but the audit was not completed until May 1648. Extentors were elected only when the Crown or the Covenanting government demanded taxation from the burgh. Eight merchants and eight craftsmen were nominated when a tax was ordered to work out who paid tax and what proportion they should be liable for. Although not technically a permanent committee at the beginning of our period, they had virtually become so by the mid-1630s; it is telling that there were almost twice as many elections of extentors in the 1630s as in the 1620s. War with the king and attempts by the Covenanting regime to expand and regularise national taxation confused the picture in the 1640s, but the highly specialised role which the extentors fulfilled justifies their inclusion.⁴⁷

It is apparent, by the wide range of activities which were undertaken by these six committees, that the town council relied on a large body of personnel to implement the decisions which were taken behind the closed doors of the tolbooth chamber. There were 327 individuals who staffed the town council between the election of October 1616 and the reinstatement of the council, after the English invasion, in April 1652. In the same period, however, a further 740 individuals sat on one of the committees; over twice as many people were required to staff the council's committees as sat on the council itself. This statistic gives some credence to the notion of a two-tier system of government. Before considering this idea further, some discussion of the social background of those eligible for council and committee service is needed.

⁴⁵ *Ancient Laws and Customs*, i, 46, 59.

⁴⁶ Marwick, *Guilds and Crafts*, 144. Ewan, *Townlife*, 61-62. ECA, Minutes, vol.xii, 480. ECA, Dean of Guild Records, SL144/3-4. ECA, Dean of Guild Accounts, 1568-26, 1626-1720. *Edinburgh Burgesses*, 7.

⁴⁷ ECA, Minutes, vol.xii, 491, vol.xv, 35. ECA, Minutes, vol.xiii, 338. ECA, Town Treasurer's Accounts, vol.vi, 1642-43.

The question of how pervasive burgess-ship or guild membership was in council or committee circles can readily be addressed using the burgess rolls, but some caveats should be noted. There is no guarantee that every burgess or guild member has been faithfully recorded, either in terms of omissions in the original rolls, or through CBB Watson's own observation that the 'very badly and hastily written' rolls can be difficult to decipher.⁴⁸ The council minutes are, usually, beautifully written, but even there some names required intelligent guesswork and fourteen names were either partially or completely unidentifiable. To complicate matters further, the minutes did not always specify occupation, a key indicator if names were duplicated. Occasionally, the designation elder or younger was used to distinguish between council or committee members with the same name, but this actually made things more confusing because the terms were not applied consistently. In numerous cases, there was simply not enough information conclusively to identify someone in the burgess rolls, particularly if several merchants in the roll had the same name. There is also evidence that people changed their occupational description, perhaps to gain access to the magistracy, or to reflect a change in economic or social circumstances. The merchant Samuel Guthrie was elected to the correction house committee in October 1642, but he had started out as a litster (dye). He had acquired both his burgess-ship and his guild membership through his wife, who was the daughter of a litster, but he became a burgess while a litster and entered the guild as a merchant.⁴⁹ These anomalies have been taken into account, and where it seems *probable* that someone was either a burgess or guild member, they have been recorded as such. Consequently, the analysis which follows must be treated with some caution, and represents a good estimate rather than hard fact.

A breakdown of how many of the 1,067 individuals who served on the council or committees held a burgesship or guild membership is summarised in Table 1.1. These figures show that if those who probably held burgess-ship or guild membership are included, nearly 80 per cent of council or committee members were burgesses of the town. Such a high figure would have been expected, however, as burgess-ship was a prerequisite for council service. What is interesting is that a significant minority were *not* burgesses. By looking at individual committees, it is possible to pinpoint where the discrepancy arises. The information is displayed in Table 1.2.

Well over 90 per cent of those who sat on the town council and the audit, correction house, extent, guild and kirk committees possessed burgesships or guild membership. Given the likelihood of errors or omissions explained above, this suggests that the stipulation of freemen status for council or committee service was being rigorously enforced in the seventeenth century. More notable is the lower value for the number of freemen in the constabulary. Over 20 per cent of these men had not become burgesses. Considering the arduous nature of the job, there may have been difficulties in persuading people to take it on, and consequently the standard applied to other areas of urban government could not be maintained. There may also be a possibility that the town council was not averse to those without burgess status entering the constabulary. As indicated, the bulk of the urban population, and a growing proportion of it,

⁴⁸ *Edinburgh Burgesses*, introduction.

⁴⁹ *Edinburgh Burgesses*, 197, 223.

were not burgesses. Constables were not decision-makers, they were foot-soldiers serving under the direction of the bailie of their particular quarter. Individuals of relatively high social standing probably did not see any advantage in taking on the arduous work of the constable, while the council may have felt that giving a small proportion of the lower orders some responsibility and status could make it easier to control their social equivalents.

1.1 Burgesses and guild members on the town council and its committees

Burgesses or guild members	Number	Per centage	Probable number	Probable %
Burgess only	340	32.0	-	-
Probable burgess only	24	2.2	364	34.2
Burgess and guild member	425	39.8	-	-
Probable burgess and guild member	73	6.8	-	-
Burgess and probable guild member	3	0.3	501	46.9
Neither	202	18.9	202	18.9
TOTAL	1067	100	1067	100

Edinburgh Burgesses. Edin Recs 1604-26, 1626-41, 1642-55. ECA, Minutes, vols xiii-xvii.

1.2 Burgesses and guild members by committee

Committee	Number	Burgess or burgess and guild ⁵⁰	Neither	Burgess or burgess and guild %	Neither %
Town Council	327	315	12	96.3	3.7
Audit	178	170	8	95.5	4.5
Constables ⁵¹	770	398	172	77.7	22.3
Correction house	115	106	9	92.1	7.9
Extent	225	207	18	92.0	8.0
Guild	78	75	3	96.1	3.9
Kirk	115	112	3	97.4	2.6

Edinburgh Burgesses. Edin Recs 1604-26, 1626-41, 1642-55. ECA, Minutes, vols xiii-xvii.

Table 1.2 gives a general indicator of the importance of burgess status to council and committee service, but how important was guild membership? This was a yet more exclusive group of people, who had paid higher entry fees and were supposed to be in possession of 1,000 merks' worth of moveable goods for a merchant, or 500 merks' worth for a craftsman. By the seventeenth century, this was hardly an insurmountable barrier, and the entry fee had been fixed since 1602. Joyce McMillan concluded that the status of the guild had been gradually eroded over the course of the seventeenth century,⁵² but the evidence in Table 1.2 suggests that it was still an important social distinction in our period. Table 1.3 reinforces this impression. It shows a high proportion of guild members in several committees. That a lesser proportion of

⁵⁰ All statistics from this point will include probable burgesses or guild members where burgesses or guild members are being discussed, unless the distinction is stipulated.

⁵¹ The fourteen names which could not be conclusively identified were all constables. Removing them completely from the analysis would give the impression that there were proportionately fewer individuals who were not burgesses, but as this would only increase the per centage of freemen by 1.4%, this small discrepancy would not alter my findings.

⁵² McMillan, 'Edinburgh burgess community', 39-43.

town councillors, in comparison to all but one of the subsidiary bodies, were guild members, might suggest that a core body of town councillors, who were also guild members, tended to staff these committees. The exceptionally high number of merchant guild members on the correction house committee and the guild council certainly gives the impression that guild membership was significant to those seeking a political career in the burgh. The fact that the guild council was, nonetheless, employing men who were not guild members perhaps indicates that the town council could not be too strict when it needed personnel.

1.3 Proportion of guild members on town council and committees

Committee	Number	Guild members	Guild members % of number
Town Council	327	204	62.4
Audit	178	126	70.2
Constables	770	309	40.1
Correction house	115	95	82.6
Extent	225	154	68.4
Guild	78	64	82.1
Kirk	115	91	79.1

Edinburgh Burgesses. Edin Recs 1604-26, 1626-41, 1642-55. ECA, Minutes, vols xiii-xvii.

A more textured picture of the social background of councillors and committee members can be drawn when consideration is given to how men became burgesses or guild brethren. There were four ways to do so. If a man possessed the means, he could simply purchase the privilege, provided he married first. Others inherited their status through their fathers. In the absence of sons, the rights could be passed to a son-in-law when he married – provided the daughter was unquestionably ‘ane clene virgine’!⁵³ Masters could confer burgess-ship and guild membership apprentices, even if they had a family of their own. The merchant and town councillor John Byres enabled his apprentice, John Liddell, to become a burgess and guild member in 1629, although Byres had both sons and daughters.⁵⁴ On rare occasions, men were given the privilege by a special act of council, presumably for some service done to the town. In most cases, this was a means of honouring the politically influential, such as the six English parliamentary commissioners who arrived in Scotland in 1641.⁵⁵ It was far less common for an Edinburgh inhabitant to be granted a burgesship or guild membership directly from the council.

Methods of entry for 340 men who can definitely be identified as burgesses but did not enter the guild are set out in Tables 1.4 and 1.5. Probable burgesses and guild brethren have been discounted. Tabulating the 425 burgesses who also became guild members was more complicated, as there were numerous cases of individuals who became burgesses by one method and entered the guild by another. The results have been split into two categories showing those who became burgesses and guild members by the same method, and those who did not.

⁵³ Marwick, *Guilds and Crafts*, 134. A council act of 1550 barred widows from passing on burgess-ship to a second husband, *Edin Recs 1528-57*, 150. Guild membership could be passed to a second husband in Dunfermline, but it is not clear if this was still happening in Edinburgh in the 17th century, *Gild Court Book of Dunfermline, 1433-1597*, ed. EPD Torrie (SRS, 1986), p.xxiv.

⁵⁴ *Edinburgh Burgesses*, 308. J Geddie, ‘The sculptured stones of Edinburgh: The West-End and Dalry Groups’, *BOEC*, ii (1909), 134-7.

⁵⁵ *Edinburgh Burgesses*, 7.

1.4 Method of becoming a burges (town councillors and committee members)

Burgess only	Number	% of burgesses	
Apprentice	102	30.0	
Father	90	26.5	
Marriage	65	19.1	
Purchase	73	21.5	
Act	10	2.9	
TOTAL	340	100.0	

Edinburgh Burgesses.

1.5 Method of becoming a burges and guild member (town councillors and committee members)

Burgess and guild same entry	Number	% of all guild members	Burgess and guild different entry	Number	% of all guild members
Apprentice	83	19.5	Apprentice	12	2.8
Father	122	28.8	Apprentice	1	0.2
Marriage	139	32.7	Father	4	0.9
Purchase	42	9.9	Father	11	2.6
Act	10	2.4	Father	1	0.2
TOTAL	396	93.3	TOTAL	29	6.7

Edinburgh Burgesses.

For those who possessed only burges-ship the most common method of entry was through apprenticeship, closely followed by inheritance through one's father. A higher proportion of burgesses simply purchased their privileges, more than acquired it from their wives. This may suggest that these men did not possess either the social credentials or the economic means to enter the guild. As will be seen in this chapter, and highlighted again in chapter nine, men who did not enter the guild were far less likely to become significant political figures in the burgh. On the other hand, the fact that over 30 per cent of all the individuals listed here, and 111 of the 327 councillors (33.9 per cent), did not enter the guild shows that political activity was by no means completely confined to an exclusive group of men.

More ambitious men, who wanted political careers rather than sporadic inclusion on a council leet, would have to enter the guild (see below). Social connections were consequently more important, with over 60 per cent of all guild members acquiring both their burges-ship and guild membership through their father or through marriage. A good union was particularly important to the small number of men who acquired their guild membership through different means than their burges-ship. In comparison to those who did not enter the guild, a relatively small proportion of men purchased their guild membership – more than 20 per cent against less than 10 per cent. Joyce McMillan's work has suggested that the status attached to guild membership was being eroded amongst the population at large, but it is apparent that council and committee members still considered it important. Appended to this was the notion that *how* one acquired those privileges also carried weight. This again raises the idea of a two-tier system of government, where a core body of politically active individuals possessed a very specific set of exclusive social credentials.

How do social factors relate to the idea of a two-tier system of government? As indicated above, it is notable that while the constabulary was staffed by a significant minority of men without burgess-ships, only eleven councillors appear not to have been burgesses in the entire thirty-three-year period under study. At least two of the names have a plausible explanation for their absence from the burgess rolls. George Cairncross and Alexander Heron served only once each, as bailies for Canongate and North Leith, and Portsburgh, respectively. Cairncross was a burgess of the Canongate, while Heron was probably not a resident of Edinburgh anyway.⁵⁶ Others may have changed their occupations making them difficult to trace. A merchant, John Wallace, is recorded on the correction house committee during the 1640s, and a John Wallace, walker (a worker in the cloth trade), sat on the council on four occasions across nearly thirty years. This might suggest more than one John Wallace, walker, although such sporadic service is not unique. It is also possible that Wallace the walker and Wallace the merchant are one and the same, although without any supporting evidence, they must be treated as separate individuals.⁵⁷ What is more interesting is the number of times these men appeared on the council. Ten sat only once or twice. John Wallace sat four times, but he may have been two different people. Thomas Somerville, a furrier, sat six times. There were many Somervilles listed in the burgess rolls as skinners, suggesting that Somerville was either related to a burgess family or changed his occupation. The implication is that there were probably fewer men who were not burgesses than the analysis can allow for, and that even if non-burgesses were gaining access to the council chamber, they were not staying there very long.

The majority of councillors were burgesses or burgesses and guild brethren. Methods of entry are recorded in Tables 1.6a and 1.6b for the 299 councillors for whom this information was available.⁵⁸ As in the committees, councillors possessing only burgess-ships predominantly acquired them through apprenticeship, with marriage and inheritance proving much less important. It is interesting, however, that the number of purchased burgess-ships was so low, particularly in comparison to the committees. For councillors who also acquired guild membership, apprenticeship fell back behind marriage, which was also the most significant means of entering the guild for those who had acquired their burgess-ship by another means. Purchase was, surprisingly, more prevalent in guild membership than in burgess-ships, but its overall significance was still small. Inheritance through one's father was the predominant method of entry into the guild for councillors – marriage had prevailed amongst the council and committees generally. This would suggest that, within the council chamber, a man's background was extremely important. As will be seen in Chapter Three, most of the period's longest-serving councillors had inherited their burgess-ship and guild membership from their fathers.

⁵⁶ For Cairncross, see *Register of the Burgesses of the Burgh of the Canongate, 1622-1733*, ed. H Armet (SRS, 1951), 13.

⁵⁷ John Wallace the walker sat on the council in 1623, 1635, 1640 and 1649. *Edin Recs 1604-26*, 245. *Edin Recs 1626-41*, 167, 244. *Edin Recs 1642-55*, 213. *Edinburgh Burgesses*, 509.

⁵⁸ As well as the 12 who were neither burgesses nor guild members, another 16 men were probably either burgesses or guild members, making 327 councillors in total. These 28 men were discounted from this analysis.

1.6a Method of entry for town councillors with burgess-ships

Burgess only	Number	% of 299 councillors
Apprentice	53	17.7
Father	21	7.0
Marriage	21	7.0
Purchase	5	1.7
Act	6	2.0
TOTAL	106	35.4

Edinburgh Burgesses.

1.6b Method of entry for town councillors with burgess-ships and guild membership

Burgess and guild same entry	Number	% of 299 councillors	Burgess and guild different entry	Number	% of 299 councillors
Apprentice	45	15.1	Apprentice	5	1.7
Father	72	24.1	Apprentice	1	0.3
Marriage	49	16.4	Father	0	0.0
Purchase	11	3.7	Father	5	1.7
Act	4	1.3	Father	1	0.3
TOTAL	181	60.6	TOTAL	12	4.0

Edinburgh Burgesses.

Was there any evidence that for councillors, the importance of guild membership and the acquisition of the burgh's privileges through one's father had declined during the 1640s? The change of regime in Scotland in 1638, the subsequent wars across three kingdoms, a devastating plague outbreak, and the financial difficulties of the later 1640s might have affected the nature of council membership. To establish this, another assessment was carried out on councillors where information about how they acquired their burgess-ship or guild membership existed. This time they were divided into 209 councillors elected between 1616 and 1637, and 153 councillors elected between 1638 and 1652. The overall proportions of each entry method, regardless of whether it resulted in the acquisition of burgess-ship or guild membership, have also been recorded. People whose burgess-ship was acquired by one method and their guild membership by another presented a problem. As one councillor could not be allowed to become, in effect, two people, by counting both his methods of entry, and as their decision to join the guild was of as much interest as their acquisition of their burgess-ship, they have been placed in a separate category.

Tables 1.7a to 1.7e (below) represent this information.

The period 1638-52 did not prove to be radically different from the period 1616-37 in terms of burgess-ships. There was a small drop in the proportion of councillors who did not enter the guild, but apprenticeship remained the dominant means of acquiring a burgess-ship. Fewer acts of council are in evidence, while the proportion of purchased burgess-ships also dropped. For guild brethren, the picture is a little more interesting. Inheritance was still the most important means of acquiring guild membership after 1638, but the proportion had dropped by 4 per cent. Although there was a small rise in the proportion of people entering the guild via marriage, this method had been outstripped by apprenticeship. When the

figures were combined, marriage proved to be of less consequence as a means of acquiring burgess-ships or guild memberships amongst councillors than either apprenticeship or inheritance. These findings contrast with Dingwall's emphasis on the importance of inheritance and marriage, not apprenticeship.⁵⁹ In a society dominated by agnatic links, an apprentice may have been closer to a natural son than a son-in-law.⁶⁰ Inheritance did not remain dominant throughout the period, however, as it fell behind apprenticeship after 1638. As most men became burgesses aged about 21 and as there could be a delay of anything between 15 or 20 years before taking a seat on the council, the developments after 1638 actually reflect demographic changes in the 1610s or 1620s.⁶¹

It is important to stress that although some movement in the pattern of entry methods certainly occurred, the figures are still very small – 5 per cent or less in all cases. Helen Dingwall has alluded to the possibility that during the 1640s the social composition of the town council began to change in response to the political and economic pressures of the period,⁶² but the evidence presented here casts doubt on this theory. Guild membership amongst councillors actually went up after 1638, perhaps because the council's thought that the low entry fees were making the freedom of the town 'contemptible'.⁶³ McMillan has indicated that this was a problem which may have pre-dated the Covenanting period. She has found a 40-fold increase in the number of *gratis* burgess-ships granted by the council between the first quarter of the seventeenth century and the second.⁶⁴ Social change did not penetrate the council chamber, however. Even if the council were a little edgy about their status, this probably reflected the political and economic situation during the 1640s, rather than any real attempt by those lower down the social spectrum to push their way into the council chamber. The significant detail is that the number of councillors holding purchased burgess-ships or guild memberships actually dropped after 1638.

It is clear that ideas about the town council's social composition during the period 1616-52 need revision. Although marriage and apprenticeship were not the ideal pathways into the burgh's highest echelons, they were still recognised as a legitimate means of entry. This reflected the fundamental biological reality that not every family would be able to produce sons who could inherit their father's privileges. In that case, it was obviously preferable to be able to pass those privileges onto a trusted apprentice or son-in-law. Far from being evidence of social fluidity amongst the élite, this policy enabled the preservation of social exclusivity. If access to the burgh's privileges had become dependent purely on the ability to buy it, or the

⁵⁹ Dingwall's article analysed one town council from each decade 1550-1650. Dingwall, 'The importance of social factors', 20-22.

⁶⁰ For the importance of agnatic links in rural society, see J Wormald, *Lords and Men in Scotland: Bonds of Manrent, 1442-1603* (Edinburgh, 1985), 79-80.

⁶¹ McMillan, 'Edinburgh burgess community', 35. Dingwall, 'The importance of social factors', 23. Norwich's apprentices predominantly came from within a radius of not more than twenty miles, although London's often came from much further afield.

P Griffiths, J Landers, M Pelling and R Tyson, 'Population and disease, estrangement and belonging 1540-1700' in P Clark (ed.), *The Cambridge Urban History of Britain: volume II* (Cambridge, 2000), 198-99.

⁶² Dingwall, 'The importance of social factors', 25.

⁶³ *Edin Recs 1626-41*, 130. The quotation is from 1647, ECA, Minutes, vol.xvi, 203.

⁶⁴ McMillan, *Edinburgh Burgess Community*, 48.

1.7a Method of entry for burgess-ship alone: councillors 1616-37

Burgess only	Number	% of 211 councillors
Apprentice	41	19.4
Father	16	7.6
Marriage	15	7.1
Purchase	4	1.9
Act	5	2.4
TOTAL	81	38.4

1.7b Method of entry for burgess-ship and guild membership: councillors 1616-37

Burgess and guild same entry	Number	% of 211 councillors	Burgess and guild different entry	Number	% of 211 councillors
Apprentice	25	11.8	Apprentice Marriage	3	1.4
Father	58	27.5	Apprentice Act	0	0
Marriage	32	15.2	Father Apprenticeship	0	0
Purchase	7	3.3	Father Marriage	3	1.4
Act	1	0.5	Father Act	1	0.5
TOTAL	123	58.3	TOTAL	7	3.3

1.7c Method of entry for burgess-ship alone: councillors 1638-53

Burgess only 1638-53	Number	% of 153 councillors
Apprentice	26	16.9
Father	10	6.6
Marriage	10	6.6
Purchase	1	0.7
Act	1	0.7
TOTAL	48	31.5

1.7d Method of entry for burgess-ship and guild membership: councillors 1638-53

Burgess and guild same entry 1638-52	Number	% of 153 councillors	Burgess and guild different entry 1638-52	Number	% of 153 councillors
Apprentice	27	17.5	Apprentice Marriage	3	2.0
Father	36	23.5	Apprentice Act	0	0.0
Marriage	25	16.3	Father Apprenticeship	0	0.0
Purchase	5	3.3	Father Marriage	5	3.3
Act	3	2.0	Father Act	1	0.7
TOTAL	96	62.7	TOTAL	9	6.0

1.7e All methods of entry for burgesses and guild members: councillors 1616-53

Type of entry	% of all methods of entry 1616-37	% of all methods of entry 1638-53
Apprentice	31.2	34.4
Father	35.1	30.1
Marriage	22.3	22.9
Purchase	5.2	4.0
Act	2.9	2.7
Two methods	3.3	6.0
TOTAL	100.0	100.1

Source: *Edinburgh Burgesses*.

ability to inherit it, politically and socially influential families could find themselves ruined by the unfortunate accident of failing to produce a son. As Dingwall has noted, political influence was achieved 'by status as much as by wealth'. Simply possessing the means to buy one's way into the freeman population was not enough to guarantee that influence.⁶⁵ This concept is reinforced by McMillan's findings for the rest of the burgh's burgesses. Purchase of the burgh's privileges accounted for 23 per cent of all entries, far outstripping the 12 per cent of entries reliant on apprenticeship.

In practice, access through marriage or apprenticeship enabled ambitious men, who might otherwise have been limited by insufficient means from becoming significant political figures. James Roughead is a good example. He received his burgess-ship through his father but his guild membership was due to his wife. Only five years later he took a seat on the council. As there is no evidence that Roughead's father was a man of any particular consequence, his rapid advancement is more likely to have been due to his politically active father-in-law, John Trotter. Two of this man's sons also appeared in council, as did his former apprentice, William Trotter, who was probably a relative. Roughead went on to sit on the council 14 times during a long political career.⁶⁶ Likewise, apprenticeship enabled such influential figures as the goldsmith and dean of guild George Suittie, the merchant and bailie John Byres and the surgeon Andrew Scott to put a foot on the first few rungs of the political ladder.⁶⁷

There is no doubt, therefore, that the town council was made up of a socially exclusive body of people throughout the period 1616-52. It is also apparent that its exclusivity was maintained during the politically turbulent period of the 1640s – there was no sudden appearance of men whose backgrounds were radically different from those who had preceded them. This seems to have been in keeping with the situation in English towns during the same period. Factions with different sets of interests, rather than different social backgrounds, took control of towns, depending on which army happened to be in the vicinity.⁶⁸ While the social integrity of the council throughout this period points to the remarkable stability of the organs of urban government, it is also worth investigating how much control the council exercised over their committees. Were they being used by ambitious men as a stepping-stone into the council chamber? Were they the council in miniature, completely dominated by the superior entity? Or were they made up of a completely different body of people – foot-soldiers who simply took orders and never rose to the position of giving them?

A simple comparison has been made in Tables 1.8a and 1.8b between the personnel of the committees and the personnel of the town council, in order to establish the extent to which the former were being staffed by

⁶⁵ Dingwall, 'The importance of social factors', 25.

⁶⁶ *Edinburgh Burgesses*, 428, 498-99.

⁶⁷ *Edinburgh Burgesses*, 90, 477, 438. See Chapter Three for more information about Byres and Suittie.

⁶⁸ AM Johnson, 'Politics in Chester during the civil war and interregnum 1640-62' in P Clark and P Slack (eds), *Crisis and Order in English Towns 1500-1700* (Frome and London, 1972), 204-17. IA Archer, 'Politics and government 1540-1700' in *Cambridge Urban History*, ii, 252.

the latter. As there were clearly councillors sitting before 1616 who were active on committees after 1616, the personnel of the committees was compared against councillors sitting since 1610.⁶⁹

1.8a Town councillors sitting on committees 1616-37

	Audit	Constables	Correction House	Extent	Guild	Kirk
Number of committee members	131	547	45	148	62	76
Number of councillors on committee	116	97	34	116	58	72
Councillors as % of committee membership	88.5	17.7	75.6	78.4	93.5	94.7

Edin Recs 1604-26, 1626-41, 1642-55. ECA, Minutes, vols xiii-xvii.

1.8b Town councillors sitting on committees 1638-53

	Audit	Constables	Correction House	Extent	Guild	Kirk
Number of committee members	86	287	86	124	27	66
Number of councillors on committee	80	25	44	88	27	65
Councillors as % of committee membership	93.0	8.7	51.2	71.0	100	98.5

Edin Recs 1604-26, 1626-41, 1642-55. ECA, Minutes, vols xiii-xvii.

For most of the committees, their membership was almost completely dominated by town councillors in the period 1616-52, with this trend intensifying during the 1640s. This is particularly evident for the guild and kirk committees, which were almost entirely staffed by town councillors during the Covenanted era. It is not unreasonable to suppose that as the dean of guild was himself a town councillor, he might turn to those who had sat with him in the tolbooth chamber. As indicated above, the council's concerns about the status of burgesses and guild brethren during the 1640s may also have encouraged them to keep a closer eye on who was being granted the burgh's privileges. The kirk committee was also almost completely staffed by town councillors in this period. During the 1640s, the town's archaic fiscal system was under severe strain and the regular income, known as the common good, was insufficient to meet the town's obligations. Already showing signs of ill health in the 1620s and 1630s, it haemorrhaged in the 1640s as the council found itself trapped in a vicious cycle of borrowing – to meet the interest payments on borrowed money, the town council was forced to borrow more money on interest.⁷⁰ Through its consolidation of those committees which handled the burgh's income, the town council may have been trying to manage its money more effectively.

⁶⁹ Previous analysis has shown that most councillors only sat once or twice in their lives, and that gaps of less than five years between sittings tended to occur. Beginning in 1610 seemed as likely to ensure a reasonable level of accuracy as any date before it.

⁷⁰ The author is working on urban finance and intends to publish on this in due course. It is clear that by the 1640s, the town council had resorted to heavy borrowing and was struggling to meet interest repayments.

Financial considerations also explain why the high proportion of councillors on the audit committee increased further after 1638. The difficulties of keeping track of the town's money, much of which was actually circulating the burgh as credit notes, was not helped by the hiatus in urban government caused by the plague outbreak of 1645.⁷¹ As councillors had first-hand knowledge of the town's *ad hoc* procedures, and as they knew personally the individuals who had handled all the money, their experience of council service became an invaluable commodity.

Three of the committees did not follow this trend. The constabulary never boasted a high proportion of councillors, but during the 1640s the latter's reluctance to serve became even more marked. Constables probably found the constant round of day and night watches, organising wapinshawings and maintaining public order arduous enough at the best of times. In the 1640s, service could seriously damage health. These were the men who formed the backbone of the town's home guard, marshalling those who had not ended up in one of the Covenanting armies and leading the hapless attempts to barricade the town. Far more detrimental to their collective health was the plague outbreak. The constabulary were the front line against contagion, responsible for searching out the sick, isolating contaminated houses, taking the potentially infected out to the camps and cleansing affected areas. Some of them died carrying out their work.⁷² Councillors were understandably reluctant to act as constables, but it is also evident that constables rarely went on to become councillors. There was little political reward for the job, beyond the local prestige attached to holding a position of responsibility. In consequence, the constabulary seems to have operated in its own political cocoon, and although many only served once or twice, those who rose to become officers of their sector appeared year after year. John Fairlie was the exemplar of dedication, acting as the officer of southeast one for an unbroken run of twenty-two years,⁷³ but there are numerous others whose careers lasted a decade or more. While the constabulary was not a favoured option for those born into relative privilege, those lower down the social scale may have found the responsibilities conferred upon them by their superiors brought them a certain standing within their own community.

Both the correction house committee and the extentors saw a decline in members from the town council; in the case of the former, the decline was in the order of 25 per cent. Part of this may be about the limits on the number of councillors available to participate in an expanding committee structure, with the audit, guild and kirk committees benefiting at the expense of less politically prestigious bodies. While councillors may have been enthusiastic about the new correction house and its ambitious programme of social reform during the 1630s, the reality of trying to run a loss-making institution in a time of war and plague was probably not as enticing. A pathetic petition from the mistress of the correction house, written to the council during the

ECA, Town Treasurer's Accounts, vols iv-vii. See Appendix, Figures 1 and 2 for the town's charge and discharge, Figures 3 and 4 for the town's borrowing.

⁷¹ Receipts or bills from the town treasurer or the bailies were written out on scraps of paper. See ECA, Moses Bundles 174 and 186.

⁷² See Chapter Two for the plague outbreak of 1645 and the role of the constabulary.

⁷³ See Appendix, Map 2.

plague epidemic, gives an insight into how bad conditions were for the inmates.⁷⁴ The decline in the number of councillors on the extent committee was less pronounced. Again, the increased frequency of taxation in the 1640s, and the introduction of new methods which required new assessments, made the work of the extensors even more time-consuming and contentious than ever. By the later 1640s non-payment was a serious issue,⁷⁵ and although there is no record of political objections to taxation, it hardly seems likely that the extensors were the most popular people in town. Councillors, already stretched in other areas of the administration, were perhaps less well-disposed to fulfilling this particular role.

In the light of the council's dominance of its committees, it is worth considering whether existing councillors were lending their expertise to an increasingly complicated bureaucracy, or whether committees were being used as a proving ground for potential political players. To test these ideas, a simple correlation between a councillor's first appearance on the council and his first appearance on a committee was considered. A 20 per cent sample was analysed and the results have been tabulated in the Appendix (Table 2). In most cases, a councillor appeared on a committee around the same time as he first sat in the tolbooth chamber, either that year, or a few years later. The guild and kirk councils follow this pattern most closely. Sometimes the gaps were quite substantial, however. Thomas Charteris took nine years to appear on the kirk committee having made his debut in the council chamber, and he is not alone. Some of the gaps are so long that it seems likely a councillor's son or nephew of the same name had taken up committee membership. Edward Edgar first sat on the town council in 1625, but it was 1645 before he began work as an extensor. With no conclusive evidence of when father retired and son took over, it is entirely possible that Edgar had a long career marked by reluctance to get sucked into the council's time-consuming extra-conciliar activities.

It seems that, for most people, committee membership occurred as a result of town council membership, but there are some notable exceptions. William Blythman acted as an extensor in 1634, but it would be 1643 before he managed to enter the council chamber. Patrick Graham was drafted onto the correction house committee in 1640, four years before he became a councillor. Neither of the men had significant political careers – Blythman was an extraordinary deacon twice, in 1643 and 1644, while Graham sat once as a councillor in 1644 – and it is probable that the council had called upon them to make up the numbers because their first choices were all engaged elsewhere or intentionally avoiding being asked. Names made familiar by their persistent appearance on the council, men such as Edward Edgar, Stephen Boyd, Thomas Charteris, John Binnie or James Cochrane, to name a few, all entered the tolbooth chamber before they became involved in committee activity.

Variation appears amongst the constabulary, however. It was a surprise, given earlier statistical revelations, to find some prominent councillors acting as constables, notably Edward Edgar, John Binnie, David McCall and the tailor Thomas Paterson. Interestingly, they were all constables before they were

⁷⁴ ECA, Moses Bundle 191, no.66.

⁷⁵ ECA, *Edin Recs 1641-55*, 109, 114, 121, 129, 135, 140. ECA, *Minutes*, vol.16, ff.174, 187, 205.

councillors, in direct contradiction to their later career patterns. Were these the type of men who were expected to become councillors, but, rather like the admiral's son who scrubs the decks to show that he had got there on merit, they chose to do short stints as constables to prove their abilities? Was it a baptism by fire, young men being thrown into one of the most arduous jobs in the council's remit to toughen them for the council chamber itself? It was certainly one of the best ways to get to know the burgh, who the troublemakers were, what was needed to keep the streets free of crime, how to cope with the never-ending piles of human detritus. In comparison to other committees, an unusually high number became constables before, sometimes long before, they ever sat on the council. This reinforces the idea presented above, that the constables were foot-soldiers in a two-tier system of government, which in effect developed its own hierarchy.

One other body of people associated with the council, but not directly controlled by it, needs to be considered. Government can operate only on the basis of consensus, and although this is the buzz-word of the modern media-obsessed politician, it has equal validity for early modern oligarchies. Not only did the town council have to consider the needs of the community it governed, but it had to be *seen* to be considering those needs. This was the purpose of an amorphous body of people known as the neighbours. By the seventeenth century, the traditional form of consultation with the wider burgh community, the burgh head court,⁷⁶ appears to have fallen into disuse. There are no references to such an event in the town council minutes or the treasurer's accounts. Instead of these meetings, the council seem to have specifically requested the presence of the 'neighbours' at some of their otherwise closed sessions.

The term 'neighbour' suggests a small, specific, identifiable group of people familiar with one another. This was a concept which fitted neatly with the traditional view of the burgh as an all-inclusive single community of burgesses, suggesting that the council was keen to perpetuate that idea even if the actual practice of consulting with all the town's burgesses was no longer relevant or practical. There does seem to have been a distinction between the 'nichtbors' and other terms denoting components of the Edinburgh population – it does not mean the same thing as the very specific term 'heretoris' (property owners) or the highly generalised one 'inhabitantis' (probably the heads of households).⁷⁷ 'Gude nichtburheid' embodied a particular concept of community which could be defined in the dean of guild's court; someone who left their foul effluence to putrefy in your close was not a good neighbour.⁷⁸ This is stating the obvious but it still underlines an important ideological component of burgh government. The council was pointedly creating a specific group of people who represented both those with a vested interest in council activity and an idealised community of harmonious cohabitantes. The apogee of this idea was manifested during the hiatus in town council meetings caused by the English invasion. It was the neighbours, not the heritors, the

⁷⁶ E Ewan, 'The community of the burgh in the fourteenth century' in M Lynch, M Spearman, and G Stell, (eds), *The Scottish Medieval Town* (Edinburgh, 1988), 233. EP Dennison, 'Power to the people? The myth of the Scottish medieval burgh community' in S Foster, A MacInnes, R MacInnes (eds), *Scottish Power Centres: From the Early Middle Ages to the Twentieth Century* (Glasgow, 1998), 103, 119.

⁷⁷ *Edin Recs 1642-55*, 94, 115.

⁷⁸ ECA, Minutes, vol.xvii, 87-8.

inhabitants or even the councillors by another name, who carried on the necessary day-to-day functions of urban government.⁷⁹

Who were the neighbours? Unfortunately, the time period covered by this thesis posed too great a challenge for a thorough analysis. The printed editions of the minutes did not always state when the neighbours were convened, and even then, they were not named. Instead, the period 1638-52 was selected as a time when the incredible pressures on the town council necessitated wider consultation. The repeated crises of the 1640s meant the council, more than ever, was reliant on the active support of those it governed, and consequently, gave the neighbours an important role to fulfil. During this period, there were seventeen separate occasions on which the neighbours were consulted, but four of them did not list names.⁸⁰ On another occasion, the town council met with 388 neighbours, a number over half as great again as the total number of people who appeared in all the other meetings. Its purpose was the denunciation of the Engagement on 20 October 1648, and was intended to pull in as many of the burgess community as possible. It is significant that far fewer people gathered to 'ratify and approve' the council's actions in the month following the signing of the National Covenant, than convened on 20 October.⁸¹ In the following analysis, this meeting has also been discounted.

In the twelve remaining sessions, 224 individuals are listed. Of those individuals, 165 were affiliated to the town council or its committees and 97 of them were councillors. Some, such as William Dick, James Denniston the goldsmith and John Trotter, had been politically active since the 1610s. This means that 73.4 per cent of the neighbours were either councillors or committee members. Approximately another forty surnames are possessed by councillors, suggesting family relationships. For example, John Foulis, an apothecary, was named in the council records as a neighbour in 1650. His father was George Foulis, master of the mint, and his brother was a sitting town councillor.⁸² It may be the case that if the councillor himself was not available, or if the issue was a contentious one with which he did not wish to be directly associated, a brother, son, cousin or nephew might go along instead to find out what was happening. Whether these men arrived at council meetings because they received private invitations or because of a general public summons to the burgesses, it is apparent that the high proportion of former councillors or their families amongst the neighbours shows they were a body whose opinion was too important to ignore.

The provenance of men who do not appear to be linked to the council leaves questions unanswered. The neighbours did not provide a forum for the legal profession to exert its influence on the political process in Edinburgh. Only one lawyer, George Mack, writer to the signet, is listed. There were lawyers who acted as assessors for the town council, and the treasurer's accounts have a section for their expenses, but they appear to have acted in a strictly legal capacity.⁸³ Nor was it an opportunity for the unincorporated crafts to

⁷⁹ *Edin Recs 1642-55*, 310-12.

⁸⁰ Appendix, Table 3 lists the dates on which the neighbours were convened.

⁸¹ *Edin Recs 1642-55*, 174, 183. ECA, Minutes, vol.xvii, f.61, vol.xv, f.50.

⁸² *Edinburgh Burgesses*, 191-92.

⁸³ ECA, Town Treasurer, vols iv-vii.

express opinions. Of the 73 craftsmen listed as neighbours, only three were not part of a guild, although a further 21 names did not have an occupational designation.⁸⁴ Whoever these men were, they made up a small proportion of those convened to consult with the town council. Their influence, both numerically and as individuals, must have been almost insignificant in a body that was so heavily permeated by councillors and their families.

The complete dominance of the town council over all areas of its administrative structure, and the high preponderance of town councillors in the advisory body known as the neighbours has been established, but the picture needs refining. While the council demonstrably tightened their grip on key committees such as the kirk and guild council, a two-tier system was developing in parallel with the consolidation of oligarchy. Although there are problems with the available terminology, the evidence here suggests the existence of a core political élite, whose families had been involved in burgh politics for decades and who filled the senior offices on the town council. More will be said about these men and their social connections in Chapter Three. Beneath them was a larger 'middling sort' who, in common with their political superiors, probably did not 'depend on their hands' for their livelihoods, but who lacked their social credentials.⁸⁵ It was these men who pushed their way into the political life of the burgh in the early seventeenth century, but in the main, they were able only to penetrate its outer margins.

The development of this two-tier system was partly enabled by the need for more personnel, and there were only so many councillors to carry out a certain number of tasks. Farming out the less appealing jobs to those lower down the social hierarchy gave the illusion of greater participation in government while ensuring that the real levers of power were still being held by the type of people who had always held them. This does not necessarily mean that government was 'remote', although the strict social hierarchy which the council was instrumental in maintaining suggests it was increasingly 'authoritarian'.⁸⁶ What seems so striking to the author is the incredible stability of early modern oligarchic government in an age of social, political and religious turmoil. There is no evidence of attempts from below to overthrow a town council or force changes in its composition,⁸⁷ although certain people on it did become unpopular. Despite the bombardments from the castle, unprecedented taxation, financial disintegration and plague, Edinburgh town council continued to operate effectively until the English occupation. Even military rule did not

⁸⁴ George Gellie, cramer, Duncan Mann, bookseller and Alexander Lauder, maltman are the unincorporated craftsmen. They do not appear in the burgess rolls.

⁸⁵ For a discussion of the validity of these terms, see K Wrightson, '“Sorts of people” in Tudor and Stuart England' and P Earle, 'The Middling Sort in London' in J Barry and C Brooks (eds), *The Middling Sort of People: Culture, Society and Politics in England, 1550-1800* (London and Basingstoke, 1994), 32, 40, 44-6, 143. See also M Rappaport, *Worlds within Worlds: Structures of Life in Sixteenth Century London* (Cambridge, 1989), ch.9.

⁸⁶ Lynch, 'Introduction' in *Early Modern Town*, 16, 28.

⁸⁷ Brenner and Pearl show that in London in the early 1640s, there was a challenge to the political hegemony of the aldermanic bench, Brenner, *Merchants and Revolution*, 323, 343-45, 368, 399, 451. V Pearl, *London and the Outbreak of the Puritan Revolution: City Government and National Politics, 1625-43*, (Oxford, 1961), ch.6.

permanently eradicate most of the town council's functions. This suggests that the political élite continued to exercise authority through the town council in a way which remained relevant to the population of Edinburgh in its widest sense.

Democracy is the ideological framework for the modern Western world, embodying the fundamental equality of all men and women. In the early modern world, democracy meant government by those with an 'interest in the commonwealth' and was often used pejoratively.⁸⁸ Few would have seriously challenged the idea that those who were 'maist apt and able to judge and decerne'⁸⁹ should take on the burdens of office. The fact was that only a minority had the time, the money or the education which would have enabled them to serve effectively on the council. Of course there were always going to be men handicapped by small resources and plagued by big ideas banging on the doors of the council chamber, but for the vast majority of Edinburgh's mushrooming population, the issue was not about representation. It was about whether town councillors were still performing their primary task of protecting and advancing the interests of the community at large. Early modern society was undeniably hierarchical, and urban societies no less so than their rural counterparts, but it was explicit that those with power had responsibility. So long as the council continued to regulate prices, apprehend thieves, organise the removal of middens, maintain the churches, keep the wells free of debris and monitor the quality of food in the markets, then they were fulfilling their most fundamental functions.

Councillors, magistrates and even provosts came and went, but the actual structure of government proved very resilient presumably because it gave everybody what they expected from it. The key was consent; those who were denied access to political circles accepted this when they believed that the men running their affairs were visibly upholding the burgh's interests. Perpetuating the idea that the council was capable of doing this was also dependent on generating respect for the offices themselves. Council membership was socially exclusive, both in terms of wealth and background, but this was not necessarily something which contemporaries would have criticised. It was imperative that the dignity of the council was maintained by men who could deliberate with privy councillors, provide the financial backing office inevitably required and demonstrate the skills, honed over a lifetime of mercantile activity, which were necessary to understanding Edinburgh's complicated rules and privileges. Nobody would have been convinced that a semi-literate fishmonger was a better man to have as bailie than an international merchant with a wide network of friends to call on for assistance.

As in all political systems, Edinburgh town council was probably less concerned by what the masses thought, than it was with the opinions of that tiny proportion of the population whose personal interests were intimately intertwined with the continuation of oligarchic government. It was that amorphous body of

⁸⁸ B Manning, 'Puritanism and democracy, 1640-42' in D Pennington and K Thomas (eds), *Puritans and Revolutionaries: Essays in 17th century history presented to Christopher Hill* (Oxford, 1978), 143. How this fits into broader political thought is explained by JP Sommerville, *Royalists and Patriots: Politics and Ideology in England, 1603-40* (2nd edn, London and New York, 1999), ch.1.

⁸⁹ The statement relates to the dean of guild court, but it holds true for the council. *APS*, vol.v, 30.

neighbours who really counted, if the town council was to survive the traumas of the 1640s. They bankrolled the council's chaotic finances. They provided its personnel. In the most literal terms, they *were* the community the town council represented. Consequently, the stability of the town council during the 1640s was partly based on the fact that the several hundred inter-related individuals who made up this privileged network had a vested interest in stability. There is an argument that concentrating on the memorable battles, the political intrigues and the religious turmoil of history disguises the fact that continuity, not change, is the normal state of affairs. The remarkable stability of the town council of Edinburgh in the first half of the seventeenth century decisively supports that argument.

Burgh Church and Burgh Government

The kirk session was arguably the most visible feature of the Scottish reformed church. It brought the fundamentals of faith to ordinary people as never before, through enforcement of social discipline and provision of poor relief.¹ In rural Scotland, where nine-tenths of the population lived, the regular meetings of kirk sessions connected disparate communities and related them to an entire system of church courts, making the church a far more immediate presence than kings, councils and law courts. Urban dwellers, exposed to the rigorous regimentation set down by town councils, perhaps found them less of a novelty, but what must have given everyone pause for thought was the extent to which the kirk sessions could interfere in people's lives – even the social elite.² It was unlikely that the bailie, busy with the responsibilities of criminal jurisdiction in the burgh, would have bothered himself with a couple of journeymen brawling outside the house of a well-known purveyor of ale. The elder bothered himself, however, because his interest was not just in keeping order, but in eradicating those blots which defiled the pure face of the perfect reformed church.

Kirk sessions were the front line of the assault against the old faith after 1560, but practical and political considerations meant that St Andrews-style overnight reformation was the exception, not the norm.³ This was particularly pertinent in Edinburgh, where even the presence of John Knox was not enough to make a 'public face' of the 'privy kirk' which had sustained the faithful through the uncertain years of the 1550s. It would be the 1570s before Protestantism was strong enough in the burgh to enable the kirk session to function with any degree of authority amongst the wider population.⁴ Part of its eventual success rested on the fact that the kirk session was staffed primarily by those who were the natural leaders of burgh society – wealthy merchants and their legal friends.⁵ This was less true of the rung down from the elders, the deacons, who carried out a lot of the basic functions of the session, but as it was the elders who sat in judgement over moral transgressors, it was their influence which mattered.

By the later sixteenth century, Michael Lynch has surmised that the session was increasingly dominated by the town council. In 1625 it was made clear that session elections should be conducted by 'the proveist, baillies and counsall, the ministers of the parochin and present sessioun'.⁶ As with the committees discussed in Chapter One, the implication is that the town council was consolidating its hold over all

¹ M Todd, *The Culture of Protestantism in Early Modern Scotland* (New Haven, New Jersey, 2002), 11, 14. WR Foster, *The Church Before the Covenants* (Edinburgh and London, 1975), 71. C Larner, *Enemies of God: The Witch-hunt in Scotland* (London, 1981), 55-6. Goodare, *State and Society*, 175, 177-78, 181.

² The powerful could still evade their kirk session for years, and many got away with fining rather than humiliation. Todd, *Culture of Protestantism*, 374-75, 408-9.

³ J Dawson, '“The face of ane perfytt reformed kyrk”: St Andrews and the early Scottish Reformation', in J Kirk (ed.), *Humanism and Reform: The Church in Europe, England and Scotland, 1400-1643* (Oxford, 1991), 413.

⁴ Lynch, *Edinburgh*, 38-9.

⁵ Lynch, *Edinburgh*, 39-40.

aspects of urban life in Edinburgh. The first question is whether this is true, but there are serious difficulties in making comparisons with Lynch's work because the extant records are more comprehensive⁷ for the 1560s than for the mid-seventeenth century; by 1625,⁸ Edinburgh's single general session, which by that time was serving two congregations within St Giles, another in Trinity College and one in the new Greyfriars' church, had been divided into 'four distinct sessiones' covering the quarters of the burgh. Ideally, each session would have two ministers, six elders and six deacons. By 1641, this was inadequate and the town had to be divided again, into six parishes each with two ministers, four elders and four deacons. This expanded to six elders and six deacons in 1644.⁹ There are extant records for only two of the parishes for the years 1626-38, and there are no presbytery records at all.¹⁰ By combining this with other, admittedly incomplete, material it is possible to at least gain an impression of who was sitting on Edinburgh's kirk sessions in the mid-seventeenth century.

A comparison of the names of 636 individuals recorded as kirk session members with those of town councillors revealed that only 154 sessioners ever sat on the council - a surprisingly low 24 per cent. This figure rose to 236 if kirk sessioners were compared against the constabulary (37 per cent), and 351 if all the town council's committees were considered (55 per cent).¹¹ There are serious flaws with this type of analysis, however. The nature of the surviving evidence means there is much more information about deacons than there is about elders, by a ratio of 6:1. Lynch's work suggests that town councillors were much more likely to become elders without ever having been deacons, although the evidence here suggests this might not have been the case; the ratio of town councillors to deacons and to elders was identical - 1:3.5.¹² Even with these caveats, a tentative hypothesis cannot support the idea that town councillors dominated kirk session membership by the seventeenth century, although their social status may have outweighed their numerical disadvantage. This might suggest that the kirk sessions were an opportunity for middle-ranking burgesses to enhance their social standing. Did this create the conditions for conflict with the town council? Disputes between the two bodies were largely informed by a differing emphasis on the balance between political pragmatism and godly zeal; this may have been exacerbated by tensions between

⁶ Lynch, *Edinburgh*, 41-2. *Edin Recs 1604-16*, 278.

⁷ They are also easier to use because there was only one session.

⁸ The absence of kirk session records and inconsistent use of the plural makes it difficult to work out when this occurred. On 21 April 1620, the 'sessioun of the Kirk' is mentioned, but by 26 May 1626, it is 'the sessiones'. This may be meaningless, but the reorganisation of the parishes in September 1625 makes it seem plausible that the four separate sessions formally came into being at this point. *Edin Recs 1604-26*, 203, 277, 305, 292.

⁹ *Edin Recs 1626-41*, 252-54. ECA, Kirk Treasurer's Accounts, SL154/3/1, anno1644.

¹⁰ NLS, Register of Southeast Parish 1626-38, Wod.Fo.XVI. NAS, Trinity College Kirk Session 1626-38, CH2/141/1.

¹¹ NLS, Wod.Fo.XVI. NAS, CH2/141/1. The names of the deacons from all quarters for the entire period can be extracted from the kirk treasurer's accounts, ECA, SL154/3/1. The election for 1625-26 was recorded in the town council's minutes, ECA, Minutes, vol.xvi. Town councillors could also be committee members and, to a much lesser extent, constables.

¹² I am grateful to Dr James Brown for providing me with his notes on this subject.

wealthy councillors and their social inferiors who, through the election procedures of the sessions, had created something of an oligarchy of their own.¹³

In theory, the power imbalance which existed between the secular and ecclesiastical bodies, and the people who staffed them, was not a problem. The role of the magistrate was clearly set out in the new Reformed church's instruction manual, *The First Book of Discipline*. Those who were 'obstinate maintainers' of heretical doctrine or scandalous lives 'ought not to escape the punishment of the civill Magistrate'. Ministers and their sessions could, therefore, expect the full co-operation of the secular authorities in their unceasing bid to establish a truly godly society. From the outset, this implicitly raised the issue of overlapping jurisdiction, and while the church acknowledged that certain wrongs fell under the 'civill sword', the purity of the Kirk of God depended on the extirpation of those sins which that civil sword 'either doth neglect or not punish'.¹⁴ *The First Book* implied that in such matters, the law of God as exercised by the Kirk was completely autonomous. It was the role of the magistrate to support those laws, but not to determine when they should be applied. The natural conclusion which could be drawn from this was famously articulated in a Scottish context by Andrew Melville, who argued that there were 'two kingdomes', the spiritual and the temporal. They would 'fortifie and assist' one another but remain absolutely separate in their jurisdictions.¹⁵

The practical implications of this were less dramatic than they purported to be in theory. As with Andrew Melville's famous bouts of sleeve-tugging with his anointed king, the relationship between church and secular government was only an issue when one side blatantly transgressed the perceived bounds of the other. At grass-roots level, 'fortifie and assist' describes what usually appears to have been happening in Edinburgh by the seventeenth century.¹⁶ There was absolutely no suggestion in Edinburgh that the local church courts were seeking to establish themselves as a rival to the ancient and established authority of the town council. Likewise, the town council had no particular interest in the actualities of what was going on inside the session, and positively endorsed any campaign which sought to diminish social disorder of any kind. Problems arose only when the need to preserve the spiritual mission resulted in politicisation of the church's agenda.¹⁷ This brought them directly into conflict with secular bodies, whose political security could be undermined when commitment to the godly cause limited the amount of common ground available for compromise and negotiation.

¹³ Lynch, *Edinburgh*, 38, 41-2. W Makey, *The Church of the Covenant, 1637-51* (Edinburgh, 1979), 158-59. WH Makey, 'The church of the Covenant, 1638-51' (PhD thesis, Edinburgh, 1973), 355-59. Makey's work needs refined. His analysis is perceptive, particularly on the wealth of the elders, but it is not systematic; one kirk session election recorded when the new king was scrutinising the capital cannot be used alone to assume that elders were 'junior members of the burgh oligarchy'.

¹⁴ *The First Book of Discipline*, ed. J Cameron (Edinburgh, 1972), 89, 165.

¹⁵ Goodare, *State and Society*, 198-201. Calderwood, *History*, v, 438.

¹⁶ Todd, *Culture of Protestantism*, 21, 362, 371-74. Foster, *Church Before the Covenants*, 84.

¹⁷ Goodare, *State and Society*, 206.

For much of the time, the relationship between town council and church was a harmonious one,¹⁸ because the basic functions of the kirk sessions were wholeheartedly supported by a secular authority which was nonetheless conveniently uninterested in what they were actually doing. These basic functions were provision for the poor and social discipline.¹⁹ In this, the town council had no role whatsoever, except when it was deemed appropriate to enforce a civil penalty on top of the ecclesiastical one. This does not appear to have resulted in rigorous punishment, however. The bailies, who handled such cases, may have felt that for first offenders who had already been dealt with by the kirk session, the threat of the full application of secular law was a sufficient deterrent. In 1629, for example, Peter Herkles had been tried before the southeast session for 'keiping ane suspicious and evill hous' and harbouring a banished woman. Ecclesiastical censure probably involved a fine or a period of humiliation in the kirk, but the bailie imposed no immediate penalty and told him not to do it again under 'paine of bainishment'.²⁰

In the uncontentious area of social control, therefore, the town council and kirk session worked together to ensure that Edinburgh's population behaved themselves in accordance with accepted notions of honest living. Eradicating fornication, drunkenness, fighting, swearing and slander were obvious components of the drive for a truly godly society.²¹ In this, the ministers had many willing helpers who also believed that the purity of the Kirk depended on the purity of the whole community.²² From a secular viewpoint, eradicating bad behaviour was essential to the harmonious co-existence of burgh inhabitants. This was implicit in the ubiquitous term good 'neichborheid',²³ but policing Edinburgh's over-crowded maze of closes and wynds presented serious practical problems. Even once the constabulary had come into existence,²⁴ the deacons were absolutely invaluable both for their additional manpower and because of the spiritual authority conferred upon them. The task of rounding up brawling youths and scolding harlots must have been unremitting, and it is little wonder that in urban centres all across Britain, it was primarily the godly who possessed sufficient enthusiasm to take on this thankless job.²⁵

Should a crisis occur, civic duty and godly zeal coalesced in order to secure the burgh from social breakdown as much as to assist the sick and dying. Under normal circumstances, the kirk sessions were responsible for a monthly rate throughout the parish, augmented by the far more lucrative voluntary

¹⁸ Goodare has identified 'long periods of uncomplicated cooperation' in other places, *State and Society*, 208-9.

¹⁹ Foster, *Church Before the Covenants*, 71-83.

²⁰ ECA, Black Books, vol.i, 1627-1702, 10 January 1629. The case could not be found in the kirk session records for the same year, 1629. NLS, Wod.Fo.XVI.

²¹ Foster, *Church Before the Covenants*, 75-6. Particular reference was made to 'banners, sweirars and drunkards' in the synod session of 1 May 1644. *Synod Record of Lothian and Tweeddale, 1589-96, 1640-49*, ed. J Kirk (Stair Society, 1977), 155.

²² *First Book*, 166-68.

²³ ECA, Dean of Guild Records, SL144/4, 14 April 1624.

²⁴ See Chapter One for a discussion of the constabulary.

²⁵ For example, P Clark, 'The Ramoth-Gilead of the Good: urban change and political radicalism at Gloucester 1540-1640' in P Clark, AGR Smith and N Tyacke (eds), *The English Commonwealth 1547-1640* (Leicester, 1979).

collections at the church doors after sermon.²⁶ These sums were amounting to around £10,000 *per annum* at the end of James VI's reign and had more than doubled a decade later. With money involved, the town council showed they were not entirely willing to leave the kirk session to its own devices, and a council-nominated kirk council came into existence to assist the council-nominated kirk treasurer.²⁷ Actually distributing these sums remained in the hands of the sessions, who somehow operated the highly selective criteria for who was considered deserving enough to receive.²⁸ It was only when the famine of 1621-24²⁹ threatened to overwhelm the somewhat rudimentary system of poor relief that the town council became involved, although the records suggest that, as Melville had envisaged, this was a classic case of the civil magistrate supporting the kirk sessions in their godly work.³⁰ Although individual councillors may have been moved by the plight of the starving multitudes drawn to the outskirts of the capital in search of food, there was a serious public order issue here. Given that food supplies were probably adequate, if pricey, within the burgh itself, the last thing the council intended to do was give it away to somebody else's refugees.

The council's aim, having closed the burgh to non-residents,³¹ was to dispatch migrants occupying the grounds of Trinity College church, just outside Leith Wynd port, back to the parishes which should have provided for them in the first place.³² On 2 May 1623, the town council authorised a special voluntary collection to enable the kirk session to provide the people with enough money and food to return from whence they had come,³³ but many of the travellers were too sick to move. Magistrates helped the kirk session to establish a camp, at the site of the dilapidated former residence of Trinity church's provosts. There, they directed the distribution of aid and made sure that none of the burgh's perfectly healthy inhabitants were attempting to presume on the town's charity by passing themselves off as famine victims.³⁴ The session alone probably took responsibility for the burial of hundreds of people whose journeying had ended in the capital, separated from family and without any means of their own.³⁵ Throughout the crisis, which abated after 1624, the town council's primary role was to provide legal sanction for the extension of the existing poor relief system, but much of the actual work of providing assistance was firmly left within the remit of the kirk sessions.

²⁶ ECA, SL154/3/1.

²⁷ Chapter One.

²⁸ Goodare, 'Parliament and society', 413-17, 425.

²⁹ The best source is M Flinn (ed.), *Scottish Population History* (Cambridge, 1977), 117.

³⁰ A special account was opened in the years 1623 and again in 1624. They are extant in the kirk treasurer's records. SL154/3/1, extraordinary accounts, anno 1623 and 1624.

³¹ *Edin Recs 1604-26*, 242.

³² See 16, 17 and 23 May in ECA, SL154/3/1, extraordinary account, anno 1623.

³³ *Edin Recs 1604-26*, 242.

³⁴ *Edin Recs 1604-26*, 242. ECA, SL154/3/1, extraordinary account, anno 1623.

³⁵ ECA, SL154/3/1, extraordinary account, anno 1624.

During the plague outbreak of 1645,³⁶ probably the worst and last in Scotland's history, the threat to the security and stability of the burgh was that much greater because, this time, the crisis was occurring within its walls, not around them. Unlike the famine twenty years previously, it was the inhabitants of the town who were at risk. Everyone who had the means to do so departed at the first suggestion that the disease had entered the town (which in effect meant the merchant elite, the lawyers and the government)³⁷ but there were people who remained to assist the sick, prevent the plunder of property and supervise the burial of the dead. Many of Edinburgh's town councillors, who could have fled, remained to give some semblance of order to the chaos ensuing around them. They provided an organisational focus for those running the plague camp at the former nunnery at the Sciennes, on the south-east edge of the burgh muir, and for the seemingly inexhaustible work of inclosure and cleansing within the town itself.³⁸ Throughout the crisis, the magistrates and a small number of town councillors were present in the town at least once, often twice a week, except when plague reached its peak between mid-August and mid-September. By this time, the churches had been closed and the sessions were not formally sitting, but while the town council returned as soon as they were able to, the sessions appear to have ceased their activities until the following year.³⁹

This does not mean that the members of the sessions had abandoned their flocks. On the contrary, deacons, along with some of the constabulary, risked their own lives to provide food for the 'pure people' inclosed in the town who were unable to sustain themselves.⁴⁰ As with the famine, however, it is likely that the town council issued instructions to the sessions and provided them with the authority to carry out their job. Coordination of inclosure, cleansing, locating and distributing victual and the huge task of dealing with the dead remained the responsibility of the bailies. George Walker, whose signature appears on hundreds of receipts from more than one quarter of the burgh, may have taken charge of the entire operation. His diligence cost him his life, probably around the middle of August.⁴¹ Elders also appear to have had executive functions,⁴² but it was the deacons who were most at risk. 'It pleased the Lord' to take the lives of James Peacock, James Sandilands, James Johnstone, John Wilson and Robert Paterson, whose dual role as apothecary and deacon made death particularly likely. Deacons of the craft guilds may also have remained in the town to help their own; Robert Thomson, mason, and William Blythman, flesher, died in the later months of 1645.⁴³

Crises such as the famine of 1621-24 and the plague outbreak of 1645 present classic examples of secular and ecclesiastical bodies working in harmony. Although the town council's authority was paramount, in

³⁶ Aberdeen escaped the plague in 1645, but was badly hit in 1647. The burgh's response was similar to Edinburgh's. EP Dennison, G DesBrisay and HL Diack, 'Health in the Two Towns' in EP Dennison, D Ditchburn and M Lynch (eds), *A New History of Aberdeen, volume I: Before 1800*, 69-79.

³⁷ *APS*, vol.vi, pt.i. *Edin Recs 1641-55*, 63, 72.

³⁸ The author hopes to publish an article on this subject. LAM Stewart, 'Edinburgh and the plague outbreak of 1645'. In addition to the records themselves, there is a file compiled by Margeurite Wood in the City Archives which comprehensively summarises them. ECA, Moses Bundles 191, 192. ECA, File 22/J8.

³⁹ ECA, Minutes, vol.xvi, ff.41-66. ECA, SL154/3/1, anno 1645.

⁴⁰ ECA, Moses Bundle 191, nos.37, 58.

⁴¹ *Edin Recs 1642-55*, 72. ECA, Moses Bundle 191.

⁴² ECA, Moses Bundle 191, no.55.

reality any demographic crisis which threatened the burgh meant that kirk sessioners and town councillors simply pitched in together until the danger was past. Such occasions showed that James's post-1610 decision to leave the local church courts well alone paid real dividends for individual communities. Both elders and deacons were expressly to be the 'men of best knowledge in God's word and cleanest life, men faithfull and of most honest conversation that can be found in the kirk'.⁴⁴ Civic duty, while still a powerful motivating instinct, was all the more potent if it was supported by piety. The combination of these ideals prompted certain people to hazard their own lives in the fulfilment of their office. In a sense, disaster enabled the Protestant ideal to become a reality as both civil and religious figures all rallied to ease the suffering of the dying and prevent the disintegration of social order. It could be this way because the aims of both town council and kirk session were the same. Should their aims diverge, the sense of godly righteousness which motivated elders and deacons to take up these roles in the first place could create a serious political headache for town councillors whose concerns remained rooted in more earthly concerns.

Control of the kirk sessions was, as has been indicated, usually of limited interest to the town council, unless the sessions began dabbling in matters considered to be of political significance. The battle over the Five Articles of Perth, which kicked off in the summer of 1617 with a Protestation signed by, amongst others, all the ministers of the capital, created just such a situation. There were certainly prominent men in the town, councillors amongst them, who were opposed to the Perth Articles,⁴⁵ but as a corporate entity they were ill-placed to resist the king's will. Once the Articles were ratified by parliament in 1621, the king's scrutiny of the capital made it difficult for the council to turn a blind eye to subversive literature or the clandestine prayer meetings, known as conventicles, taking place in the town. There is no doubt that having been slapped down in 1617, Edinburgh's ministers were also fearful of disobeying the king; one of the ministers at the High Kirk of St Giles, Peter Hewat, had been deprived over the Protestation and it is not surprising that Messrs. Patrick Galloway, Andrew Ramsay, William Struthers and Thomas Sydserf were reluctant to go the same way.⁴⁶ This generated a highly flammable set of conditions, because while the ministers were forced to preach conformity from the pulpits, the kirk sessions were marshalling resistance against them. Into the inevitable exchange of fire at both kirk session meetings and the pre-Communion gatherings, held by 'the honest citizens' to try the lives of their clergy,⁴⁷ stepped the town council.

The first problem, discussed more fully in Chapter Five, was that the overlap of personnel between town council and kirk session led to divided loyalties. As the Crown sought to make an example of Edinburgh's most embarrassingly vocal kirk session members, the heat inside the council chamber must have become unbearable. It is likely that the issue toppled the provostship of William Nisbet, who incurred the

⁴³ ECA, Town Council Minutes, vol.xvi, ff.65, 66.

⁴⁴ *First Book*, 174.

⁴⁵ See Chapter Five.

⁴⁶ John Hall claimed he was too sick and infirm to carry out his spiritual offices and was allowed to demit his office, but not long after he was in trouble for agitating against the Articles. *Fasti*, i, 56.

⁴⁷ Trial of ministers by their elders and deacons had expanded to include godly members of the congregation in Edinburgh. Charles prohibited these meetings in 1625. *First Book*, 176. Calderwood, *History*, vii, 355-56. *Edin Recs 1604-26*, 262.

displeasure of his patron, James VI and I, by stating that it was not the 'calling' of the town council to 'informe the people concerning maters of religion'.⁴⁸ As one of the most influential men in burgh society, Nisbet may have been too sensitive a target even for the king, but in the person of William Rig, wealthy merchant burghess, bailie and elder, the government thought it had found the perfect person to make an example of.

On 25 April 1620, Rig and several others had been hauled before the privy council for assisting those 'refractorie' ministers whose deprivation for rejecting the Perth Articles made them the darlings of the godly men and women of the capital. Having escaped lightly with a banishment that was probably not enforced,⁴⁹ Rig probably should have expected the full rigour of the king's affronted laws when he appeared again in the summer of 1624. This time, supplementary to his continued rejection of the Perth Articles, Rig had also been making a nuisance of himself at kirk session meetings. He had openly contradicted the capital's new conformist clergyman, the spectacularly tactless William Forbes, on his assertion that Catholics could be reconciled with Protestants on numerous points.⁵⁰ Despite these offences, the provost, David Aikenhead, the bailies and even the ministers came to the privy council and 'in ane voice declarit that Williame Rig wes come to ane grite acknowledgement of his formair misbehaviour' and 'humbly intreated us for a mitigatioun of the sentence'.⁵¹ Rumours were circulating that Rig had been singled out for 'ane extra ordinar grite fyne' by allegedly malicious persons, the provost, Aikenhead, and the unpopular clerk of the council, John Hay. When a resolute privy council failed to levy the fine, James lost his temper. Senior servants assured him that 'no privat respect nor consideratioun towardis the man' had biased their opinons, but this can only have confirmed James's suspicion that virtually everyone in Edinburgh who mattered was colluding against him.⁵²

The Rig case had placed the town council in an extremely uncomfortable position, but the sympathetic response of the privy council and the timely death of the king limited the political fall-out. For the kirk session, the damage was more serious. Although its errant members had received support from a variety of influential sources, the strident independence of the session had frightened the town council. Attempts by leading town councillors to use their political status to silence critics had been scorned; 'ye are but a sessioner heir, Sir, ye may not raigne over us', the deacon and dissenter John Mein told the bailie and future provost, Alexander Clerk at a session meeting in 1619. Mein clearly conceived of a kirk session which should have no internal hierarchy and was certainly not supposed to be the tool of town councillors.

⁴⁸ Calderwood, *History*, vii, 391. Chapter Three explains Nisbet's family background.

⁴⁹ Calderwood, *History*, vii, 434, 440. *RPCS*, 1st ser., vol.xii, 249.

⁵⁰ Makey, *Church of the Covenant*, 158. Calderwood, *History*, vii, 601-2. J Spottiswoode, *History of the Church of Scotland*, ed. M Russell (3 vols, Spottiswoode Society, 1851), iii, 268.

⁵¹ *OLEAS*, ii, 748-50. Makey did not use this source in his work, which provides an essential balance to Calderwood and shows how James's Scottish servants displayed sensitivity in their dealings with an influential minority group. See Chapter Five.

⁵² *OLEAS*, ii, 740-1, 752-4, 754-6. *RPCS*, 1st ser., vol.xiii, 577-78, 664-5. Calderwood, *History*, vii, 433-4. *Edin Recs 1604-26*, 245.

Furthermore, that dangerous word 'conscience' had been used in the same meeting, and it must have been obvious that if certain minds could not be changed, certain mouths might have to be stopped instead.⁵³

The first salvo was fired by the council at the end of 1618. A 'corrupt form' of kirk session elections was brought in, which prevented the congregations nominating the members, as had been set down in the *First Book*, by putting the process solely in the hands of the old and new town council and the current kirk session.⁵⁴ This probably only aggravated matters further. During the course of 1619, a series of bitter kirk session meetings, the discovery of subversive literature (probably penned by David Calderwood) and a very public falling-out between the ministers and the town council necessitated further measures.⁵⁵ In February 1620, a clerk was imposed on the sessions without recourse to their members, or indeed the ministers themselves, who opposed it. He was to be paid directly by the treasurer of the kirk council, which effectively gave control of recording the proceedings to a council appointee.⁵⁶ At the end of 1621, after parliament had passed the Perth Articles, the town council reinforced their power over the sessions by demanding, successfully, that certain disagreeable individuals be crossed off the kirk session election lists.⁵⁷

Control of the kirk sessions was attractive to the town councils of the early 1620s as an end in itself, but it was also linked to another, more important issue. Edinburgh's population explosion in the Reformation century meant there was a desperate need for ministers to serve in what was, before 1625, a somewhat chaotic system.⁵⁸ Attracting clergymen had become a serious problem, however, as even the excellent salary failed to convince at least nine prospective incumbents to brave 'so dangerous and heavy a charge'.⁵⁹ The difficulty was that selection of a new minister was in the hands of the 'honest citizens' of the congregation, which meant that sessioners like Rig or Mein, along with their godly friends, could end up picking the kind of man James would take violent exception to – and that would mean yet more enraged royal missives to the town council.

Just such a situation arose in October 1620, when the south-east parish expressed a preference for the nonconforming minister Andrew Cant of Alford in Aberdeenshire. The council knew this would be unacceptable to the king and struggled, throughout proceedings which have an air of desperation about them, to force the kirk sessions to tolerate a conformist. At a meeting on 15 October, which excluded the wider congregation, William Rig complained that the election was not 'free' and that anyone with a

⁵³ Makey, *Church of the Covenant*, 158. Calderwood, *History*, vii, 362-63.

⁵⁴ Calderwood, vii, 454. *First Book*, 96.

⁵⁵ These events can be followed in Calderwood, *History*, vii, 342-410. See also *OLEAS*, ii.

⁵⁶ Calderwood, *History*, vii, 411. Spottiswoode, *History*, iii, 259. *Edin Recs 1604-26*, 185. ECA, Town Treasurer's Accounts, vol. vi, f. 15.

⁵⁷ Calderwood, *History*, vii, 454, 518.

⁵⁸ A number of the ministers who preached in St Giles do not appear to have had specific parochial duties in this period. They may have been peripatetic. *Fasti*, i, 23-132. Appendix, Table 5.

⁵⁹ The ministers were Messrs. John Guthrie, William Livingston, William Strang, Robert Balcanquhal, Alexander Thompson, John Duncanson, Hugh Blair, Patrick Forbes and Robert Barron. ECA, Moses

knowledge of scripture was entitled to give their opinion. The meeting was adjourned until 5 November, when the town council appear to have pressed Mr Walter Balcanquhal and Dr William Strang in such an irregular manner that 'it wes thocht the men thameselffis wald nocht accept thair places upoun that forme of electioun'.⁶⁰ At this point, the town council dropped the issue, hoping, no doubt, that the December kirk session election would oust the 'refractorie spirits'.⁶¹

Over a year later, with the unpleasant business of the 1621 Parliament firmly behind them, the town council made another attempt to settle the issue. In the interim, it seems the ill-fated name of William Forbes had been mooted in high circles. Bowing to pressure from the Edinburgh congregations, the council allowed Cant to give a sermon, in which he condemned the Perth Articles so eloquently that he moved some of his audience to tears. If councillors were weeping it was probably with frustration, not religious ecstasy, and on 12 December 1621 the old and new councils and sessions were forced to accept Forbes; Calderwood implies that only Forbes was put up for selection.⁶² Knowing there would be a public furore, the council apparently convened another meeting of the 'good neighbours' on 18 December, presumably as a show of solidarity after the *fait accompli*. An anonymous manuscript made no bones about the irregularity of the procedure and the reasons behind it:

The Provest had beforehand so plotted the matter, as to prevail with the most part of the Council and Session to elect Mr William Forbes, minister beside Aberdeen, without hearing or leeting, according to the usual order; and, albeit the body of the hoenst men who wer conveyened to the number of 2 or 3 hundred, and a great many of the Council and Session dissented, the said Mr Forbes was chosen. The inhabitantis votes wer still sought at former elections, but now they wer not allowed to vote. This was to the great discontent of all the good people of the town, and with such murmuring as was marveilouse to hear.⁶³

Sensing they had pushed their authority to its limits, the council took rather a different line in the election of a principal for the town's college in the autumn of 1622. As patrons, they must have been the ones to put forward Robert Boyd, whose high regard amongst his peers moved John Spottiswoode to express regret that St Andrews would not have the benefit of his learning. Boyd was a nonconformist, however, and Spottiswoode also advised Boyd to take a pragmatic approach. When James heard of this nomination to the same college he had given his name to in 1617, he challenged the town council, who pleaded with the king to consider Boyd's not inconsiderable talents. An interesting letter survives which indicates that both the Marquis of Hamilton and John Murray, Viscount Annan had been drawn into the affair. Hamilton claimed

Bundle 195, nos. 7035, 7038, 7054-57. ECA, Minutes vol.xiii, ff.106, 124. *Edin Recs 1604-26*, 153, 207, 213, 248.

⁶⁰ NLS, Wod.Qu.IX, f.146r.

⁶¹ Calderwood, *History*, vii, 444-45, 448, 451, 454.

⁶² Calderwood, *History*, vii, 516-17.

⁶³ R Lippe (ed.), *Selections from Wodrow's Biographical Collections. Divines of the North-East of Scotland* (New Spalding Club, 1890). See Chapter One for discussion of how 'inhabitantis' differs from other terms

that 'his Majesties offence is so heigh' that the king, in a revealing display of vindictiveness, had decided that mere deposition would not be sufficient. Boyd was to conform or leave the burgh entirely. Hamilton expressed his sorrow that the council's decision should have been 'so hardlie constructed' and that 'being ill provided of ane other to surrogate in his place' the college would be deprived of a gifted scholar. He warned the council against 'the effects of his majesties further displeasure' by which time the outcome was already a foregone conclusion. Boyd demitted his office at the end of January but was still resident in Edinburgh eighteen months later, with the privy council's knowledge – it defended him against James's accusation that Boyd had been leading conventicles in the town.⁶⁴

For the remainder of James's life, Edinburgh would be consumed by internecine fighting as the king's determination that the capital would kneel, and the equal determination of the nonconformists that they would not, polarised opinion. Forbes, who was evidently disposed to give as good as he got, exacerbated tensions with his thunderous sermons on the dispute, which he provocatively termed 'matters of moonshine'.⁶⁵ Undaunted, five unnamed kirk session members prepared a Protestation in November 1623, claiming that Cant had been 'verie orderlie and formallie called and chosen' by the godly community.⁶⁶ In despair, Sydserf, Ramsay and Struthers, abused 'not onlie by the commoner sort, but also by these that governe and rule others', sought alternative employment elsewhere.⁶⁷ Only Forbes was successful, but it probably had less to do with professed illness, than the fact that he was 'in small favour with many of the best in the toun'. Forbes scuttled back to the more congenial atmosphere of Aberdeen in August 1626.⁶⁸

In the matter of providing for the kirks and the college, doctrine had compromised the working relationship between town council, ministers and kirk sessions, creating public arguments which sundered the unity of the community. In an age where discord 'diseased'⁶⁹ the body politic as surely as cancer corrupted the human source of the metaphor, Edinburgh's chaotic session meetings threatened the menace of social disorder, religious schism and political dysfunction – a world turned upside down. On a more practical level, the failure of town councillors and ministers to come to the same conclusions about what needed to be done, actually generated another dimension to the problem. For councillors, an Edinburgh-based solution was preferred to the unwelcome attentions of the king. Both Struthers and Galloway publicly reminded everyone of the ignominy of 17 December 1596. Not that James himself needed reminding; in July 1624 he threatened to remove the Court of Session and College of Justice, just as he done nearly thirty years previously, if obedience was unforthcoming.⁷⁰ The besieged members of the clergy may have

such as heritors or neighbours. In December 1616, it was the *neighbours* of the town who convened to try a minister. *RPCS*, 1st ser., vol.xi, 14-15.

⁶⁴ ECA, McLeod Bundle C9R, 23 January 1623. *OLEAS*, ii, 697, 745-46, 750-51, 832. Calderwood, *History*, vii, 566, 569-70. *Edin Recs 1604-26*, 238, 239, 240. *Fasti*, i, 45. NLS, Wod.Qu.IX, f.185-86.

⁶⁵ Lippe (ed.), *Divines of the North East of Scotland*, 248, 249. Calderwood, *History*, vii, 523.

⁶⁶ Calderwood, *History*, vii, 580-82.

⁶⁷ Calderwood, *History*, vii, 600. *Fasti*, 70.

⁶⁸ *Fasti*, i, 54, 69. *Edin Recs 1626-41*, 8. Row, *History*, 370.

⁶⁹ C Patterson; 'Conflict resolution and patronage', 5, 24-5. JH Burns (ed.), *The True Law of Kingship: Concepts of Monarchy in Early-Modern Scotland* (Oxford, 1996) 197-98.

⁷⁰ Calderwood, *History*, vii, 342, 453. *RPCS*, 1st ser., vol.xiii, 578.

believed that the studied ambiguity of the town council was really the root of the problem and, at least in 1619, attempted to engage the king to force the council to take a more committed stance.⁷¹ By involving the king, the town council felt their civil authority had been usurped. The ministers had crossed that boundary from the spiritual to the temporal sphere. Predictably, the result was ‘grite discontentioun betuix the ministerie of edinburgh’ and ‘the magistratis and counsall’.⁷²

Although there was probably a genuine desire on all sides to look upon James’s death as an opportunity to restore equilibrium, resentments lingered. Surprisingly, it was not Charles’s idea for a bishopric of Edinburgh, or even his tactless appointment, seemingly without consultation, of ‘our trustie and weilbeloved Dr William Forbes’ which sparked renewed hostilities.⁷³ As the nonconformists mobilised their formidable propaganda machine,⁷⁴ the town council and the ministers kept a low profile. Still absorbed by the black farce of John, Lord Balmerino’s trial, the political community in Edinburgh were keen to keep out of the limelight.⁷⁵ Forbes’s unexpected demise in April 1634 prompted a robust campaign, aimed at blocking the appointment of the man most favoured by Charles, Forbes’s colleague, Thomas Sydserf. This time, it was expressly ‘the Magistrates, and indeed all ranks in Edinburgh’ who opposed him, and the reasoning was made plain: ‘if Mr Sidserf wer thrust in upoun them, it would certainly occasion commotions in Edinburgh, which would tend to the prejudice of the bishop and the course of conformity’.⁷⁶ Evidently his legacy as an enforcer of the Perth Articles had not been forgotten by anyone. It was a rare occasion indeed, for Charles appears to have been willing to compromise. The learned conformist, David Lindsay, Bishop of Brechin, was consecrated in Edinburgh on 16 September 1634, and Sydserf was fobbed off with Galloway, but that would certainly not be the end of the matter. When Edinburgh exploded into its second riot on 18 October 1637, Galloway was ‘reskeud’ from the mob on the High Street only by the intervention of a number of noblemen.⁷⁷ There were clearly people in the capital who thought they had a score to settle.

In the months leading up to the infamous Prayer Book riot of 23 July 1637⁷⁸ there was little to signify that anyone on the privy council knew that there was a storm brewing. Afterwards, devoid of any better ideas, the privy council asked the town council to guarantee ‘the publict peace of this citie’ and to debate some way of getting a ‘saife reading of the service booke’. Those who knew Edinburgh recognised that the two

⁷¹ Calderwood, *History*, vii, 380-82, 389-90. NLS, Wod.Qu.IX, ff.118-19, 122, 123r-124r, 140r. In 1620, Mr John Hay, town clerk, was also accused of telling tales at Court, making him highly unpopular. NLS, Wod.Qu.IX, f.146r.

⁷² NLS, Wod.Qu.IX, f.117. Spottiswoode, *History*, iii, 259.

⁷³ *Stirling’s Register*, ii, 684, 689.

⁷⁴ To my reverend brether of the ministerie of this new doices [*sic*], NLS, Wod.Qu.LXXXIV. The reconceiler, NLS, Wod.Qu.LXXXIV.

⁷⁵ Balmerino was found to be in possession of a petition which a group opposed to the king’s religious policies had hoped to present to the 1633 parliament. Balmerino was put on trial in June 1634 for treason and convicted, with Traquair casting the deciding vote. He was subsequently pardoned by the king. The trial was extremely unpopular in Edinburgh. Macinnes, *Covenanting Movement*, 138-41. NLS, Wod.Fo.IX, f.358-59.

⁷⁶ Lippe (ed.), *Divines of the North East of Scotland*, 168.

⁷⁷ *Ancram and Lothian*, i, 94-6. Gordon, *Scots Affairs*, i, 21-4.

aims were incompatible, and stalled in the hope that Charles could be persuaded to withdraw the Book. In this ambition ministers and councillors appear to have been as one, although they probably did not consciously adopt a united position. In August, the privy council asked the ministers to prepare the people for 'ane heartie embracement' of the Prayer Book through the reading of 'pertinent texts', but it was claimed there were no readers to be found. The town council were given the task of locating some and assuring the security of the clergy in general, which they professed to be 'most willing' to do, yet nothing came of it. In September, Charles voiced his anger with the Dean and Bishop of Edinburgh that none of the 'delinquents that wer actores and accessories to that insolence and ryotte' had been tried.⁷⁹

The decisive moment in a parting of the ways for the pre-1637 ministers of Edinburgh and the town council probably came with the signing of the National Covenant, although the repercussions would not be felt until the Glasgow General Assembly at the end of 1638 authorised the deposition of malignant ministers. While the conformists who had been consciously planted in Edinburgh after the 1620s were at worst in fear of their lives, at best of their stipends, town councillors, even those who had once been firm supporters of the king, were safe. The burgeoning Covenanting regime relied so heavily on Edinburgh finance that the pragmatic need to maintain the stability of Edinburgh's highest social circles prevailed over any temporary political bloodlust. It seems that a genuine desire to restore at least the façade of unity, and an awareness that most of the political élite had, at some time or another, complied with royal policies, allowed the spotlight to be turned away from them. Schism was still considered 'worse than to burne the bible'⁸⁰ and unlike in 1662-63 and especially 1688-90, only the most recalcitrant were deprived.⁸¹ The bishops and their conformist friends made convenient scapegoats. David Mitchell, future bishop of Aberdeen, was hounded around the capital by triumphant Covenant-wavers and ultimately removed, along with David Fletcher, James Hannay and Alexander Thomson, for refusing to submit.⁸² Andrew Ramsay and Henry Rollock were the only clergymen to survive the 1638 clear-out, but at least in Ramsay's case, this was not because of impeccable nonconforming credentials. He had been criticised during the 1620s for his conformity but wisely distanced himself from the Prayer Book, signed the Covenant and became a reliable member of the kirk commission until civil war forced people to question whether the commitment to Covenant and King ought to be reversed.⁸³

During the first five years or so of the new regime, when Scottish armies drove political events in three kingdoms, town council and clergy sang from the same hymn sheet. Godly men were in power and corruption had been extirpated. New ministers came to fill the vacant charges in the capital who were renowned in Scotland and beyond for their learning. The issue of the temporal and spiritual spheres was

⁷⁸ Chapter Five explains the context of this riot.

⁷⁹ *RPCS*, 2nd ser., vol.vi, 483, 486-87, 489, 490, 509, 510-11, 513, 514, 515-16, 521, 533. Balfour, *Works*, ii, 231-32.

⁸⁰ 'Ane note of Mr Andrew Ramsay's sermon: 21 August 1632', NLS, Wod.Qu.LXXVII, f.15, 92-5

⁸¹ D Stevenson, 'Deposition of ministers in the church of Scotland under the Covenanters, 1638-51' in *Church History*, xlv (1975), 325-26, 333.

⁸² David Mitchell to the Bishop of Raphoe, NLS, Denmilne Papers, Adv.Ms.33.1.1, vol.12, f.30. *Fasti*, i, 70, 74. Ane Letter to Mr Alexander Thomsonsone, NLS, Ms.1939, f.4-6.

again made irrelevant by the fact that the two were complementary, but it was an inherently unstable relationship. One side was more powerful than the other, and did not always use that power to pursue what the church conceived to be a principled agenda. During the 1640s, the relationship between the civil and ecclesiastical bodies in Edinburgh broke down once more, not just over doctrine, but over the entire visible face of the reformed kirk in the capital. The problem with high expectations was that when they were not met, the disillusion was all the greater.

In the first flush of zeal for the new Covenant, with preparations for war going ahead on both sides, Edinburgh was self-consciously styling itself as the new Jerusalem. Just as Charles I had considered it imperative that Edinburgh conform to his policies, so Archibald Johnstone of Wariston rejoiced when those ministers who had refused the Covenant in the capital 'cast themselves out of that toune', because the 'durableness or not of this work' depended on Edinburgh's constancy.⁸⁴ During 1639, Andrew Ramsay was joined by Alexander Henderson, Robert Douglas and William Colville, who worked alongside the most committed councillors to raise money and supplies for the army. From the pulpits, the ministers of Edinburgh harangued their congregations while the most committed of the councillors used their authority as a means of persuading people to give generously to the cause. The symbolic unity of the secular and spiritual spheres implied by the Covenant was put to practical effect in August 1640. While the ministers used 'prayer and exhortation' to encourage 'the neighbours' to empty out their coffers, the bailies convened to send the elders and deacons through the town to acquire material for the soldiers' tents.⁸⁵ As would occur during the plague epidemic, dangerous times forced ministers, kirk sessioners and councillors to co-operate with one another.

As long as Edinburgh was threatened by the king's army, the realisation that his victory would mean the end of the Covenant coalesced with well-founded fears of royal vengeance. This committed ministers and town councillors to the same single cause, the preservation of the Covenant at all costs. The full reformation of Edinburgh which had been envisaged in the wake of the Glasgow General Assembly failed to materialise as a result, but this did not mean that ministers had forgotten about it. In January 1639, the town council decided to replace the partition walls within St Giles which had been removed when the church was raised to a cathedral in 1634.⁸⁶ It may have been a symbolic rejection of the hated bishopric, but it also alluded to the very real problem of providing Edinburgh's expanding population with buildings to worship in and ministers to preach the Word. Increasing pressure was put on the town council to address the issue, but while many councillors supported the work, finding the money was another matter. Parish reform did not, on its own, generate a breakdown in the relationship between the secular and ecclesiastical bodies in Edinburgh, but it did provide an important backdrop to the disillusion which had set in amongst the godly by the later 1640s.

⁸³ EM Furgol, *A Regimental History of the Covenanting Armies, 1639-51* (Edinburgh, 1990), 11.

⁸⁴ *Wariston's Diary*, 403.

⁸⁵ *Baillie*, i, 64. *Wariston's Diary and other papers*, 97, 98.

⁸⁶ *Edin Recs 1626-41*, 212.

Discussion of Charles I's programme of religious reforms during the 1630s needs to be balanced with an assessment of what occurred during the early 1640s. Nobody, least of all the ministers themselves, could have argued with Charles's attempts to secure adequate payment for the clergy and establish the new churches which Edinburgh so desperately needed. Work continued on the two new churches at the Tron and at Castlehill into the 1640s. The Tron was opened for worship, unfinished, in 1641, but Castlehill was abandoned, probably about 1649;⁸⁷ the siege of Edinburgh Castle in 1640 may have retarded its progress beyond recovery. The siege may also have damaged the roof of Greyfriars and the steeple of St Giles, but the town council's other financial headaches meant that repairs did not begin until 1644 and 1648 respectively.⁸⁸ It was apparent that even when the new churches were completed, there would still not be enough churches for all the parishes, while modifications, repairs and the building of pews continued in St Giles throughout the 1640s.⁸⁹ Only Trinity Church seems to have remained untouched by the burgh's over-worked masons.

Apart from the dismantling of the cathedral, the church-building programme encouraged by Charles during the 1630s continued. The means by which the king had intended the project to be paid for were also retained. The issue of paying for ministers and their churches was hardly new,⁹⁰ but by the seventeenth century, it was recognised that the dilapidated state of the old patrimony necessitated new approaches. Depending on the charitable inclinations of the community was clearly precarious. In 1644, the town council were still trying to collect the money for St Giles and the two new churches promised by the neighbours in August 1635. It was 'not as yet all payit', presumably because like the merchant Patrick Forbes, who petitioned the council on this issue, there were many whose 'present condition' had deteriorated somewhat since the original offer had been made.⁹¹ The inadequacy of these sums prompted the council to revive another, far more contentious, means of acquiring money. In 1635 an Annuity Tax had been proposed in Edinburgh, which would have assessed every householder and taxed them according to their rental. Faced with the implacable resistance of the College of Justice, plus hostility against the new bishopric and rumours that a Prayer Book was planned for Scotland, the town council dragged its feet until events overtook the scheme.⁹² Having been 'disappointed' of the payment, an attempt was made to revive the annuity in April 1642, but an act of June 1646, by its failure to mention the tax, suggests that it had been abandoned again.⁹³ In October 1648, the need to provide stipends for twelve ministers, when the burgh was already struggling to meet their existing obligations, prompted councillors to reconsider the idea. This time, there was to be 'no exemption' for the College, who were 'far more able' than many others in the town to provide assistance. The scheme was supported by the committee of estates, despite the continued resistance of the College, who agreed to provide for six of the twelve ministers if 'persounes of

⁸⁷ *Edin Recs 1642-55*, 42, 56-8, 180, 182.

⁸⁸ *Edin Recs 1626-41*, 212. *Edin Recs 1642-55*, 5, 42, 56-8, 180, 182, 187.

⁸⁹ Appendix, Table 5 for the parishes. *Edin Recs 1642-55*, see index, churches.

⁹⁰ Makey, *Church of the Covenant*, 125.

⁹¹ ECA, Moses Bundle 195, no.7058. ECA, Minutes, vol.xv, ff.337, 342.

⁹² For the Prayer Book controversy, see Chapter Five.

⁹³ *Edin Recs 1642-55*, pp.xxxvi-xxxviii, 6, 93-4.

whatsoever Degree qualitie or place' were taxed at five per cent of their housemail.⁹⁴ In December 1649, a small sum was lifted 'out of the annualrentis of the housmailis' but it was not enough to meet the council's requirements, while the expression that this would be a 'beginning' proved too optimistic. Nothing more seems to have been collected before the English invasion and the council were resorting to borrowing by the spring of 1650.⁹⁵

Other expedients were also employed. In August 1636, Edinburgh had been gifted the merk of the tun, a tax on goods coming into Leith or Edinburgh, but this patently did not raise enough money, particularly once the breakdown in relations with the Crown and the need to concentrate on importing arms limited Scottish imports. Legacies and voluntary gifts also remained an important source of income – a new church opened in 1655 was established with a gift from Margaret Ker, Lady Yester – but these were, by definition, unreliable.⁹⁶ A permanent settlement was required. A convenient solution was found in a scheme, paralleled in Aberdeen's St Nicholas Kirk, for building and renting out pews. Initially, the scheme was a useful expedient to control an unseemly mingling of the poorer sort with their betters until more church space became available – social status already affected where people sat and which door they entered by. Renting pews only to those who could advance a year's mail obviously became such an important source of revenue that the programme was expanded to all the other churches.⁹⁷ Secular and religious concerns complimented one another on this issue. The ministers wanted to ensure that there were no distractions during preaching and prayer, while the town council made use of a very public forum to reinforce the social hierarchy. More importantly, annual pew rentals could provide a permanent, calculable income – but there are no records showing this, which may suggest that the rentals were being sucked straight into the church building projects without going through the kirk treasurer's accounts.⁹⁸

The evidence here suggests that contrary to the expectations generated by the general assembly of 1639, Edinburgh's second reformation had barely moved out of the starting blocks by 1648. If the ministers were resentful of this, the town council's feelings may have been reciprocal. By the mid-1640s, the political profile of some of the capital's ministers was having a detrimental effect on their parochial duties. Alexander Henderson was a minister and a rector at the college, but he left for London in 1642. Years of ceaseless activity trying to convince the English of the merits of presbyterianism had exacerbated ill health.

⁹⁴ *Edin Recs 1642-55*, 178, 196, 211. The five per cent was subsequently raised to six per cent. *APS*, vol.vi, pt.ii, 225-26, 416-18. *ECA*, Minutes, vol.xvii, f.73. *NLS*, Adv.Mss.22.2.10, ff.162-66.

⁹⁵ *ECA*, Minutes, vol.xvii, f.210, 240. The date '5 Januar 1652' on a manuscript relating to this subject indicates that the Annuity was still under consideration at that date. *NLS*, Adv.Ms.22.2.10, 166r.

⁹⁶ Merk of the tun gifted 'in all tyme cuming'. *Edin Recs 1626-41*, p.xvi, 326. *Edin Recs 1642-55*, 42, 108. *ECA*, Merk of the tun compts, Accounts for Building and Repair of Churches, 1635-47.

⁹⁷ G DesBrisay, E Ewan and HL Diack, 'Life in the Two Towns' in Dennison, Ditchburn and Lynch (eds), *Aberdeen*, i, 44-7. *ECA*, Minutes, vol.xv, f.153, 258, vol.xvii, f.125. *Edin Recs 1641-55*, 14. See under Churches, Seats in the index for the progress of this work. Where to place women in crowded churches while still maintaining social distinctions could prove particularly troublesome. Todd, *Culture of Protestantism*, 318-23. *ECA*, SL144/3, discharge 1616-17, 1617-18. *ECA*, Town Treasurer's Accounts, vol.v, 147-56.

⁹⁸ *Edin Recs 1626-41*, 243. *ECA*, Minutes, vol.xv, f.153. *ECA*, SL154/1, anno 1640-50.

He returned to his home in Edinburgh shortly before his death in August 1646.⁹⁹ William Bennet, Mungo Law and George Gillespie all, at some point, acted as chaplains for the Scottish armed forces, necessitating their removal from Edinburgh.¹⁰⁰ Law's parishioners at the south-west kirk petitioned for his return after a month's absence in 1647.¹⁰¹ Gillespie was also periodically involved in the negotiations to establish presbyterian church government in England, as was Robert Douglas, who was then sent to purge Aberdeen in 1647.¹⁰² Even for those who stayed in Edinburgh, the leading role adopted by the capital's ministers on the commission of the general assembly must have proved extremely time-consuming; Douglas in particular, but also Gillespie, Bennet, Law and latterly, James Hamilton were all heavily involved in its attempts to rid the country of malignants, liaise with (some might say dictate to) the committee of estates, pursue uniformity with the English church and keep the army focused on its godly mission. On top of this, almost all of Edinburgh's ministers were asked at some time or another to preach to parliament, which left their own pulpits vacant.¹⁰³ Robert Baillie observed how unsatisfactory this solution was when he found that 'weake and ill-accomodate countrey preachers' were filling the 'eminent roomes' of Edinburgh's pulpits.¹⁰⁴

The high profile of Edinburgh's ministers in the Covenanting movement created a two-fold problem for the town council. One is hypothetical. It is not ludicrous to assume that a council floundering in its attempts to find over £2,000 *per annum* plus housemails for each minister would be unimpressed that they were paying ministers to neglect their parishes and engage in 'public affairs both at home and abroad'.¹⁰⁵ At the same time, however, this activity was politicising Edinburgh's clergy.¹⁰⁶ Once again the question arose of what pertained to the spiritual sphere and what was purely the preserve of the secular authorities. This had not been a problem in the early years of the Covenanting revolution when, as indicted, the two roles were essentially complementary. When civil war broke out in the spring of 1644, a mixture of pragmatism in the face of an occupying enemy and a genuine sense that the Covenant's commitment to preserve the king should be prioritised resulted in divided loyalties. The process was further intensified by the ferocious political struggle which preceded the decision to negotiate an Engagement with the king. In the aftermath of the disaster at Preston in August 1648, the palace *coup* which brought to power an extreme radical regime, dependent on the clergy for support, made it impossible for those who wanted an agreement with the king to sit beside those who believed that Charles could never be trusted to honour the Covenant. It was not simply a case of secular town councillors, who had on the whole supported the Engagement, facing the implacable hostility of a kirk commission which was dominated by the presbytery of Edinburgh. Instead, a

⁹⁹ Baillie, ii, 279. NAS, CC/8/8/61, 9 November 1646. *Synod Records of Lothian and Tweeddale*, 178.

¹⁰⁰ Furgol, *Covenanting Armies*, 50, 68.

¹⁰¹ *Commission*, i, 226.

¹⁰² *Commission*, i, 5, 11-12. *Synod Records of Lothian and Tweeddale*, 130, 203.

¹⁰³ See the index of each volume under Bennet, David Dickson, William Colville, Douglas, Gillespie, Hamilton, Robert Laurie, Law, Hugh McKail, John Smith and Robert Trail. George Hutcheson does not appear to have preached in Parliament, but he was sent to attend the king. *Commission*, iii, 82.

¹⁰⁴ *Commission*, i, 208, 543. Baillie, iii, 56.

¹⁰⁵ *Synod Records of Lothian and Tweeddale*, 162.

¹⁰⁶ Makey, *Church of the Covenant*, 59.

significant number of the godly laity, with the vanguard of what would become the Protester movement,¹⁰⁷ found itself in opposition to more moderate men whose consciences, particularly after the execution of Charles I, greatly troubled them.

The origins of this irreconcilable breach lay in the period after Montrose's defeat at Philiphaugh in September 1645. Edinburgh's position had been compromised when Montrose's army had sent envoys to the town after his victory at Kilsyth a month earlier. For doing exactly what a man with a horde of Highland levies had demanded, the provost of that year, John Smith, was brought before the commission, and then his community, to do penance.¹⁰⁸ Radicals on the kirk commission assumed that they would be instrumental in ridding the country of malignants, and in September 1646 they 'humblic' declared an interest in the election of magistrates in the two towns most afflicted by Montrose's presence, Aberdeen and Glasgow.¹⁰⁹ By the end of the year, the royalist army had been defeated in England, but the possibility of settling Scotland's divisions was put out of reach again when Charles resigned himself to the Scots. A war-weary political community, racked by doubt and indecision, was seeking to rebuild burnt bridges, not make the chasms even wider. For the kirk commission's lay and clerical members, the prospect of compromise with Charles was anathema. Their idealistic and ultimately unrealistic commitment to the conditions of the Solemn League and Covenant was powerfully reiterated in 'the Warning', produced in December 1646. Their fears were articulated in language that is still evocative:

Sathan is neither sleeping nor idle, though he appear not alwayes as a roaring lyon, so these who ar inspired and acted by him have their wheels moving, though sometimes they make no great noise ... the true Reformed Religion [will] be againe tossed with such another and perhaps a greater tempest in the depth after we seemed to be neer the harbour.¹¹⁰

The increasing polarisation of opinion regarding the search for a workable settlement in Britain is optimised by the career of Andrew Ramsay, minister of Edinburgh's north-east parish. Suspicions were aroused when Ramsay 'medled with sum questiones concerning the King' deemed 'unseasonable' in August 1646. Later in the year, citing the same excuse of 'age and infirmity' which his colleague John Hall had used twenty years previously, he failed to read the Warning from his pulpit at the end of 1646.¹¹¹ Unwilling to allow their detractors an opportunity to exploit divisions, Ramsay was not pursued, although the general assembly was clearly aware that a 'party', consisting of some of his Edinburgh colleagues, plus the venerable but 'untollerable' David Calderwood was growing around him.¹¹² By the spring of 1648, the kirk commission's strident stance on the Engagement meant it was no longer possible for that body to be an umbrella for diverse opinions. There is at least a suspicion that a minority of radical ministers were desperately trying to stem a tide of popular support for the Engagement in the Edinburgh area, by blatantly

¹⁰⁷ The Protesters refused to support Charles II in 1651, see below.

¹⁰⁸ *Edin Recs 1641-55*, p. xiii, 73-6, 404-06. *APS*, vol. vi, pt. 1, 478. *Baillie*, ii, 345. *Commission*, i, 74.

¹⁰⁹ *Commission*, i, 60, 129.

¹¹⁰ *Commission*, i, 148-49.

¹¹¹ *Commission*, i, 158.

employing censorship. In May 1648, the Synod of Lothian and Tweeddale met and discussed the reading of a declaration on 'present Dangers and Duties'. An act stipulated that those who had 'not read it, or after the reading of it, have put false Glosses upon it, or spoke or preached against it, or shewen their dislike thereof in any way' were to be taken before the general assembly. Moreover, clergy were expected to note 'the Carriage of the people' at the reading, so that parishioners who did not react favourably could also be censured by their presbyteries.¹¹³

It would seem, therefore, that Andrew Ramsay's public 'scruples' may have given voice to a silenced body of the population who thought that the time had come to find a compromise with the king. These concerns were evidently shared by William Colville and Robert Laurie, but their sins were probably ones of omission which were quickly rectified. At the end of March, Ramsay was hauled before the commission, but he did not come alone. As an interesting juxtaposition to the anti-Engagement activity which is more commonly associated with Edinburgh, Ramsay appeared with 'a promiscuous multitude' who, reminiscent of October 1637, were led by 'some members of the honourable Court of Parliament'. George, Lord Forrester and the Clerk Register, Alexander Gibson of Durie, were named.¹¹⁴ As the crowd thronged about the doors of the commission's meeting place in St Giles', it seems that 'threatning expressions' were used against those ministers, Ramsay's colleagues, who were going in to give evidence against him. Like Colville, Ramsay was probably sent to Edinburgh presbytery, reflecting both the reluctance of the commission to come to a decision and the continued influence of that local court.¹¹⁵

The trial of Charles I, which opened on 20 January 1649, prompted Ramsay, Colville, Laurie and their colleague at North Leith, Andrew Fairfoul, to draw up a supplication demanding that the estates protest against the proceedings. By March, Ramsay had been suspended by the general assembly, but Colville seems to have been a tougher nut to crack, as the revelation that meetings had been conducted in his house did not come out until June. In July 1649, Ramsay and Colville, 'ornaments to the church' according to one who was also under censure, were deprived by the general assembly. Although Laurie was 'gravely admonished', he was a younger man with more to lose and thought it prudent to contribute to a translation of the Psalms the following year.¹¹⁶ These experiences may reflect a generational shift. Ramsay was the only clergyman left in Edinburgh whose career predated the Prayer Book crisis. His colleagues had all been cleared out in 1639, when Colville, Douglas and the late Alexander Henderson had come to the capital. The prominent Protester Mungo Law had arrived in Edinburgh in 1644, at around the same time as Laurie, and

¹¹² Baillie had returned to Scotland from London early in 1647. *Baillie*, iii, 19-21, 34.

¹¹³ *Synod Records of Lothian and Tweeddale*, 235.

¹¹⁴ Gibson of Durie lost his office in accordance with the Act of Classes. Forrester attended the Parliaments of 1648 and 1649 and the committee of estates in 1649. *APS*, vol.vi, pt.ii, 3, 377, 179, 536.

¹¹⁵ For Ramsay, see *Commission*, i, 158, 349, 407, 410, 413, 415, 424, 427-29, 432-33, 436-37, 439, 455, 458, 460, 481, 540, 568. For Colville, see *Commission*, i, 157, 401, 406, 409, 410, 412, 413, 414, 540, 544, 545. For Laurie, see *Commission*, i, 407, 410. *Baillie*, iii, 63. For anti-Engagement activity, see Chapter Seven.

¹¹⁶ *Commission*, ii, 186, 211, 230, 234, 236-37, 280, 339. *Baillie*, iii, 96. *The Memoirs of Henry Guthrie late Bishop of Dunkeld, 1637-50* (2nd edn, Glasgow, 1748), pp.vii-viii, 279. *Fasti*, i, 70, 126, 134.



died before the Restoration forced more difficult decisions on the capital's ministers. Laurie, who had been Colville's colleague at the Tron, would eventually become bishop of Brechin.¹¹⁷

As indicated, these deeply divisive developments did not simply run along lay-clerical lines. Councillors James Stewart and John Smith¹¹⁸ were consistent supporters of ministers like George Gillespie, Robert Douglas and Mungo Law, who believed that the Covenant meant 'Presbyteriall government' and 'Uniformity' with England.¹¹⁹ This finally brought them into direct conflict with moderates like the councillor Archibald Tod, with ministers Ramsay, Colville, Smith and latterly, David Dickson, who thought that the Covenant was meaningless if God's anointed monarch was not part of it. The unity of the political elite was consequently disrupted by the influence of clergymen whose pulpits could be used to discredit those who did not fit the image of the godly magistrate. As early as 1646, Law and Bennet were allegedly campaigning on behalf of John Smith.¹²⁰ In the wake of the ascendancy of the radical faction, who were heavily dependent on clerical support, moderates were purged from the town council by the estates and ministers who had spoken out in favour of the Engagement were deprived.¹²¹ For a brief moment in time, the spiritual and temporal spheres were merged together as radical ministers seized the opportunity to complete the godly reformation which had been nearly de-railed by malignancy.

The first issue on the agenda was the provision of the parishes. Two of Edinburgh's leading ministers, George Gillespie and Alexander Henderson, had died in December 1648 and August 1646 respectively. Colville and Ramsay had been deprived. By May 1647, the death of William Bennet had left Robert Laurie alone at the north-east parish, which would have only one minister until 1649.¹²² Ensuring that the pulpits were properly staffed with godly ministers became imperative after September 1648, and the radicals were quick to assert their power. On the same day that Edinburgh's body politic renounced their 'publict sinnes' by acceding to the Engagement, an act was passed declaring that the town would consult with the committee of estates to find some way of providing for twelve ministers.¹²³ Financial problems continued to be a serious hindrance to this aspiration, which consequently prompted someone to mention that dreaded word Annuity again. This issue may go some way to explaining why James Stewart was popular with the ministers, but much less so with others, as it was under his provostship that the scheme was revived. It did not, as indicated above, provide the necessary sums, leaving the council still straining to find enough money. By April 1650, the stipends had not been paid 'this half yeir'.¹²⁴

Planting ministers also raised the thorny issue of church patronage, which had proved so contentious in

¹¹⁷ *Fasti*, 126.

¹¹⁸ Not to be confused with the minister of the same name, who was of a different mind.

¹¹⁹ *Commission*, ii, 141

¹²⁰ NAS, GD406/1/2033, 30 Sep 1646.

¹²¹ *Edin Recs 1642-55*, 170-72.

¹²² *Fasti*, 126, 132. *Synod Records of Lothian and Tweeddale*, 198. Appendix, Table 5.

¹²³ *Edin Recs 1642-55*, 178.

¹²⁴ This sentence is missing from the printed extracts. *Edin Recs 1642-55*, 235. ECA, Minutes, vol.xvii, f.243.

Edinburgh during the early 1620s. It resurfaced in July 1648, when the failure of the ministry to prevent the implementation of the Engagement (Hamilton was marching for England at that very moment) prompted them to mount a challenge to the town council. Ministers, elders and deacons presented a paper demanding a say in the nomination of new ministers and commissioners to general assemblies, but the council, led by religious moderate Archibald Tod, flatly denied their request. Maintaining that patronage of the kirks ‘doeth undowttedlie belong to them’, the council punched home the point by adding that they were ‘not obleidged to take advyce and consent of the kirk sessionns or any uther persones quhatsoever’ in such matters.¹²⁵ The new town council under Stewart showed itself compliant to the wishes of its ministers, by simply ignoring the act on patronage. In November 1648, it allowed the clergy and kirk sessions to advise in the appointment of four new ministers, three of whom duly appeared in the capital.¹²⁶ Having won this seemingly insignificant battle, the commission, in a style not unlike that of James VI, moved to win the war. A proposition was made to eradicate secular control of church patronage altogether and devolve it onto the general assembly alone. Neither the fragile radical faction or their Edinburgh placemen were in a position to resist. It was a marker of Edinburgh’s relative decline in political influence that the town council did not expect their parliamentary commissioners to be able to lead the other burghs to a rejection of this proposal. They could only ‘doe their best for the priviledge of the brugh’, but ultimately, if nobody else agreed with them, they would be forced to ‘goe alongs with the Parliament’.¹²⁷

By 1650, the commission was pursuing an aggressively ambitious campaign to create a perfect godly society in that most corruptible of environments, Edinburgh. Even before a full compliment of clergymen had been planted, a new motion ‘for divyding the Toun in ma[r]je congregatiouns and appoynting places for them to preache in’ was being foisted on the council. (The latter, if it meant building yet more churches, must have been a particularly distressing idea).¹²⁸ Efforts against malignants, sectaries and sinners, especially ‘all the sinne and guilt of the King [Charles II] and of his house’, were pursued with inexhaustible gusto.¹²⁹ To preserve the purity of its agenda, the commission knew that it would have to create a sustainable political profile which would prevent them being circumvented, at some future date, by the committee of estates.¹³⁰ This was symbolised by their desire for a ‘comodious house’ in Edinburgh, where the assembly would have its usual home.¹³¹ Had it come into being, the General Assembly House would have been a pointed reminder that just as parliament had become a permanent feature of the political landscape, so too would the assembly. It would have been a powerful symbol of the two kingdoms, with parliament supporting, but not determining, what went on inside the other house.

¹²⁵ *Edin Recs 1642-55*, 157. The council did subsequently agree to meet with the committee of the general assembly. ECA, Minutes, vol.xvii, f.22.

¹²⁶ Hugh McKail, George Hutcheson and Robert Traill. James Ferguson never appeared. *Edin Recs 1642-55*, 179. *Commission*, ii, 117-18, 240.

¹²⁷ Wood’s footnote to this act is informative on the wider context. *Edin Recs 1642-55*, 190-91.

¹²⁸ *Edin Recs 1642-55*, 232.

¹²⁹ *Comission*, ii, 329, 376. *Commission*, iii, 17, 19, 26-7, 44, 541-42.

¹³⁰ *APS*, vol.vi, pt.ii, 132, 143, 147, 152-53, 161, 173-74, 183-85, 231, 287, 300, 379, 386, 408, 453, 475, 479, 498, 509, 516, 531. These examples show the radical regime’s agenda for extirpating sin, witchcraft, purging of the army and visitation of universities.

¹³¹ *Edin Recs 1642-55*, 232. *Commission*, ii, 376.

The imminency of an English invasion did not draw rival factions together. With the ‘voice of a king’¹³² heard in Scotland once more, and the threat of a northern rising headed by Montrose, the commission spiralled into a paroxysm of paranoia. The records are dominated by the destructive split between the Protesters, who succeeded in pressing the Covenant on a patently reluctant Charles, and the Resolutioners, who were prepared to reach a more pragmatic compromise. Having contributed to the failure of Leslie’s army at Dunbar by insisting that he sack a large proportion of his officers, the Protesters clearly believed that it was not that they had gone too far, but that they had not gone far enough. So obsessed were these men with the purification of the godly society, that when Edinburgh was occupied by the English, the commission wrote to the town to warn them that ‘these miserable apostates of our owne nation’ threatened their souls more than the Sectaries.¹³³

The political influence of Edinburgh’s Protester ministers was still formidable, however, even after the English invasion. More extreme elements on the commission refused to allow the provost, James Stewart, to establish a new town council in September 1650 because it would mean collaboration with ‘that blasphemous army’. So there was no council, which arguably made it much easier for Lambert’s men to lift anything that could be moved and destroy anything that could not.¹³⁴ When a council was restored in March 1652, unnamed Edinburgh ministers campaigned to ensure their man, James Stewart, was made provost. They were ‘not well pleased’ when the moderate Tod prevailed.¹³⁵ Horror at the sight of the godly nation being polluted by exposure to those ‘seducers’, the English, may have prompted Edinburgh ministers John Smith, Mungo Law, Robert Traill and James Hamilton to avoid temptation by incarcerating themselves in the castle. Collaboration certainly occurred, creating a bitter atmosphere in an already divided capital. Archibald Johnstone of Wariston, who had forced another purge on the army just before Dunbar, in the teeth of opposition from Argyll, David Dickson, Robert Douglas and Lieutenant General David Leslie, was so afraid of the spread of malignancy that he preferred to deal with Cromwell.¹³⁶ There had been rumours that many in Edinburgh’s vicinity, ‘corruptit with Englische gold’, had given intelligence to the invaders. They were subsequently imprisoned, but when Edinburgh Castle surrendered in December 1650, accusations of ‘unnaturel and perfidious treachery’ were hurled at the principle actors. The language of the commission, who were the only body left in Edinburgh able to examine the charges, is instructive – treason against ‘their mother Kirk’ came before their ‘native countrey’.¹³⁷

These words neatly sum up the core issue explored in this chapter. The earthly or political concerns embodied by ‘countrey’ could and did come into conflict with the spiritual realm, given a visible face by

¹³² J Burn, ‘Memoirs of the civil war’ in *Historical Fragments 1635-1664*, ed. J Maidment (Edinburgh, 1833), 19.

¹³³ Stevenson, *Revolution and Counter-Revolution*, 151, 170, 172, 224-26. *Commission*, iii, 240.

¹³⁴ The political impact of the English invasion is considered in Chapter Seven.

¹³⁵ Burns, ‘Memoirs’, 23.

¹³⁶ J Nicoll, *A Diary of Public Transactions and other Occurrences 1650-1667* (Bannatyne Club, 1836), 20. Stevenson, *Revolution and Counter-Revolution*, 173-74.

the 'Kirk'. Scotland's Reformation had been unique in Europe because a new church had been established without the participation of the monarch, and the need to protect that church from a Catholic queen had necessitated the establishment of the general assembly. Theoretical arguments about two kingdoms stemmed from the knowledge that the power of the civil magistrate could overwhelm that of the church, robbing it of its treasured independence and subjugating it, as was perceived to have happened in England, to the whim of the monarch. The purity of the vision held by men like David Calderwood and his successors was a remarkable thing, but its uncompromising nature meant that inevitably, in order to prevent corruption by politically-motivated laymen, the spiritual sphere had to dominate the civil one. For a brief moment, this happened, but even without an English invasion the situation was unsustainable. There would always be compromises to make, money to be found, disputes to settle. The simple fact was that the civil jurisdiction had earth-bound priorities which the godly could never believe were more important than the future of people's souls.

At local level, these high-minded theories were still pertinent. Edinburgh town council was stocked with religious men who not only saw the usefulness of the work of the ministers and the kirk sessions, but wholeheartedly believed in it. David Calderwood's pen paints the provost David Aikenhead as the enemy, because he implemented the king's hated policies, but Aikenhead's testament reveals a deeply pious man who was no less moved by what his God expected of him than the writer who wanted posterity to villify him.¹³⁸ Aikenhead may have been quite happy to have a man of Andrew Cant's evident talent serving in one of the burgh's parishes, but if the king did not agree, there was little the provost could do without sacrificing his political and social position. During the 1620s, Aikenhead may have been the representative of a moderate body of people who, like Archbishop Spottiswoode, hated the idea of schism more than the Perth Articles.¹³⁹ This can be extended to the wider community. Unity in the church and in the burgh at large was an important concept which underpinned legitimacy to rule. It also underwrote the godly society. The Bible-reading and prayer groups which proliferated in the 1620s provided a model for the retreat into a more exclusive religious community after 1651,¹⁴⁰ but before the Protester controversy there was a real belief that the congregation could be purified and unified in the image of God. That was the point of the Covenant.

This vision was, in practice, a little one-sided. Ministers might profess the idea that the civil and ecclesiastical jurisdictions were separate, but if the latter were to be fully supported by the former, they would need appropriate guidance. What this actually meant was that the political agenda had to be modelled on, not simply modified by, what was required by the Lord's word. Of course not all ministers agreed on what the Lord's word actually meant, but those who were moved by considerations alien to the

¹³⁷ *Commission*, iii, 378-79, 437-38. Nicoll, *Diary*, 22, 25, 35 (misnumbered as 33), 39 (misnumbered as 37). *Diary of Mr John Lamont of Newton 1647-71* (Maitland Club, 1830), 25.

¹³⁸ NAS, CC8/8/58, 14 Sep 1637.

¹³⁹ AS Wayne Pearce, 'John Spottiswoode, Jacobean Archbishop and Statesman' (PhD Thesis, Stirling, 1998), 302-5, 327.

¹⁴⁰ D Stevenson, 'The radical party in the Kirk, 1637-45' in *Journal of Ecclesiastical History*, xxxv (1974), 163.

proto-Protester group were considered corrupt. In the wake of the signing of the National Covenant, it seemed that these people had been cleared from the pulpits of Edinburgh, allowing councillors and ministers to restore the unity which had been sundered by the pernicious influence of the ungodly. Working side-by-side to defend the nation and advance the true religion, the early years of the Covenanting experiment saw a genuine common purpose amongst the clergy and councillors of Edinburgh – so much so, that the former royalist Alexander Clerk was nominated as provost for three years running.

It could not last. The Covenants embodied a spiritual vision, but it was also an expedient which enabled people of many different political complexions to coexist in the same movement. When different interpretations began to emerge, so opposing positions developed. A process of polarisation was underway, which made it increasingly difficult for people to avoid making choices. As Scotland descended into civil war, an increasingly militant minority of ministers, with an even smaller body of the laity, abandoned the all-inclusive idea of the godly society and tried to exclude anyone who did not adhere to their narrow interpretation of the Covenants. The kind of disputes which had bubbled up in Edinburgh during the 1620s boiled over in the 1640s, when the group most concerned about these issues were powerful enough to challenge the town council in a way that had not previously been possible. Particularly in the area of church patronage, ministers were clearly interfering in what the council considered to be their jurisdiction. The difficulties this caused were exacerbated when the radical ministers took this a stage further, and began influencing the political process in the burgh. For town councillors, who had been willing to support the Covenant partly because they wanted to protect the independence of those political processes, the power of the kirk commission after September 1648 was as threatening as the king's had once been.¹⁴¹

During the 1650s, the town council's authority was subdued, but it survived by putting the interests of the political community first. This was made possible only by collaboration with an English military regime. In contrast, the divisions generated by Charles II's arrival in Scotland were never healed, and Edinburgh, by virtue of being the home of the general assembly and its commission, was at the centre of the storm. After 1661, ministers like Dickson, Hamilton and Thomas Garvin would be driven from their pulpits by the resurrection of episcopacy, although many more of their brethren in the presbytery would acquiesce. In the same year, the Covenants were annulled by parliament.¹⁴² Prominent figures sitting on the town council that year, such as John Jossie, Edward Edgar, James Stewart, John Denholm, George Suittie and Robert Foulis had all been alive in 1638 and must have subscribed the Covenant, but they may not have regretted its demise. The Covenants continued to inspire idealists for decades to come, but it was clear that the element which had given them meaning, the co-operation and support of the civil magistrate, could never happen again.

¹⁴¹ G DesBrisay, "'The Civill wars did overrun all': Aberdeen, 1630-1690", in Dennison, Ditchburn and Lynch (eds), *Aberdeen*, i, 262. See Chapter Nine.

¹⁴² In 1664, the government forced the town council to acknowledge that the National Covenant had been 'seditious'. None of the council that year refused to sign. *Edin Recs 1655-65*, 216, 342. *APS*, vol.vii, 18.

The Political Élite

In Chapter One, the way in which the town council exercised its authority through a series of committees, often staffed by the same personnel, was systematically assessed. A 'two-tier' system of local government was identified, which on the surface seemed to represent a broader cross-section of the community, but in reality assisted the consolidation of power in the hands of a self-perpetuating mercantile élite. The premise for an assessment of the political élite was simply election to the town council between the years 1617 and 1652; this immediately established a different ground of inquiry from James Brown, who wanted to know whether a known group of élite merchants were politically active.¹ Joyce McMillan established the existence of an 'inner' town council group between 1620 and 1659, made up of 61 individuals, but her ground for inclusion was only four years service on the council.² This seemed unsatisfactory. One provost of Edinburgh, Archibald Tod, was a burghess and guild member for nearly thirty years and first sat on the council twenty-four years before he became provost. Four years would not have been long enough to build up a reputation which would have put a councillor at the heart of the decision-making process. Despite the useful work undertaken by McMillan and Brown, there still seemed to be considerable scope for an investigation into an urban political world which has too often been painted only 'in broad aspect'.³

A cursory assessment of the 327 town councillors sitting in our period revealed, as McMillan had indicated,⁴ that the majority may have considered political life too time-consuming and financially draining to make a career in the council chamber. Nearly one-third of the sampled names sat on the town council only once in this period, and nearly two-thirds (62 percent) sat three times or less. At the other end of the spectrum, twenty individuals were elected to the council ten times or more during the period under study:

3.1 Town councillors active for ten years or more, 1616-53

Councillor	Highest position	1st Year council	Death	Councillor	Highest position	1st Year council	Death
Aikenhead, David	provost	1601	1637	Gray, William	provost	1627	1648
Binnie, John	bailie	1634	1653	McNacht, John	bailie	1606	?1630
Blackburn, Peter	dean of guild	1617	1649	Nisbet, William	provost	1604	1639
Byres, John	bailie	1606	1629	Roughead, James	bailie	1635	1652
Charters, Thomas	bailie	1622	1646	Sinclair, John	bailie	1610	?1660
Clerk, Alexander	provost	1604	1643	Smith, John	provost	1626	?1660
Cochrane, James	bailie	1608	1652	Suittie, George	dean of guild	1620	?1660
Dick, William	provost	1611	1655	Tod, Archibald	provost	1622	1656
Edgar, Edward	bailie	1625	?1660s	Uddard, Nicoll	bailie	1608	1633
Ellis, James	bailie	1620	1655	Weir, Thomas	deacon	1607	1646

Sources: *Edin Recs 1589-1603, 1604-26, 1626-41, 1642-55*. ECA, Commissary Court Register of Testaments, Edinburgh. *Register of the Great Seal of Scotland*, vol.xi. J Brown, *The Epitaphs and Monumental Inscriptions in Edinburgh's Greyfriars Kirkyard* (Edinburgh, 1867).

¹ Brown, 'Edinburgh merchant elite', ch.2.

² McMillan, 'Edinburgh burghess community', 294-95.

³ Lynch, 'Introduction' in *Early Modern Town*, 2.

⁴ McMillan, 'Edinburgh burghess community', 151.

Some of the names sampled in Table 3.1 had careers stretching back before 1616, others were councillors into the Restoration period. This figure suggested that although several hundred merchants and craftsmen sat on the council at some time in their lives, only a tiny minority of those men could be said to be political figures with a prolonged presence in the council chamber.

These individuals represent a body of people whose diligence on the town council gave them a high political profile in Edinburgh. Beyond the burgh, however, opportunities for wider political participation prior to the Covenanting revolution were limited, although not as limited as in English towns.⁵ Leading merchants were consulted on such issues as the commission for setting up a fishing company in 1631, or the work being carried out by the teinds commission in 1628,⁶ but there was little prospect of merchants actually influencing the decision-making process. Scottish urban communities at least had their own unique forum, the Convention of Royal Burghs, which met about four times a year during the 1620s. This Convention was usually held in Edinburgh, its moderator was more often than not an Edinburgh merchant and if consultations with the privy council were required, Edinburgh led the delegation.⁷ In parliament, Edinburgh was the only burgh which sent two commissioners, indicating that the capital was expected to represent urban interests generally, not just the town's agenda. While Edinburgh's political weight at Court was probably in excess of many of England's leading regional centres, it is apparent that almost all of the town's collective energies were concentrated on securing its premier economic status within Scotland. Even on those occasions when the Court invaded Scottish politics, the town council (to the bewilderment of Charles I) remained dominated by its need to prioritise Edinburgh's local interests.

This mentality is evident in the way in which the town council related to the absent monarch. In theory, Edinburgh's position could appear precarious. Its prosperity rested on continuing to attract the nobility to spend time (and money) in the burgh, for their presence generated a highly profitable demand for goods which the urban community were only too happy to service. After 1603, Edinburgh was competing against the bright lights of London, and inevitably, some nobles were drawn southwards. Court life was expensive, however, and there was no guarantee of gaining sufficient reward. With the principal organs of national government still in Edinburgh, powerful men often found that their public and private business could more readily be conducted in the northern capital. So while the withdrawal of royal favour was a customary way of threatening potentially troublesome town councils, as had occurred in 1596, in reality, Edinburgh was protected by a very influential lobby – the Scottish nobility and gentry, who came to Edinburgh to borrow money, advise with lawyers, attend the Privy Council or Court of Session, purchase exotic merchandise, and meet with friends or family to discuss the issues of the day.

⁵ Patterson, 'Conflict resolution and patronage', 3-5.

⁶ Thomas Charteris, Alexander Clerk and John Smith were involved in the fishing scheme. *APS*, vol.v, 223, 227, 228, 230, 239, 240. John Sinclair, John McNacht, Archibald Tod and George Suittie were involved in the teinds commission. *APS*, vol.v, 37, 195.

⁷ *Extracts from the Conventions of the Royal Burghs of Scotland*, ed. JD Marwick (8 vols, Edinburgh, 1878). See, for example, the debate on grain imports and exports in the 1620s in *RPCS*, 1st ser., vol.xiii, index, under corn, victual.

Although the Scottish monarch now lived hundreds of miles from his northern capital, Edinburgh was happy to conduct its affairs through the privy council and little effort was put into superfluous jaunts southward. During the 1620s, correspondence was plentiful, but visits to Court were rare, as Edinburgh clearly felt no need to bother explaining itself through a person when a cheaper letter would suffice. It perhaps says something about the different styles of the first two kings of Britain that while James deluged Scotland with mail, Charles was more restrained and Edinburgh frequently considered it more prudent to send a personal envoy. Few references exist from the last decade of James's life showing any representatives of the capital visiting the court; the exception dates from the middle of 1622, when Mr John Hay, town clerk, was sent to Court with £1,000 in his pocket. This may have been related to the economic problems which beset Scotland at this time.⁸ With the accession of the new king, Edinburgh was obviously keen to secure good relations. The town received a commissioner from the king in February 1626, and John Hay was sent again to London in May. Hay's consultation with an advocate on 'sundry thingis' before he departed implies that all was not entirely well; the town clerk was in London during April 1628, and may have been joined by his deputy Mr Alexander Guthrie. He was there again in July 1629. There were two visits in 1630, in March and December (or one prolonged trip) when Hay was busy in 'the town's effairis and pairtlic in the borrowis effairis', and another in June 1632.⁹ These trips cost the burgh thousands of pounds, but the political élite presumably made the investment because they believed only a personal audience with the king was going to achieve results.

When monarchs actually came to Scotland, a little more effort and expense was required. Hospitality exemplified a reciprocal relationship between the powerful patron, and the beneficiaries of largesse. The lavish festivities which the town council engineered were intended to reflect the king's attributes; if Edinburgh was to secure future benefits for itself, then it was imperative that its leading inhabitants were visibly seen to be leading the rest of the community they governed in gratuitous displays of loyalty. It took well over a decade for James VI's 'salmon-like' instinct to manifest itself, but when it did, the committee formed to consult on 'the ordour to be observed for intertenement of his Majestie within this burgh' was led by three members of the political élite. Alexander Clerk and David Aikenhead would serve as provosts in the future and Nicoll Uddard was the son of one.¹⁰ Aikenhead was also nominated as one of the 'undoubtit and irrevocable procuratoris and commissioneris' sent to the king to discuss the burgh's affairs.¹¹ Provost William Nisbet's brother, Patrick, gave the speech on behalf of the college when the king actually arrived. Nisbet had been a trade envoy for the king in 1612 and was knighted by James during his visit.

⁷ *Extracts from the Conventions of the Royal Burghs of Scotland*, ed. JD Marwick (8 vols, Edinburgh, 1878). See, for example, the debate on grain imports and exports in the 1620s in *RPCS*, 1st ser., vol. xiii, index, under corn, victual.

⁸ ECA, Town Treasurer's Accounts, vol. iv, f. 1088. Famine occurred between 1621-24, but there was also a lack of coin, which linked into the debate about grain exports. The author intends to publish on the famine shortly, LAM Stewart, 'Post-Reformation poor relief in Edinburgh: The famine of 1621-24'.

⁹ ECA, Town Treasurer, vol. v, ff. 246-51, 457-60, 548-49, 653-54, 756-57, 857, 1183-84.

¹⁰ *Edin Recs 1604-26*, 156.

¹¹ The others were the deputy clerk, Mr John Hay and William Nemock, deacon of the tailors. *Edin Recs 1604-26*, 161-62.

Similarly, in 1628, 1631 and 1633, when committees were formed to discuss the coronation of Charles I in his native kingdom, those who served most assiduously on the town council were prominent.¹² As with many of the council's other projects, the presence of influential merchants was required in order to provide financial backing. Part of the expenditure was on false alarms; the building of a banqueting house, stages at the west port, tolbooth and netherbow, plus the acquisition of voluminous quantities of alcohol and glassware during 1628 cost the town £9,933 9s 10d. The town was even painted.¹³ Charles did not appear that year, apparently because his own coffers could not sustain the charge, but Edinburgh town council were loathe to see their efforts go to waste. It was decided that the banqueting house would be maintained, even if they had to expend yet more sums guarding it from thieves.¹⁴

Charles's actual arrival was far more expensive than his non-appearance, and not just in financial terms; an anonymous commentator claimed that Charles made such heavy weather of his public relations that many 'wissit his m[ajesty] had not cume heir'.¹⁵ The pageantry which greeted the king on his arrival was probably the most lavish ever staged in the town. Its focus on Edinburgh's place within an ancient tradition of Scottish cultural endeavour, rather than its capital status, was no doubt intended to flatter a native king, although the many elements which had been borrowed from the 1617 pageant would have been better appreciated by James than Charles.¹⁶ The total cost of the coronation visit for the town of Edinburgh was £41,489 7s, some of which was borrowed from the political élite. Relatively small amounts were borrowed from Thomas Charteris and eleven other merchants for 'the actoris and otheris' who took part in the pageants. John McNacht and Alexander Clerk were amongst those who loaned large sums to the council in order to pay for the festivities in 1633, although nearly one-quarter of the town's needs were supplied by several Edinburgh merchants based in London.¹⁷ The delayed coronation was more than just a diplomatic pleasantry, however, as the town was also negotiating the payment of the king's 'tuo extraordinary taxatiounes'. The current provost Alexander Clerk, a known conformer to royal policy, was accompanied by John Sinclair and William Gray; the latter was sent to London for further discussions in 1634. William Dick was also included, no doubt because both sides were interested in his phenomenal financial resources; his moneylending clientage included both Charles and his father.¹⁸

There were other, less prestigious, occasions when the town council as a corporate body employed official hospitality to lubricate their political relationships. The relative absence of such events throughout the

¹² *Edin Recs 1626-41*, 46, 100, 118.

¹³ ECA, Town Treasurer, vol.v, 509-15, 601-18.

¹⁴ HMC, *Report on the Manuscripts of the Earls of Mar and Kellie*, ed. H Paton (2 vols, London, 1904), i, 168. ECA, Town Treasurer, vol.v, 663-77.

¹⁵ NLS, Wod.Qu.IX, f.340r.

¹⁶ E McGrath, 'Local heroes: the Scottish humanist parnassus for Charles I' in E Chaney and P Mack (eds), *England and the Continental Renaissance: Essays in honour of JB Trapp* (Woodbridge, 1990), 259-61, 269-70.

¹⁷ BL, Add.Ms.40,885, Loch Family Papers, pp.1-32. ECA, Town Treasurer, vol.v, 936-37.

¹⁸ *RPCS*, 1st ser., vol.v, 107. Calderwood, *History*, vii, 488. BL, Add.Ms.23,116, Lauderdale Papers, vol. iv, 48. *Edin Recs 1626-41*, 128, 318-19.

1610s and 1620s might suggest that Edinburgh was a marginalised provincial town, but there is another way to read this. The Scottish capital was arguably within the field of influence pertaining directly to the monarch, despite the geographical distance. Crucially, Edinburgh was also the seat of the Scottish Privy Council, and consequently, the town had little need for the kind of aristocratic friends which places like York or Exeter required in order to have their agendas addressed at Court.¹⁹ As a consequence, hospitality tended to reflect Edinburgh's importance as a patron in its own right, rather than any need to cultivate Court figures. The playwright Ben Jonson was received by the council in September 1618, and apparently became a friend of the provost, William Nisbet, but this was an exceptional event which hints at Jonson's own connections with the Scottish literary scene.²⁰ Occasions for festivities were more commonly centred on the translation of a new minister to the burgh. When Mr Alexander Thomson was admitted to the north-west parish in September 1626, a 'denner' costing £174 6s was held in his honour, attended by the 'bischoipis provest bailleis and ministeris'. Earlier in the year, John Murray, 1st earl of Annandale had been wined and dined for £212 12s 2d, but there would not be another such occasion until John Smith, then bailie, hosted a dinner for the earls of Strathearn and Marischal in 1631 or 1632.²¹

From the mid-1630s Edinburgh was on a public relations drive which not only related to religious tensions in the capital, but also reveals how the political world had become more exclusively Court-centred in the wake of Charles's accession.²² In the summer of 1633, Charles's refusal to acknowledge deep concerns about the use of Anglican forms of worship, culminating in the farcical trial of John Elphinstone, 2nd Lord Balmerino, had given new impetus to the nonconformist campaign.²³ Worried town councillors may have been using their hospitality budget to demonstrate that Edinburgh intended to comply with the king's wishes. The banquet which was held for Mr William Forbes, the first bishop of Edinburgh, and the dean, Mr Thomas Sydserf in February 1634, must have been a lavish one, as it cost the town council nearly £400. When Forbes died prematurely (although in the eyes of the nonconformists, not before time)²⁴, the whole rigmarole had to be gone through again. Nearly £500 was spent by the council on entertainment at Sir Andrew Hamilton of Redhouse's abode, when Mr James Hannay was admitted as the new dean. Everyone of political significance in Scotland appears to have been invited.²⁵ Edinburgh may also have been investing in an insurance policy through its cultivation of powerful men. A dinner was held for the 3rd

¹⁹ CF Patterson, *Urban Patronage in Early Modern England: Corporate Burghs, the Landed Elite and the Crown 1580-1640* (California, 1999), 6-7, 23-25, 27-29.

²⁰ ECA, Town Treasurer, vol. iv, 595-98. J Geddie, 'Sculptured stones of old Edinburgh: The Dean Group', *BOEC*, i (1908), 106. *The Biographical Dictionary of Eminent Scotsmen*, ed. T Thomson (5 vols, new edn, London, 1864), i, 83.

²¹ ECA, Town Treasurer, vol. v, 246-51, 858-61.

²² Patterson, *Urban Patronage*, 34.

²³ See Chapter Seven.

²⁴ At least two pamphlets were produced around this time complaining about bishoprics in general and Forbes in particular. See 'To my reverend brether of the ministrie of this new doices' [*sic*] and 'The reconceiler' in NLS, Wod.Qu.LXXXIV. See also Chapter Seven.

²⁵ Redhouse was a senator of the college of justice, sometime privy councillor and brother of Thomas Hamilton, earl of Haddington, privy seal. Chancellor Kinnoul, Clerk Register Hay, sundry other nobles, the magistrates, some of the town council, the bishops and the ministry were all in attendance. *Senators of the College of Justice*, ed. G Brunton and D Haig (Edinburgh, 1832), 246. ECA, Town Treasurer, vol. v, 1014-15.

marquis of Hamilton and other nobles in December 1633, just as Charles's plans for a bishopric in the capital were being put into effect. In 1637, a letter to Hamilton, then king's commissioner, would mention the 'affectione' between Edinburgh and the deceased 2nd Marquis.²⁶

These examples demonstrate how members of the political élite actively supported the town council's attempt to sustain Edinburgh's profile in a wider political arena, which had been considerably less important before 1603. Prior to the Union, foreign ambassadors had been known to brave the North Sea to attend the Court in Scotland, but this ceased once the monarch was based in London. Some of this need to show Edinburgh as a capital, not just the provincial centre of a relegated region of Britain, was bound up in the town's bid to build a parliament house. Although Charles I may have already envisaged turning St Giles' into a cathedral, hence the need to divorce the new Tolbooth from the south-west corner of the church, the burgh was probably not hostile to the scheme. Money was another matter, however, and the sheer expense of a project which initially included new chambers for the College of Justice (subsequently abandoned) was straining the burgh's financial resources.²⁷ In March 1632, subscription books were opened to raise a voluntary contribution for the building of the house and it is no surprise to find that all twenty of the political élite were at the forefront of the enterprise, with some contributing the largest donations. William Gray and William Dick pledged exceptional amounts, both in excess of £1,000. Alexander Clerk, James Cochrane, Archibald Tod and Nicoll Uddard not only gave large amounts, but were encouraged to repeat their generosity in April 1633, when it became apparent that the project would exceed its budget.²⁸ Peter Blackburn provided another substantial loan in November 1635.²⁹ Having contributed such large amounts of money, several of the élite also wanted to have some say in where that cash was going. When a committee was set up that same month to 'tak sum beginning' in the task, the ubiquitous Nicoll Uddard was there, along with James Cochrane, George Suittie and John Sinclair.³⁰

Of course, not all of the 578 voluntary contributors were members of the political élite, or even their friends. George Nicoll was a cook who could, at best, call himself a neighbour of William Dick's. The £10 he handed over was probably quite a significant sum to him, although it was a mere drop in the rising ocean of cash needed to finish the parliament house.³¹ This was a gesture reflecting social aspiration. Nicoll wanted to be able to claim that he was a fringe member of a very particular set of people, the rich, influential people, who built grand houses, wore expensive garments and consorted with nobles. Someone like Nicoll may have contributed to the parliament house project because he was highly aware that as a man with a little spare capital, he was unrepresentative of the bulk of Edinburgh's inhabitants. Such men may

²⁶ NAS, GD406/1/389, 19 Oct 1637.

²⁷ RK Hannay and GPH Watson, 'The Building of the Parliament House' in *BOEC*, xiii (1924), 17-19.

²⁸ ECA, Town Council Minutes, vol. xiv, 527. ECA, Parliament House Accounts, 1633-40, n.p.

²⁹ Very large sums had to be borrowed to complete the parliament house, but the records do not always make it clear where they came from. ECA, Town Treasurer's Accounts, vol. v, 1174. *Edin Recs 1626-41*, 169, 183.

³⁰ *Edin Recs 1626-41*, 108.

³¹ ECA, Parliament House Accounts, 1633-40, north-west quarter.

have been self-consciously using such ostentatious acts of generosity to mark themselves out from the multitudes and to do so, they emulated the actions and styles of Edinburgh's political élite.

The parliament house is a good example of an expensive and prestigious project which the political élite of Edinburgh involved themselves in as a means of reinforcing their social superiority. For those directly associated with its construction, most notably the treasurers responsible for the complicated accounts, it was a time-consuming task. While some of the political élite did act as collectors of the voluntary contributions,³² their role was primarily to give some much-needed financial and political influence. This was an enterprise which symbolically united the burghs with the other estates of the realm under a single purpose-built roof, while also confirming Edinburgh's status as the capital of the northern kingdom. If there was a desire to establish Edinburgh as a sister-capital to London, there was also an awareness of what the parliament house would signify to the burgh community. It graphically showed Edinburgh's contribution to and participation in a wider political and constitutional world, which in turn underpinned the status of those who governed Edinburgh itself. There is no record of what most people thought of the whole project – the vast majority, who did not pay for the parliament house, or even get to see its interior. For the few who did pay for it, and the fewer who represented the burgh within it, this was not merely a fine building to show off Edinburgh's wealth. The parliament house was a representation of oligarchy in action, a reminder that financial dominance not only justified political influence, but also perpetuated it.

The way in which the town council represented its authority to the population it governed, and to the wider political world it was a part of, was both reinforced by the social status of its members and used by councillors to stress their own social superiority. Was that superiority essentially founded on wealth? James Brown's thesis certainly shows that a number of the men listed above were members of the merchant élite, but as his thesis stops in 1638, nothing is known about those who were reaching the peak of their careers in the 1640s. Testamentary evidence, while interesting in terms of the detail it can reveal about someone's assets, is ultimately only a snapshot in time and cannot give a convincing picture of an entire career, particularly if that career spanned the volatile 1640s. This is particularly pertinent when looking at merchants, because the value of their goods, the amount of hard cash in their possession, and the amounts of money owed to or by them, fluctuated. Someone who knew that the end of his life was near had time to arrange his affairs. He might not appear to be as prosperous as another who had died suddenly and prematurely while still engaged in mercantile activities. A more reliable indicator, therefore, particularly for comparative purposes, is the series of stent rolls which exist for the entire period.³³

James Brown's thesis defined the merchant élite as 'any person paying over three times the average payment' in four stent rolls from the period 1600-38.³⁴ In practice, it was apparent that the wealthiest tended to be a certain type of merchant, who had branched out into property speculation and

³² ECA, Parliament House Accounts, 1633-40.

³³ ECA, Extent Rolls, SL35/1/2-7.

³⁴ Brown, 'Edinburgh merchant elite', 23.

moneylending.³⁵ His work established that wealth and political power were intrinsically linked. Crucially, however, wealthy men were not necessarily involved in political activity, and political activity was not completely dependent on being wealthy. However, the financial burdens of office and the very nature of the town council's role as guarantor of the burgh's economic privileges seemed to suggest that wealthy merchants were likely to dominate the political life of the town.³⁶ Although it was not necessary to be particularly affluent to gain admission to the council chamber in the first instance, it seemed possible that those who went on to become the most politically active were also likely to be amongst the merchant élite.

Having established who the political élite were, eight stent rolls ranging from 1621 to 1649 were sampled to compare their taxable wealth.³⁷ The stent paid by the political élite in each of these years was also recorded. Gaps indicate that there was no information on the person listed, or that the individual was recorded as paying no stent.

3.2 Average tax paid by the political élite in £ Scots

Year	1621	1625	1630	1634	1636	1642	1647	1649
Average stent	11	11	10	25	18	14	39	35

Aikenhead, David			13					
Binnie, John	10	20	16	45	33	27	40	56
Blackburn, Peter	27	33	33		36	33	13	13
John Byres	50	40	47					
Charters, Thomas	67		67	133	120	67		
Clerk, Alexander		40		40				
Cochrane, James	55			50		40	31	
Dick, William	257	300	400	1200	1167	900	976	1100
Edgar, Edward		80	67		80	50		13
Ellis, James	80		13	45	45		130	
Gray, William	120	160		433	433			
McNacht, John	20	20	20	27	27			
Nisbet, William	14	14	13	13	13			
Roughead, James	20	13		90	90		179	
Sinclair, John					200		52	109
Smith, John	80		133	167		150	119	113
Suittie, George	67	67	40	80	80	60	145	144
Tod, Archibald	20	40	40		50	50		40
Uddard, Nicoll								
Weir, Thomas	16		16		12	8		

Source: ECA, Extent Rolls, SL35/1/1-7

Widows and heirs taxed after the death of the councillor have been omitted.

Some anomalies are evident in Table 3.2. In certain years, individuals who should have been paying taxation simply did not feature. In some instances when a member of the political élite was exempted due to their position as a magistrate, their names were recorded but the value was zero. In other cases, this

³⁵ Brown, 'Edinburgh merchant elite', 233-34, 272.

³⁶ McMillan, 'Edinburgh burgh community', ch.4. Brown, 'Edinburgh merchant elite', ch.2.

³⁷ The 1635 Annuity Tax was purposely avoided as it was not carried out in the same way as all the other stents, nor is there any evidence, as discussed in Chapter Two, that it was fully collected. ECA, SL35/1/2-7.

practice may not have been adopted. As a consequence, the data is not perfect. There are also caveats which must be observed when dealing with taxation rolls. It is not entirely clear, due to the nature of the record-keeping, what exactly was being taxed. Nonetheless, because everyone was being taxed on the same criteria (whatever they happened to be), the data can be used to show how a particular individual fitted into what was a fairly exclusive group of individuals.³⁸

As might be expected, most of the political élite paid in excess of the average stent. William Dick was remarkable, with a peak contribution which was nearly sixty-five times greater than most of the tax-paying population, but others also paid very large amounts. William Gray, John Sinclair and John Smith all, at some point, paid over ten times more tax than the average, while George Suittie, Thomas Charters and Edward Edgar were five times ahead of the average. These men were obviously wealthy individuals whose political careers were underpinned by the expansion of their traditional activities into moneylending or property investment. There were others, however, who paid little more than, or sometimes less than, the average. William Nisbet was provost during the later years of James VI's reign. He was valued at half the average in 1634. This is readily explained; in 1609, Nisbet bought the Barony of the Dean and from thereon his wealth was tied up in that land, not in commercial or mercantile activity within the burgh.³⁹ James Roughead was paying just over the average in 1625, although political influence may have brought its rewards as he paid five times the average ten years later. John Binnie's situation also improved over the 1620s, as he was paying just under the average in 1621, but this rose to almost twice the average during the 1630s. Thomas Weir was the only representative of the crafts to be a member of the political élite, and although he was paying 1.6 times the average stent in 1630, this had dropped to only one-seventh in 1636. The point here is two-fold. Taxation is not a foolproof indicator of wealth, although it certainly provides an indicator of a certain *type* of wealth. Nor was wealth a necessary precursor to political influence, although council membership probably brought new contacts and opportunities which could enhance an individual's economic prospects.

While the financial reserves of these people are an important part of their political profile, their private business affairs are of less relevance here than their social connections.⁴⁰ The political élite listed above are excellent examples of how important such links were in a 'community-orientated society'.⁴¹ Chapter One described the considerable restrictions which existed on council membership, but even once someone was admitted, remaining there may have been chiefly dictated by their background, who they were married to, and who their friends and associates were. Some were born with the right connections. William Nisbet and Nicoll Uddard had the best credentials of all - their fathers were both provosts of Edinburgh. Others came from families accustomed to council service. Thomas Charteris, Alexander Clerk, James Cochrane and Thomas Weir all followed in their fathers' footsteps; in the case of Charteris and Uddard, the council

³⁸ Makey, 'Edinburgh' in Lynch (ed.), *Early Modern Town*, 207. A full analysis of the taxable population can be found in Chapter Five.

³⁹ Geddie, 'The Dean Group', 96-7.

⁴⁰ James Brown's thesis details the participation of the merchant elite in trading ventures and moneylending. Brown, 'Edinburgh merchant elite', chs. 3, 4, 5.

connection could be traced to their grandfathers. David Aikenhead was the son of a merchant, but two of his uncles both acted for the king's party during the Marian civil war. These were men who had cut their political teeth in the turbulent world of Marian and early Jacobean Edinburgh. Their descendants were born into an existing social network which gave them an advantage over other less well-connected rivals,⁴² and enabled the establishment of a political profile which transcended the relative instability of mercantile wealth.⁴³ Yet there were others who did not have such auspicious beginnings. How did they become members of the political élite?

As Brown has pointed out, the town council was oligarchic, but it was not 'a closed patriciate'.⁴⁴ Certain individuals were able to cultivate the select group of people who were in a position to nominate them as new members of the council. James Roughead was not even a gild member until he married into the Trotter family. Thereafter his political career seemed indestructible; despite very public support of Charles I's unpopular religious policies, Roughead served on the council for most of the 1640s, took possession of the lands of the Craigs of Inverleith, allied himself with the radical regime which took power in the autumn of 1648, and died before the town council could reconvene after the English invasion.⁴⁵ An even more striking example is William Dick. He was an adventurous speculator whose father had come from Orkney. His son, John, acted as sheriff-depute there during the 1620s.⁴⁶ Although William Dick's father had been a town councillor in the 1590s, it was his marriage to the sister of a prominent merchant and councillor, Henry Morrison, which moved him into a higher social circle. With access to a network of merchants involved in a myriad of business ventures, Dick was able to accumulate the huge fortune which would propel him into the front rank of the Edinburgh political community.⁴⁷ Having entered this exclusive political and commercial world, Dick was himself in a position to patronise other men. His factor, John Jossie, married his wife's niece and went on to serve the Covenanting regime.⁴⁸ Jossie survived the 1640s better than Dick, whose vast wealth was destroyed within his lifetime. Successive generations of the Dick family were left to tidy up the mess, even into the next century.⁴⁹ Although Dick's case was spectacular, it raises the point that political longevity rested on more than wealth alone.

⁴¹ Goodare, 'Parliament and society', 413-4.

⁴² *The Lord Provosts of Edinburgh 1296-1932* (Edinburgh, 1932), 30, 34. Lynch, *Edinburgh*, 295, 346, 310, 372, Appendix i. *Edinburgh Burgesses*, see individual surnames.

⁴³ McMillan believed that the 'size and fluidity of the Edinburgh merchant community prevented any families from dominating affairs of trade or council', but the evidence presented here suggests the existence of a core group of families with an established tradition of council service. McMillan, 139-40, 149.

⁴⁴ Brown, 'Edinburgh merchant elite', 38.

⁴⁵ Young, *Scottish Parliament*, 215, 291. G Dalglish, 'Trinity College Church, Edinburgh: communion and baptismal plate, 1632-1698' (unpublished article), 4, 9, 10-11. The article claims that Roughead was knighted but there is no evidence of this in any of the sources cited here. He did take possession of the lands of the Craig of Inverleith. I am grateful to George Dalglish, curator at the Museum of Scotland, for giving me a copy of this work. *Burgess Rolls 1406-1700*, 428. *APS*, vol.vi, pt.ii, 187, 291, 723. *RMS*, vol.ix, no.626. The Craig of Inverleith with its stone quarry was resigned by William Nisbet's son in 1646.

⁴⁶ HS Hewison, *Who was Who in Orkney* (Kirkwall, 1998), 35-6.

⁴⁷ Lynch (ed.), *Early Modern Town*, 16. Goodare, *State and Society*, 92. Geddie, 'The Dean Group', 102. Brown, 'Edinburgh merchant elite', appendix, 429.

⁴⁸ J Turnbull, *The Scottish Glass Industry 1610-1750* (Society of Antiquaries of Scotland, 18, 2001), 110. Young, *Scottish Parliament*, 210, 302, 307. Brown, 'Edinburgh merchant elite', 210-12.

⁴⁹ BL, Add.Ms.23,116, Lauderdale Papers vol.iv, 48-50. *APS*, vol.xi, appendix, 136-37.

A closer look at the Nisbet family confirms this. Its members were related to that other dynastic powerhouse, the Uddards. A complicated web of intermarriage traced a current Uddard to an Edinburgh-based Nisbet described as 'merchant to James V'. A more recent connection tied William Nisbet's grandmother to Nicoll Uddard's brother-in-law's great-great-grandfather. The Nisbets were also related by marriage to the Bannatynes, another prominent Edinburgh family, and to George Foulis, who married Janet Bannatyne. He was goldsmith and master of the king's mint.⁵⁰ Closer ties with the legal profession existed, the closest of all being William's brother, Patrick, Lord Eastbank, a senator of the College of Justice. Another brother, James, had married the daughter of a provost, Sir John Arnot of Birswick. Marion Arnot was the sister of Rachel Arnot, well-known in nonconforming circles and grandmother of Archibald Johnston of Wariston. After her husband's death, Marion married Sir Lewis Stewart of Kirkhill, a member of the Faculty of Advocates who acted as an assessor for the burgh.⁵¹ Both Marion's mother and her nephew were related by marriage to Thomas Craig of Riccarton. Marion's niece married Sir James Skene of Curriehill, a Lord President of the Court of Session who got into trouble for refusing to kneel at communion, reputedly at his wife's behest.⁵² With these connections, it is little wonder that William Nisbet also displayed nonconformist sympathies (although his 'royalist sympathiser'⁵³ father might not have agreed). Nisbet then consolidated this impressive family pedigree by taking the daughter of William Dick as his second (and presumably very young) wife.⁵⁴

Nisbet is a particularly good example, because his family was connected not only to the mercantile and legal élite of Edinburgh, but also to a network of local gentry which may have stretched into East Lothian.⁵⁵ Some blurring of the lines between mercantile, legal and gentry families has parallels in other burghs.⁵⁶ For most of the political élite, however, their social networks were dominated by merchant families. There appears to have been little attempt by merchants to infiltrate the local landed gentry, but this is probably not surprising. Edinburgh was a significant community in its own right, and those who were part of its upper

⁵⁰ Foulis's grandfathers were George Bannatyne and the father of 'Jinglin' Geordie', George Heriot, elder. His uncle was Thomas Foulis, financier to James VI and I during the 1590s. T van Heijnsbergen, 'The interaction between literature and history in Queen Mary's Edinburgh: The Bannatyne Manuscript and its prosopographical context' in AA MacDonald, M Lynch and IB Cowan (eds), *The Renaissance in Scotland: Studies in Literature, Religion, History and Culture* (Leiden, New York and Köln, 1994), 217-20, 225. J Goodare, 'Thomas Foulis and the Scottish Fiscal Crisis of the 1590s' in WM Ormrod, M Bonney and R Bonney (eds), *Crises, Revolutions and Self-sustained Growth: Essay in European Fiscal History* (Stamford, 1999), 193. *Edinburgh Burgesses*, 191.

⁵¹ Geddie, 'The Dean Group', 93-4, 109. *Lord Provosts of Edinburgh*, 30, 34. ECA, Town Treasurer's Accounts, vol. iv, 590. *The Faculty of Advocates, 1532-1943*, ed. FJ Grant (SRS, 1944), 201, 295. ECA, Moses Bundle 4, no. 156.

⁵² Geddie, 'The Dean Group', 94-5. *Senators of the College of Justice*, ed. Brunton and Haig, 253. Calderwood, *History*, vii, 359, 383.

⁵³ A Hope, *Sir Thomas Hope, Lord Advocate* (The Society of Friends of the Kirk of the Greyfriars, Edinburgh, 1998), 1.

⁵⁴ *Register of Marriages for the Parish of Edinburgh, 1595-1700*, ed. H Paton (SRS, 1905), see under Dick. Geddie, 'The Dean Group', 92, 102, 105-6.

⁵⁵ I am grateful to Ms Lauren Martin for suggesting this possible link from her own work on the Nisbets of East Barns. See a reference to Nisbets in the Dunbar area in NAS, Dunbar miscellaneous papers, B18/39/2.

or consolidating their existing social position. Nicoll Uddard's first wife was Katherine Balcanquhal, who appears to have been related to Mr Walter Balcanquhal, the ambitious minister of Trinity College church in Edinburgh and dean of Rochester.⁵⁷ Thomas Charteris may have allied himself with two prominent families, by marrying firstly Agnes Byres, daughter of John, and after her death in 1632, a daughter of Nicoll Uddard's. Further connections were made in the next generation when Charteris' son married one of David Aikenhead's daughters. Another of Aikenhead's daughters linked him to John Smith, who married his son Robert, while Smith's sister Agnes became the second wife of John Byres.⁵⁸ Smith was also related to William Gray (Sir William of Pittendrum) through the latter's marriage to another of his sisters.⁵⁹ Gray's daughter Agnes was married Sir Archibald Primrose of Carrington, a second cousin of Marion Primrose, who took Alexander Clerk (Sir Alexander of Pittencrieff) as her second husband.⁶⁰ These relationships show that the Edinburgh political élite were a close-knit group of individuals whose marriages to the sisters or daughters of their friends reinforced their social cohesiveness.

There were men who chose to marry outwith the Edinburgh élite. John Byres' first wife was Margaret Barclay, who apparently came from Aberdeenshire.⁶¹ John Binnie's wife was called Isobel Horn, about whom nothing is known. Nonetheless, the prevailing picture is of a group of people whose exposure to each other through council membership, trading ventures or commercial activities encouraged inter-marriage. Merchant families could then consolidate their social aspirations by ensuring their children made advantageous unions. Mr Robert Byres, son of John, maintained the family's links with Edinburgh's merchant community by marrying the daughter of David Aikenhead. Rachel Byres, daughter of John, married the Edinburgh minister Mr Thomas Sydserrf, who survived long enough (unlike some of his other colleagues also deprived in 1638) to be made bishop of Orkney in 1662.⁶² Sir William Gray's descent from the 2nd Lord Gray may have given him aristocratic aspirations. His eldest son married Anne, eldest surviving child of Andrew, 7th Lord Gray. A granddaughter became Lady Stair after marrying John Dalrymple, 1st earl of Stair, and his grandson Archibald Primrose, the son of the above-mentioned Agnes, became 1st earl of Rosebery.⁶³ Another daughter, Mary, married the John Clerk who founded the Penicuik branch of that family.⁶⁴ A daughter of Nicoll Uddard married into the prolific and politically influential

⁵⁶ M Lynch and H Dingwall, 'Elite Society in Town and Country', in Dennison, Ditchburn and Lynch (eds), *Aberdeen*, i, 190-91.

⁵⁷ Balcanquhal was executor of Katherine's estate when she died in 1616. NAS, CC8/8/49, 20 Dec 1616. *Fasti*, i, 125-6. *Edin Recs 1626-41*, 27.

⁵⁸ *Edinburgh Marriages*, see under Byres. Geddie, 'West-End and Dalry Groups', *BOEC*, ii (1909), 136. NAS, CC8/8/55, 4 Feb 1632. CC8/8/49, 17 Apr 1616. Charteris is described as nearest kin to Mr Robert Byres on his father's side. Gray and Smith are described as his nearest kin on his mother's side, but the exact relationship is not specified. ECA, Burgh Court Register of Decrees, vol. xi, 19 Oct 1639.

⁵⁹ *Edinburgh Marriages*, see under Gray. TB Whitson, 'Lady Stair's House' in *BOEC*, iii (1910), 244-46.

⁶⁰ *Scots Peerage*, vii, 213, 218, 219.

⁶¹ Geddie, 'West-End and Dalry Groups', 135.

⁶² Geddie, 'West-End and Dalry Groups', 136. *Fasti*, i, 54, 56, 126.

⁶³ *Scots Peerage*, vii, 219, 221.

⁶⁴ Whitson, 'Lady Stair's House', 244-46. J Geddie, 'The sculptured stones of Edinburgh: Wrychtishousis', in *BOEC*, iv (1911), 59.

branch of that family.⁶⁴ A daughter of Nicoll Uddard married into the prolific and politically influential Ellis family. Their daughter, grand-daughter of Nicoll Uddard and niece of James Ellis, married John Lauder, whose son founded the legal dynasty of Fountainhall.⁶⁵

During the early part of the seventeenth century, careful marriage alliances coupled with increased opportunities in trade and commerce, appear to have enhanced both the wealth and status of Edinburgh's leading families. This period witnessed the growth of an urban social élite, who strengthened their position through links with lairdly, legal or clerical families. In response to this development, some of the political élite began to acquire properties and lands which reflected a self-conscious awareness of an evolving social prestige. Within the burgh, many of these men and their peers purchased multiple properties which they subsequently rented out. Such investments reflected a new level of prosperity amongst the most successful merchants and craftsmen, who were able to make their profits from traditional sources generate even greater wealth.⁶⁶ The same conditions also encouraged the development of a relatively sophisticated credit system, which seems to have been widely engaged in by the burgh population, and may even have permeated lower levels of Edinburgh society.⁶⁷

Research has already been carried out on property development in the first half of the seventeenth century which, prior to the outbreak of the Covenanting wars, appears to have involved a sector of the population outwith the wealthiest merchants.⁶⁸ The political élite are, of necessity, a much smaller sample than James Brown's 310 merchants, but all except John Byres and Nicoll Uddard were alive and established in their careers when the 1635 Annuity Tax was drawn up. As Byres' 'relict or heires' owned, but did not occupy, two properties on the High Street,⁶⁹ he can also be counted as a property-owner. Of these nineteen men, fifteen of them were property owners in the burgh, but only ten of them were renting commercially. Five of them, John Binnie, Thomas Charteris, William Dick, John Sinclair and George Suittie, held more than one or two separate properties. According to McMillan's assessment of merchant property-owners alone, the average amount of money made *per annum* from renting property was just short of £250 Scots. Five men were making over this average.⁷⁰ The implication is that property investment within the burgh was not universal amongst the political élite, and in most cases, had not replaced their traditional sources of income.

⁶⁴ Whitson, 'Lady Stair's House', 244-46. J Geddie, 'The sculptured stones of Edinburgh: Wrychtishousis', in *BOEC*, iv (1911), 59.

⁶⁵ J Geddie, 'The sculptured stones of Edinburgh: Miscellaneous', *BOEC*, iii (1910), 197-99. Geddie, 'The Dean Group', 85. J Smith, 'Easter and wester crofts of Bristo', *BOEC*, xxii (1938), 59. *Scots Peerage*, iv, 286-88.

⁶⁶ Brown, 'Edinburgh merchant elite', ch.6.

⁶⁷ James Brown has convincingly shown that Edinburgh's relatively sophisticated credit system tied Scotland into a European financial network. JJ Brown, 'Merchant princes and mercantile investment' in Lynch (ed.), *Early Modern Town*, 128-29, 135-36. NAS, Edinburgh Register of Deeds, B22/8/31, 4 Oct 1639, 17 Dec 1639, 10 Oct 1641. There are examples here of burghesses and unfreemen lending and borrowing money, some of which are quite small sums.

⁶⁸ Brown, 'Edinburgh merchant elite', ch.6. McMillan, 'Edinburgh burgh community', ch.4.

⁶⁹ CB Boog Watson, 'Owners of property in Edinburgh, 1635' in *BOEC*, xiii (1924), 104.

⁷⁰ Thomas Weir, who does not feature in McMillan's study because he was a craftsman, also appears to have rented out property. McMillan also missed Sir Alexander Clerk, presumably because she thought he

When the political élite invested in properties for their own occupancy, they often used those buildings to display their wealth and status to a community where everyone lived in close proximity. Their impressive properties distinguished them from the rest of the population of Edinburgh, while also serving to legitimise their inclusion in the exclusive circles at the top of Edinburgh society. Some of these properties have survived until the present day, set back from the 'faire and spacious' High Street, in the closes clustered on the north side of that thoroughfare. This seems to have been a conscious attempt to move away from the booths and chambers lining the High Street, which were inhabited by the 'merchants and tradesmen' – properties exemplified by Gladstone's Land on the Lawnmarket. Instead, the political élite of the burgh sought out the more discreet locations where 'the gentlemen's mansions and goodliest houses are obscurely founded'.⁷¹ Unlike London or Bristol, Edinburgh's precarious and lofty site precluded the creation of more socially exclusive districts, until the building of North Bridge after 1765 allowed the civic leadership to build their own New Town.⁷² As a result, seventeenth-century Edinburgh inhabitants had to find more subtle means of expressing their social prestige.

David Aikenhead claimed to possess a 'great mansion' at Peebles Wynd, near the Tron; the prominence of that name was preserved in the naming of a probable off-shoot of that close after Aikenhead's son, Alexander, and the house may have passed to his nephew, Mr James.⁷³ William Dick extensively modified the property in Advocates Close known as Adam Bothwell's house, around 1630. If he was responsible for the quotations from Horace and Ovid which adorn the pediments of the top windows,⁷⁴ then Dick was clearly attempting to represent himself as a sophisticated, cultured individual, as well as an affluent merchant. William Gray made sure that the world, or at least the world living in Edinburgh, knew that the owners of the impressive property still standing today as Lady Stair's house were himself and his wife, by inscribing their initials and '1622' above the door.⁷⁵ John Byres, who reputedly gave his name to the close opposite the old Tolbooth, also adorned his house with a lintel inscribed with the initials of himself and his wife, and the date 1611. Both Byres and Gray made very public proclamations of their pretensions to a

was not a merchant. McMillan, 'Edinburgh burghess community', appendix 2, 290-293. Boog Watson, 'Owners of Property', 123, 125, 128.

⁷¹ The quotations are from John Taylor, the water-poet, Hume Brown (ed.), *Early Travellers*, 109, 111.

⁷² Paul Slack has carried out a fascinating study, in relation to plague, which convincingly shows the development of sharper economic and social distinctions across the parishes of early modern towns. P Slack, *The Impact of Plague in Tudor and Stuart England* (1st edn, London, 1985), 123-26, 151-67.

⁷³ ECA, Moses Bundle 9, no.384. NAS, CC8/8/58, 14 Sep 1637. Boog Watson, 'Owners of Property', 122-23.

⁷⁴ Adam Bothwell's house is visible from Advocates Close, although technically now in Byres Close. It was originally accessed through Kintyre's Close, which has disappeared. Dick acquired a backland pertaining to this property in 1615. ECA, Abstracts from the Protocol Books of John Hay, 22 Aug 1615. This is a card index which summarises the details. HF Kerr, 'Map of Edinburgh in mid-eighteenth century' (1918). I would like to thank Ms Pam McNicoll for giving me a copy of this drawing. See also BJ Home, 'Provisional list of old houses remaining in High Street and Canongate of Edinburgh', *BOEC*, i (1908), 7. J Gifford, C McWilliam and D Walker, *The Buildings of Scotland: Edinburgh* (3rd edn, London, 1991), 202.

⁷⁵ Whitson, 'Lady Stair's House', 244-45. Kerr, 'Map of Edinburgh in mid-eighteenth century'.

godly life; Byres' lintel stated to all those who passed it, 'blissit be God in al his Giftis',⁷⁶ while Gray advised passers-by to 'Feare the Lord and depart from evil'. Alexander Clerk's father did likewise. A door-lintel at his 'grit ludging' was engraved with the words 'The Lord is my Protector'. It is possible that the property passed to his son.⁷⁷ By going to the trouble and expense of such stonework, these members of the political élite were claiming, in the most durable of formats, a godly endorsement of their authority.

For a select group of the political élite, the acquisition of land and property outside the burgh indicated a desire to be considered as equals of the local gentry. James Brown has indicated that some merchants became landholders when the nobles who had used their property as security on loans defaulted on their payments. These investments, which were mostly held in wadsett, were consequently 'an adjunct to their role as merchants',⁷⁸ not an intentional statement about their perceived status. In *The Register of the Great Seal*, the names of fourteen of the political élite appeared in relation to land transactions outwith the burgh. Few of them, however, either bought the property outright, or retained an enduring interest in it. Thomas Charteris was granted the lands of Drumgrie in Dumfriesshire, with the lands and barony of Apilgirth and of Amisfield, and a range of other holdings, in July 1638. By the end of the month, Drumgrie had been resigned to George Rome of Kirkpatrick-Irnegray. It also seems likely that the lands of Amisfield had passed out of Charteris hands before Sir John Dalzell of Newton was granted them in 1649.⁷⁹ Others were specifically granted the teinds pertaining to particular lands, indicating that it was possible to hold the lands separately from the teinds. In James Roughead's case, he was granted both, although only the lands are mentioned in the grant to the previous possessor, William Nisbet.⁸⁰ These transactions appear to relate to the 'considerable debt' of Sir George Touris of Inverleith – Roughead was owed £12 Scots by the laird, and £1,000 Scots plus £80 Scots annualrent, in 1652.⁸¹

Other examples exist, supporting Brown's hypothesis that the extent to which gentry and nobility were mortgaging their lands had created a market of unprecedented fluidity. Between the turn of the century and the Restoration, 60 per cent of land transactions in *The Register of the Great Seal* involved merchants – in the following decade, that figure was slashed to 6 percent. When John Smith acquired the dominical lands

⁷⁶ Geddie, 'The West-End and Dalry Groups', 134-37. CB Boog Watson, 'Notes on the names of the closes and wynds of old Edinburgh' in *BOEC*, xii (1923), 23. Kerr, 'Map of Edinburgh in mid-eighteenth century'. The lintel is still visible in Advocates Close. Gifford, McWilliam and Walker, *Edinburgh*, 201.

⁷⁷ Geddie, 'The Dean Group', 101. Boog Watson, 'Owners of Property', n.1, 125, 128. In this note, the date 1638 is referred to, suggesting Clerk the provost, not his father. A subsequent entry has Clerk residing in a property situated on the south side of the Cowgate.

⁷⁸ Brown, 'Edinburgh merchant elite', 305, 364.

⁷⁹ The lands of Amisfield highlight how confusing land transactions in the early modern period can be. Thomas Charteris was granted the land in July 1638, but in August, those lands were described as formerly in the possession of Sir John Charteris of Amisfield and his son, John. Although Sir John was a peer and probable relative of Thomas's, it is not clear who held what, and when. *RMS*, ix, nos.68, 846, 857, 859, 2102.

⁸⁰ Dalgleish, 'Trinity College Church', 9.

⁸¹ Sir George may still have been alive in 1652, but he was certainly dead by 1654. His son, Sir Alexander, to whom he sold the barony in 1640, died in 1645. His heir, John, is not designated as 'Sir', or 'of Inverleith'. *RMS*, ix, no.1662. NAS, CC8/8/66, 30 September 1652. MD Young (ed), *The Parliaments of Scotland: Burgh and Shire Commissioners* (2 vols, Edinburgh, 1992), ii, 698.

of North Berwick in 1652, he did so because they had been wadset to him by his co-councillor, William Dick, under reversion of 46,000 merks (about £30,666). He had held the dominical lands since March 1634, and acquired the teinds to a number of rectories and vicarages there in 1642. Also in possession of some of the teinds was Mr Patrick Home of Huttonbell. Sir Patrick Hepburn of Wauchton held the patronage of the altar of the Blessed Virgin in the parish church of North Berwick and the almshouses were held by Mr Richard Lauder from 1634.⁸² Although some of the complexity of this picture is attributable to the credit web spun by William Dick during the Covenanting wars, it is evident that other élite Edinburgh merchants were also able to speculate in land either because they had money to invest, or as a result of a growing need on the part of the traditional landed élite for their credit facilities.⁸³

As indicated, there were others who purchased land outright, or who received grants which they retained a permanent interest in. In 1609, Nisbet bought himself the Barony of the Dean from John, Lord Lindsay of the Byres, where he built himself a mansion. Later, John Bothwell, Lord Holyroodhouse, granted Nisbet a tack for the teinds of the lands of Dean, for his lifetime, his son's lifetime, then to seven successive heirs, and 'ten nynteine years' thereafter. It is telling that Nisbet's son's testament did not include any reference to either mercantile or commercial activities, but did include a valuation of the crop of the lands of Dean, amounting to over £4,250 Scots.⁸⁴ The elder William Nisbet exemplified the process of using mercantile wealth, accumulated in his twenties and thirties, to invest in a commodity which was intended to secure both his finances and his social prestige.⁸⁵

This was not the case for most Edinburgh merchants, however. Alexander Clerk came from burgess stock, but his father had invested in land and his son was described as 'de Stentoun' when he bought the western half of the lands and house of Pityoucher, Fife, in 1630. Both Stenton and Pityoucher passed to Clerk's second son, Mr Gilbert, in 1646. In the meantime, Clerk acquired the lands and barony of Pittencrieff, with which he was designated when he was knighted in the summer of 1633. Pittencrieff passed to his elder son, Mr Alexander.⁸⁶ In 1617, David Aikenhead was given a grant of the house and lands of Kilquhis-Westir in Fife, which he then granted to his son and heir, Mr Thomas, ten years later.⁸⁷ John Byres acquired the ecclesiastical lands of St Cuthberts with its barns, granaries and storehouses in 1621, but he is better known for his purchase of Coates around 1610. He built a mansion there which was still standing at the beginning

⁸² *RMS*, ix, nos. 16, 103, 413, 987, 103, 1021, 1153. *RMS*, x, nos. 12, 13, 14.

⁸³ Credit is discussed more fully by KM Brown, 'Aristocratic finances and the origins of the Scottish Revolution', *EHR*, civ (1989). It is an interesting beginning, but looking at credit from the perspective of the lenders, not just the borrowers, might show how urban and rural élites interacted with one another.

⁸⁴ This value includes crops still owed to Nisbet's son from those lands. *NAS*, CC8/8/67, 26 February 1656. Nisbet's wife's testament, recorded near the end of his career, contains no references to the Dean, or any business activity. *NAS*, CC8/8/55, 26 September 1631. *RMS*, vol. vii, nos. 123, 278, 381, vol. ix, no. 28. Geddie, 'The Dean Group', 100-05. Nisbet's nomination as a justice of the peace for Edinburghshire in August 1623 reflects his move into the local landed gentry and would not have been possible without his acquisition of property in the area, *RPCS*, 1st ser, xiii, 341.

⁸⁵ Geddie, 'The Dean Group', 96-8.

⁸⁶ *RMS*, vol. viii, nos. 1615, 2141, vol. ix, nos. 1507, 1675. Young (ed), *Parliaments of Scotland*, i, 123, 124.

⁸⁷ *RMS*, vol. vii, no. 1651, vol. viii, no. 1111.

of the nineteenth century.⁸⁸ Although most of William Dick's acquisitions were related to money-lending, he did purchase the lands of Braid in 1632 for £20,000 Scots, as well as its neighbour properties, St Giles' Grange and Sciennes.⁸⁹ John Sinclair acquired the lands of Stevenson with a tower, mill, fishing rights, and the patronage of the altar of the Holy Blood in Haddington parish church in 1624. Sinclair was probably knighted as Sir John of Stevenson in 1641, thereby founding a lairdly family who were still using that title at the Union.⁹⁰ All of the men discussed here were, as James Brown has suggested, a transitional generation,⁹¹ whose mercantile wealth enabled their progeny to enter the ranks of the local gentry. In the middle of the seventeenth century, however, the purchase of land signified the extent to which the merchant élite were departing from traditional trading activity.

Even in death, the political élite sought to distinguish themselves from the community at large and reinforce the status they possessed in life. As God would separate the elect from the corrupt majority, so Edinburgh's premier families sought to avoid the communal burials necessitated by lack of space. Greyfriars was first enclosed for the purpose of burials in 1561, due to insufficient room at the kirkyard of St Giles', but fitting everyone in remained a problem. Attempts to regulate burials were evident by at least the 1590s, and in 1603, the town council ordered that 'na staynes aucht to be infixet or sett at ony graiffes in the buriall yaird'.⁹² By the early part of the seventeenth century, permission was being given by the council for the erection of tombs on a strictly limited basis, usually to those Edinburgh inhabitants who had served either the town or the monarch.⁹³ Those who were granted this privilege used their monumental inscriptions as a form of propaganda. As with the adornment of their houses, tombs enabled the political élite to display a dynastic justification for the perpetuation of an exclusive social hierarchy, in the most enduring of materials.

Five members of the political élite are definitely known to have been buried in Greyfriars kirkyard. Three monuments are still standing today.⁹⁴ As David Howarth has noted in relation to royal tomb-building, it is difficult for the modern mind to appreciate the significance of these creations. As well as immortalising the extinct individual, the monument also acted as 'an expensive form of advertising'⁹⁵ for the entire family. The elaborately carved tomb raised for that 'truly good, and excellent citizen', John Byres, takes up this

⁸⁸ *RMS*, vol.viii, no.243. Geddie, 'The West-End and Dalry Groups', 134-37.

⁸⁹ WM Bryce, 'The Grange of St Giles', *BOEC*, x (1918), 16. Brown, 'Edinburgh merchant elite', 345.

⁹⁰ John Young's work on the Sinclairs of Stevenson shows that Sir John died after his son, Mr John, which is not clear from the Register of the Great Seal. *RMS*, vol.viii, no.624, vol.x, nos.178, 300, vol.xi, no.325. Young (ed), *Parliaments of Scotland*, ii, 643-44.

⁹¹ Brown, 'Edinburgh merchant elite', 304.

⁹² There was also a burial ground at Trinity College church and hospital. *Edin Recs 1557-71*, 106, 110. *Edin Recs 1589-1604*, 36, 324.

⁹³ *Edin Recs 1604-26*, 20, 51, 64, 68, 92, 95.

⁹⁴ David Aikenhead, John Byres, William Dick, Archibald Tod and John Smith were buried in the kirkyard. William Nisbet's father, Henry, and William Dick's wife's family, the Morrisons, also had burial plots. J Brown, *The Epitaphs and Monumental Inscriptions in Edinburgh's Greyfriars Kirkyard* (Edinburgh, 1867), 16, 305, 308. I would like to thank Dr Michael Bury at Edinburgh University, for allowing me access to his database on the monumental inscriptions of Greyfriars churchyard.

⁹⁵ D Howarth, *Images of Rule: Art and Politics in the English Renaissance, 1485-1649* (Berkeley, California, 1997), 153, 155, 156.

theme. Most of the inscription limited itself to a brief history of his career, implying a dedication to public service which, in an urban society, probably spoke for itself.⁹⁶ This sentiment was at work when the town council, towards the end of David Aikenhead's life, agreed to the erection of a monument in respect of his 'manifold guid offices'. The inscription has not survived, but the mural tablet does show a carved coat of arms which, by aping the gentry, may reflect the social ambitions of Edinburgh's political élite. Rather curiously, given the Protestant rejection of burial within the church, this is exactly where Aikenhead's memorial ended up. In many places, local élites acquired areas of the church which had become redundant at the Reformation specifically for burials, and this may have occurred here.⁹⁷ It is also possible that despite the efforts of the church, some social kudos was still attached to the placing of a stone within the confines of the church itself.

Of the monuments surviving from this early period, Archibald Tod's is undoubtedly one of the most illuminating on the association with social ambition. It stands over three metres tall, bearing almost every symbol of mortality the sculptor could fit on it; the skull and crossbones, flaming torches, scythe and hourglass reminded all who looked upon it that mortal life was transitory. Yet the intent behind the monument itself was to give Tod a form of immortality, a notion reinforced by the textual claim that Tod had 'dy'd, but did not die' because 'his golden name' was entered into 'fame's fair roll'.⁹⁸ The inscription conveyed why he was worthy of remembrance, by claiming that 'whether in the prosperity of peace, or adversity of war' Tod's career was dedicated to 'his country and this city'. He may have been 'godly without pride', but the emphasis of this monument was on Tod's (apparently) selfless, tireless efforts on behalf of the community he had been born into.⁹⁹

Self-advancement and the advancement of the interests of the burgh of Edinburgh were intimately connected for the political élite. One could not be without the other. In a democratic age, the kind of social networks which were at the heart of seventeenth-century urban politics would be condemned as nepotism, or 'jobs for the boys', but in Edinburgh during the 1600s, family, friendship and social status were seen as intrinsic to the right to govern. In a culture where it was accepted that 'virtue followeth ofttest noble blood',¹⁰⁰ it is not surprising to find that similar notions pervaded urban society. Those whose fathers and grandfathers had sat on the town council were assumed to carry in their veins the same qualities which had made their predecessors eligible for service, and although not every councillor came from the inner circle of families whose right to govern had almost become hereditary, he had probably married into, had business dealings with, or had established close friendships from within that group. Again, just as 'kin

⁹⁶ *Edin Recs 1626-41*, 182. Brown, *Epitaphs and Monumental Inscriptions*, 81.

⁹⁷ Greyfriars Church was built on the site of the former friary, and only opened for preaching in 1620. *Edin Recs 1589-1603*, 295. *Edin Recs 1604-26*, 215. Brown, *Epitaphs and Monumental Inscriptions*, 305. *Edin Recs 1626-41*, 185-86. *Acts and Proceedings of the General Assembly of the Kirk of Scotland* (3 vols, Edinburgh, 1840), ii, 603. Burials were still taking place inside Aberdeen's St Nicholas Kirk, M Lynch and HM Dingwall, 'Elite society in town and country' in Dennison, Ditchburn and Lynch (eds), *Aberdeen*, 182.

⁹⁸ Howarth, *Images of Rule*, 155. Brown, *Epitaphs and Monumental Inscriptions*, 108.

⁹⁹ Brown, *Epitaphs and Monumental Inscriptions*, 107-8.

¹⁰⁰ Waldegrave 1603 text in *The Basilicon Doron of King James VI*, ed. J Craigie (2 vols, Scottish Text Society, 1942-44), ii, 87.

friends and allya'¹⁰¹ formed the foundations of rural society, so it was no different in the towns. Edinburgh was Scotland's largest and most economically advanced urban centre, but even if it can be successfully argued that proto-capitalism was breaking feudal ties,¹⁰² it is entirely plausible that a modified version of older ideals still persisted. It was these ideas which underpinned the concept of the burgh community.

If that community was a myth,¹⁰³ the small body of men who made up the political élite were its active propagandists. They invested in elaborate dwellings, burial monuments and ambitious schemes like the parliament house to reinforce the social kudos which was essential to the legitimacy of oligarchic government. Their status was further enhanced by inter-marriage with local gentry and the burgeoning professional classes. The emphasis was on a paternalistic hierarchy, where the wealth and resources of those few at the top were used to benefit the community as a whole. The success of the élite in reforging a post-Reformation identity, primarily by using existing social ideals, was made manifest during the 1640s. Admittedly, Edinburgh did not, at any point, have hostile armies marching through its ports prior to 1651, and consequently, its political system was not put under the same intense strain as Glasgow or Aberdeen.¹⁰⁴ Yet it is surely significant that Edinburgh's government was not challenged at all during this turbulent time; political activity focused on ensuring that the right candidates were elected, not in changing the way that those elections were conducted. As Chapter Seven will make clear, the same people whose families had dominated Edinburgh politics since the sixteenth century would still be the burgh's principal political actors into the 1650s and 1660s.

¹⁰¹ Wormald, *Lords and Men*, 76-7. Evidence for the importance of these concerns in sixteenth century Edinburgh is discussed in van Heijnsbergen, 'Literature and history in Queen Mary's Edinburgh' in Cowan and Shaw (eds), *Renaissance and Reformation*, 217-20, 225.

¹⁰² Makey, *Church of the Covenant*, 1-6. A complicated version of this idea is expressed in G Marshall, *Presbyteries and Profits: Calvinism and the Development of Capitalism in Scotland 1560-1707* (Edinburgh, 1980).

¹⁰³ Dennison, 'Power to the people?', 112-13, 115-16, 120. M Lynch, 'Continuity and change in urban society, 1500-1700' in RA Houston and ID Whyte (eds), *Scottish Society 1500-1800* (Cambridge, 1989), 89.

¹⁰⁴ G DesBrisay, '“The civill wars did overrun all”: Aberdeen, 1630-1690' in Dennison, Ditchburn and Lynch (eds), *Aberdeen*, i, 238-66. EJ Cowan, *Montrose: For Covenant and King* (London, 1977), 221-22.

Town Council, Privy Council and King Local and National Government in Edinburgh, 1616-37

Edinburgh was not a community where violence was unknown, but the riot of 23 July 1637 was unusual not only for the large numbers of people it attracted, but for its expressly political aim of changing royal policy – and perhaps a few royal councillors. It ended up being the first step in the collapse of Charles I's Scottish regime, but that was probably not the intention of anyone involved on the day. The causes of the 1637 riots were fundamentally religious, but the growth of nonconformity only explains why there was opposition in the capital, not why the king's government failed to resist it.¹ Decisive action by the privy council to secure Edinburgh for the royalists was not outwith the realms of possibility – there were fully eleven weeks between the riot of 23 July and the privy council's enforced withdrawal from Edinburgh. During those weeks, there seems to have been a lot of 'long boggling' but little in the way of decision-making.² The question is whether this was what was happening even before July 1637. In other words, were the riots a consequence of a fundamental structural weakness in Scottish government, arising from the failure to create an autonomous bureaucracy, capable of functioning without direct instruction from the monarch?³

In order to assess why the Prayer Book crisis had such a debilitating effect on the authority of the privy council, we therefore need to look at the way national government interacted with local government. A hierarchical relationship existed between king, privy council and town council, but what did this mean in practice? The surviving records give the impression that privy council business with the town revolved around mundane matters – consultations on import and export duties, investigations into wrongful arrests, or directives on eradicating 'the filthe and excrementis of man and beast' from the capital's closes were typical.⁴ In such cases, the privy council was fulfilling its two main roles, by acting as a court of appeal for those who contested decisions made by the town's bailies, and as a conduit for royal commands. The privy council was capable of acting on its own initiative without recourse to the king, thereby enabling speedier decision-making than would have been the case if a monarch four days' ride away had to be consulted on every new development. This system relied on effective delegation and a respect for one another's spheres

¹ Lee's statement that the issue was government, not religion, is relevant in this context. Lee, *Road to Revolution*, 4. See Chapter Five for religious issues.

² The best account of the crisis is still Stevenson, *Scottish Revolution*, ch.2. The quotation was ascribed by Lord Hailes to Charles I, but it works just as well for his privy council. Stevenson, *Scottish Revolution*, 92-3.

³ Keith Brown argues that the Scottish regime had ceased to be dynamic in the early 1610s, Brown, *Kingdom or Province?*, 94. Maurice Lee maintains that the Jacobean system was effective and Charles undermined it, *Road to Revolution*, 4. Julian Goodare argues that, in theory, the privy council had wide-ranging powers and was capable of running day-to-day affairs without instruction, J Goodare, *The Government of Scotland, 1560-1625* (forthcoming, 2004), ch.6.

⁴ *RPCS*, 1st ser., vol.xi, 530, vol.xiii, 139, 647-48.

of influence. The king had to trust the privy council to make independent decisions which were not prejudicial to the monarch's prerogatives when the monarch himself did not know what the council were doing. Likewise, the town council had to believe that the privy council was genuinely a mediating body, and not just a rubber stamp for royal *diktats*.

When the system worked, absentee monarchy did not prove to be much of a hindrance to effective government in the localities, even one which had been blessed (or cursed) with the presence of the king more than any other. By the seventeenth century, what made Edinburgh a capital was not the physical presence of the monarch. It was the presence of his government. The growing mountain of paperwork necessitated by the collection of the king's revenues, the provision of justice and the maintenance of good order in his realm required an expanding army of lawyers and bureaucrats. While the sixteenth-century court remained peripatetic, the organs of government found themselves a convenient home in Edinburgh, where the establishment of the College of Justice had encouraged the proliferation of an increasingly sophisticated, secularised legal profession. It was the services of these people which privy councillors and lords of session required, both as territorial magnates who wanted to secure their rights on paper and as government officials. The other thing government needed was money – a commodity the Stewart dynasty was particularly short on – and this Edinburgh had in abundance, whether it be in terms of taxation revenues or direct borrowing from merchants.⁵ In effect, there was virtually no need for the king to be personally present in Edinburgh provided he had a reasonably efficient postal service and could trust his councillors. Absentee monarchy did not, therefore, mean absentee government.

The interesting thing about this model of post-1603 government is that it did not interfere with, and was actually dependant on, pre-existing relationships between centre and locality. Royal burghs had wide remits, covering all areas of social, economic and judicial activity not specifically reserved to the Crown. In addition, Edinburgh's magistrates had been granted shrieval jurisdiction 'within the burgh forever' in 1482, giving them even greater autonomy than other royal burghs.⁶ As Scotland's leading commercial centre and the seat of national government, Edinburgh's responsibilities were more extensive than other localities. As spokesman for the other royal burghs, Edinburgh had more contact with privy councillors and king than would otherwise have occurred. Proximity also has to be taken into account – how often did Ayr send representatives to discuss their affairs with the privy council? Edinburgh's relationship with national government might not be especially representative of other localities, but it does provide some insights into the actual business of government. It is this which will be looked at in more detail.

Closer inspection of the privy council records gives the impression that during the last decade of James's life, Edinburgh's autonomy was respected by their superiors, although sometimes there was a need for the privy council to remind the town council of their obligations. In March 1619, the privy council complained

⁵ BL, Lauderdale Papers, vol. iv, Add. Ms. 23, 116, f. 48. ECA, Extent Rolls, SL35/1/2-3.

⁶ The king's writ extended to treason and the four pleas of the Crown, murder, rape, arson and robbery. Larner, *Enemies of God*, 53-4. For shrieval jurisdiction, see Chapter One.

that Edinburgh was becoming such a 'filthie pudle of filth' that nobles, councillors and senators of the College of Justice did not have 'clene and frie passage and entrie to thair ludgingis.' By alleging that the nobility had threatened to remove themselves to Canongate and Leith, the privy council implied that Edinburgh would lose business if it did not clean itself up. The next day the town council took action to address the problem, and there were no more references to the state of Edinburgh's streets, from either body, until the next royal visit of 1633.⁷

Other areas of the town council's relationship with the privy council indicate that the latter's role was often a supportive one. There was no need for heavy-handed council interference in most of the town's affairs, and if anything, persistent interference would have been detrimental to the authority of the town council. The merchant magistrates of Edinburgh knew their environment better than noble landholders who were not permanently resident there, so it made good sense to leave the experts alone to carry out their work. In turn, the expertise of Edinburgh's leading merchants and their influence with the rest of the royal burghs was extremely useful to the privy council. Although they were not directly involved in the making of policy, there was at least one issue which Edinburgh's merchants knew more about than anyone else – money. When John Acheson, master of the king's mint and Edinburgh merchant, gave in a report deploring the state of the country's coin in 1632, investigations into suitable reforms were mounted. The shortage of coin, particularly the low denominations used by the poor, had been exercising the brains of privy councillors for some time, but the imminency of Charles's coronation visit concentrated minds. Although Charles decided the best idea was to send the French master of the English mint, Nicolas Briot, to advise the Scots, it is notable that numerous consultations were held between the privy council and town councillors. At the very least, they were kept fully informed of proceedings.⁸ What is particularly interesting in this circumstance is that while the privy council were consulting with knowledgeable merchants, Charles I chose to over-ride the privy council and implement his own (controversial) solution.⁹

Privy and town council consultations, usually on economic matters, occurred with relative frequency, covering such issues as the contentious attempt to reform the tanning industry, the setting of market prices for staple foods, and the investigations into Nathaniel Uddard's monopoly on soap manufacture.¹⁰ In 1624, inspired by the example of England, James VI allowed the privy council to set up a commission 'to heare everie persoun or persouns greeved' by particular projects which had proved more gainful to individuals than the country at large. Edinburgh's burgesses lead those from the other burghs in their discussions with the privy council. The previous year, seven Edinburgh merchants, with their clerk, were named to attend a 'standing commission on manufactures', which had grown out of the need to address a surplus in Scottish wool. A wide remit and membership made it, according to Lythe, a 'microcosm of Parliament' rather than

⁷ *RPCS*, 1st ser., vol.xi, 530. *Edin Recs 1604-26*, 186. *Edin Recs 1626-41*, 121.

⁸ *RPCS*, 1st ser., vol.xii, 455, 2nd ser., vol.iv, 522-23, 564, 570, 578-79, vol.v, 9. *Mar and Kellie*, 97-8.

⁹ Lee, *Road to Revolution*, 106, 187. Macinnes, *Making of the Covenanting Movement*, 35-6.

¹⁰ *RPCS*, 1st ser., vol.xii, 159-70, 179-81, vol.xiii, 249-50, 554. In discussions about the need to reform the tanning industry and objections to the government's remedy, the grant of a 31-year patent to John, Lord Erskine, Edinburgh burgesses were at the forefront, *RPCS*, 1st ser., pp.v-xiii, 159-70, 189-93.

simply another privy council committee, but the capital was particularly well represented. It included Edinburgh and eight other leading burghs, but the commission was quorate with six burgesses, three of whom had to be from Edinburgh.¹¹

Although not devoid of controversy, these examples serve as a counterpoint to the religious disputes which took up so much town and privy council time during the early 1620s. Focusing solely on the battle against a disconcertingly vocal minority of nonconformists would not give a balanced impression of the town council's dealings with the privy council. It seems apparent that most of the time, Edinburgh merchants were important as representatives of the country's wealthiest, most populous burgh, and useful sources of knowledge on economic affairs. In return, the town council's political position with regard to those it governed, as well as the other burghs, was enhanced by the endorsement of their leading role by national government.

The privy council was not a blind supporter of all the capital's wishes, however. If the king's government in Scotland was going to have any authority, it had to show it was not the slave of valuable vested interests. Part of the privy council's remit was as a court of appeal, and for its judgements to be respected, it had to assess every case on its own merits. In 1617, the baxters of the West Port, just outwith the burgh, were prosecuted successfully for usurping 'the auctoritie of the lauchfull magistrat' by setting up an 'illegal trade combination'. Interestingly, this case was not brought by Edinburgh town council,¹² although one suspects it was probably town councillors who brought the issue to the attention of the privy council in the first place. Here, Edinburgh's interest in preventing its troublesome suburbs denying the authority of the magistrates combined with the privy council's need to ensure that food production and prices were carefully monitored in the capital. In other cases, however, the town council's interest could be at odds with the wider community.

It is hardly surprising to find that Edinburgh was jealous of both its jurisdictional integrity and its rights within that jurisdiction, particularly in trade matters. A dispute had flared up between the cordiners of the Canongate and Edinburgh town council which was ostensibly about the former's right to do business in the capital, although the timing suggests that the tanning reforms, which were opposed by the cordiners, added fuel to the fire. The problem was that Edinburgh town council had tacitly condoned acts of petty violence against the Canongate cordiners and other tradesmen during the 1620s and 1630s. In 1618, the privy council found in favour of a number of Canongate cordiners who had been manhandled by four Edinburgh men. All held positions in burgh government at some time in their lives. One was a serving town officer who would appear again in 1623 for an almost identical incident. By 1632, Edinburgh's thuggish attitude

¹¹ British involvement in foreign wars, the famine of 1621-24 and the attendant restrictions of the export of victual, coupled with the problems of debased coin seem to have contributed to anxiety about an economic downturn in Scotland. The commissions were established to alleviate some of these difficulties. SGE Lythe, *The Economy of Scotland in its European Setting, 1550-1625* (Edinburgh and London, 1960), 93, 94, 95 (quotation). *RPCS*, 1st ser., vol.xiii, pp.xiii-xxvii, 70, 106, 219-23, 243, 290-300, 299-392, 438, 443, 554, 570-71, 634-46, 731.

¹² *RPCS*, 1st ser., vol.xi, 140.

towards its rival neighbour had extended to the wrights, who cited cases stretching back eight years. The privy council were not prepared to support Edinburgh town council when they were clearly using bully-boy tactics against small traders who, at worst, were engaging in a bit of sharp practice hardly capable of undermining the dominance of Edinburgh's markets. On all these occasions, it was the Edinburgh men who were censured.¹³

Impartiality was essential to the privy council's role as a judicial body, and in those cases where the dispute was on a point of law, the privy council referred to the Court of Session. As part of a broader dispute between the burgh of Edinburgh and the Lord High Admiral, the earl of Linlithgow, the bailie of Leith, Archibald Tod, was brought before the privy council in September 1628 to answer for his 'churlish' behaviour in resisting Linlithgow's attempts to dictate which berth the king's boat should occupy at Leith. The real issue here was that the Admiral's jurisdiction overlapped with that of Edinburgh, and while the privy council felt they were competent enough to censure Tod, the legal intricacies of ascertaining whose jurisdiction prevailed meant the Court of Session was better equipped to judge. The privy council did show some support for Edinburgh by stating that nothing should be done which would prejudice its liberties, even if Tod had behaved in an unsatisfactory matter and was warded in Edinburgh Castle until the case could be heard. In this instance, it may never have got there, revealing how it was possible for the entire legal process to be over-ridden by the king's decree. It seems that the town council had petitioned the king, who found in their favour and ordered in June 1630 that Tod 'be not further persewed'.¹⁴

As well as deliberating in disputes, the privy council acted as the conduit of the king's will. It is apparent that even when James had left the country, his councillors still believed that their primary purpose was to give him counsel. If James saw this as one of the definitions of nobility, Charles was quite categorical about the subservient nature of the privy council: 'I think I should be obeyed quhen I send down my directions'.¹⁵ By the tone of Mar's letters to Charles, he clearly thought that the 'treu hart of aine honest auld servant' involved giving the young and inexperienced king the benefit of his wisdom. James, at least in the civil sphere, had trusted his councillors and allowed them to deal with daily affairs which were of little concern to him. There appears to have been an unsaid acceptance that while the king had the final word, it was to be expected that as he was no longer in Scotland, his policies would require a little tweaking to suit the vagaries of Scottish life. Mar famously told Charles this was how things had been in his father's day,¹⁶ and the records seem to support this view. Edinburgh town council conducted most of its affairs directly with the privy council, without recourse to the king, unless a specific problem forced his attention.

¹³ *Edin Recs 1604-26*, 187, 195. *RPCS*, 1st ser., vol.xi, 480, vol.xiii, 139-40, 2nd ser., vol.iv, 460-63, vol.v, 372, vol.vi, 619.

¹⁴ Lee has noted that the town council was often happy to have cases referred to the Session because it was full of Edinburgh lawyers. *RPCS*, 2nd ser., vol.ii, 451-55, vol.iii, 546-47, 609-10. Lee, *Road to Revolution*, 139.

¹⁵ HMC, *Report on the Manuscripts of the Earls of Mar and Kellie*, ed. H Paton (2 vols, London, 1904), i, 133, 145. *The Basilikon Doron of King James VI*, ed. J Craigie (2 vols, Scottish Text Society, 1942-44), i, 87.

¹⁶ Lee, *Road to Revolution*, 32-33.

His only significant initiative in civil policy which also concerned Edinburgh were the commissions for grievances and manufactures, which were inspired by English practice. At Charles's accession, the records show a noticeable change. Suddenly, in 1625, the king becomes a much more active presence.

Of immediate concern to Edinburgh during the summer of 1625 was the programme for parish reform which had been instigated under James's reign.¹⁷ While the town council were receptive to 'all his Majestie's royall intentionis', they were keen to secure a ratification of the ecclesiastical privileges previously granted to them. The royal response was ominous. Charles stated that he had no intention of interfering in Edinburgh's liberties, 'Bot till thay satisfieoure desire thay aught not to mak new propositionis unto us'.¹⁸ Within four months of becoming king, Charles had demonstrated in the clearest terms that his father's methods were now out of date. There was no scope for negotiation or debate here – Charles would send his instructions to Edinburgh, where the privy council was expected to oversee the town council's compliance. Unquestioning loyalty to the divinely ordained monarch would subsequently be rewarded.

On 1 November 1625, the privy council ratified the town's ecclesiastical privileges,¹⁹ but the much bigger question of Edinburgh's charter, renewed and expanded by James into the 'golden charter' of 1603, was still outstanding.²⁰ It seems that controversy had arisen over a new clause in the charter, granting Edinburgh the rights 'as well Regality as Royalty' throughout 'all Parts of the Country, as far as the Jurisdiction of the Sheriff of Edinburgh extends'.²¹ The king seems to have taken exception to the clause because it was prejudicial to numerous individuals whose own rights and jurisdictions were being infringed. Charles I's personal scrutiny of the capital was primarily intended to clear up any legal anomalies, but in practice the issue was turned into a jurisdictional minefield.

In April 1627, Edinburgh's request for clarification of the offending clause in the 'golden charter' was debated in council. The Faculty of Advocates had been looking into the matter, and they reported that Edinburgh was claiming only that which previous grants had already allowed. In response, the Admiral, the earl of Linlithgow and the Constable, the earl of Erroll, both complained that their privileges were being undermined. The prospect of yet more time-consuming legal wrangling infuriated Edinburgh town council, who archly informed the privy council that their charter still stood 'in vigour and force undischairgit', so there was no need for them to put their 'evidents' into the hands of lawyers. That Charles was the instigator of this process is corroborated by the fact that he specifically requested his privy council to assist the

¹⁷ See Chapter Two.

¹⁸ *RPCS*, 2nd ser., vol.i, 102.

¹⁹ *RPCS*, 2nd ser., vol.i, 163-67.

²⁰ *Edin Recs 1589-1604*, 315, 320, 376-86. ECA, Moses Bundle 1, no.21. There is an index to the Moses Bundles which shows how the original charter differed from the 'scroll heads or signature' in Edinburgh's possession.

²¹ There is no record of complaints against the charter at the time it was granted. This translation from the original Latin charter is in W Maitland, *The History of Edinburgh from its Foundation to the Present Time* (Edinburgh, 1753), 244-45. The original is in poor condition, *Charter-House of the City of Edinburgh*, no.88. ECA, List of Historical Charters, James VI, Golden Charter, 15 March 1603.

Admiral in all matters 'proper and competent to the said office'.²² Perhaps Charles was genuinely attempting to protect and enhance royal offices – their status reflected on the image of the king. Or perhaps Charles was using startlingly unsubtle methods to force his northern capital both to recognise their dependency on royal favour, and to carry out his ambitious plans for religious reform. Whatever Charles's motives were, Edinburgh had expected the king to ratify their charter. Instead, he had wasted the opportunity to demonstrate goodwill towards 'the cheiff and heid burgh'²³ of his Scottish kingdom.

Charles's investigation into Edinburgh's charter had wider repercussions for the town. The possibility that areas of the town's extensive jurisdictions might be invalidated encouraged others to pursue their own disputes with the capital. In August 1627, the deterioration of Anglo-French relations prompted Charles to demand that forts be built at Leith harbour, which Edinburgh town council claimed it was willing to undertake at its own expense if 'the government of the haill toun of Leith' was conferred upon them.²⁴ This was a vexed issue with a long history,²⁵ and Leith was prepared to put up a spirited, if ultimately hopeless, defence. The magistrates of Leith enthusiastically exploited the tension generated by the dispute over Edinburgh's charter by dragging virtually anyone who had issue with the capital into the fray. During 1629-30, Leith produced interminable indictments against Edinburgh's 'illegall proceedings', by which time the Session was now involved in sorting out whether Leith's inhabitants had the right to store victual without Edinburgh town council's consent. In March 1630, the earls of Moray and Linlithgow,²⁶ who both had their own axes to grind with respect to Edinburgh's privileges, swore to their fellow-councillors that they had not been supplying Leith with partial advice.²⁷ Although the so-called bargain of Broughton confirmed Edinburgh's superiority over the villages of North Leith, South Leith, Canongate and Pleasance in August 1636,²⁸ the entire unseemly affair had taken up town and privy council time for over eight years. In two key areas pertaining to Edinburgh's civil jurisdiction – its charter and its superiority over the essential port facilities at Leith – Charles I had shown that far from being the guardian of the burgh's liberties, he was the one questioning them.

²² The office of hereditary admiral had been conferred on the earls of Lennox, but the current earl was a minor. *RPCS*, 2nd ser., vol.i, 588, 589-91. Erroll's position seems to have particularly tenuous. It was claimed that the criminal jurisdiction within a four-mile zone of the king pertained to his office, but in the absence of the king, this meant the parliament and privy council. Such a claim does not appear to have had a convincing precedent, yet it was, apparently, sustained. Goodare, *State and Society*, 80-1. For a brief note on the admiral's office, see Goodare, *State and Society*, 82.

²³ *Edin Recs 1626-41*, 65.

²⁴ *RPCS*, 2nd ser., vol.ii, 44, 56, 57, 125-26, 159-61, 184-86, 187.

²⁵ By at least 1461, Edinburgh set the petty customs for goods coming into Leith. *Edin Recs 1404-1528*, 19. In 1560, Edinburgh had been sold the superiority of South Leith by Mary of Guise-Lorraine, then regent of Scotland. *RPCS*, 2nd ser., vol.ii, 126. See also Lee, *Road to Revolution*, 139-41.

²⁶ Linlithgow was Lord High Admiral. Moray seems to have had tenants in Leith who were affected by the regulations pertaining to the storage of victual. *RPCS*, 2nd ser., vol.iii, 640.

²⁷ *RPCS*, 2nd ser., vol.ii, 44, 56-7, 642-44, vol.iii, 494, 495, 497, vol.iv, p.xxix-xxx, 78, 81, 241, 248-51, 598, 600-7.

²⁸ The details of the purchase of the barony of Broughton, conducted between the king, the earl of Roxburgh and Edinburgh town council, is best explained by Margeurite Wood. *Edin Recs 1626-41*, p.xv, 180. *Charter-House of the City of Edinburgh*, no.91.

The controversy over the 'manie strange clauses' in Edinburgh's charter dragged on for many years.²⁹ By 1632, it may have been suggested to Charles that matters had got out of hand. On 9 February, Charles sent a letter to the privy council recommending that all cases pertaining to Edinburgh's 'accustomed' rights and privileges should be settled 'as our lawes doe allow with all convenient expeditioun'.³⁰ It was a partial victory for Edinburgh, but it would be another four years before the issue was resolved. In October 1636 the town was finally given a new charter, erecting them into a 'Royal City', but as was now seemingly typical of Charles, he expected something in return: Edinburgh agreed that it had renounced all rights of regality (and consequently the fines and escheats that went with them) while also accepting a reduction in the area over which it had jurisdiction.³¹ This may finally have ended the squabbles with the earls of Linlithgow and Erroll, which had persisted into the mid-1630s, forcing the town to trawl through its charter chest in search of grants dating back to the reign of James III.³²

The privy council's role in these disputes was to act as a mediator, enabling all sides 'to treatt and sattle all questiounes'.³³ With the king so actively involved, however, the privy council were constrained from entering into independent negotiations because of Charles's highly detailed instructions. At all turns, unscripted deviations or unauthorised initiatives were taken as a slight to the royal prerogative, leaving all parties with very little room for manoeuvre. There is, of course, an important caveat about making direct comparisons between the last years of a long, largely peaceful reign and the first years of a new, vigorous regime which also became involved in foreign wars. It was quite natural that Charles should want to enforce his own authority. There was bound to be an unusually high level of activity in council, as Charles tackled Scottish issues of which he had no previous knowledge. He quite reasonably wanted to ensure that royal privileges had not been encroached on during his father's reign. In the process, however, Charles trod on the sensibilities of Edinburgh town council, mistaking a justifiably high opinion of its own importance and a single-minded determination to protect its own particulars, with disloyalty. Charles displayed these tendencies more blatantly than ever in his attitude towards Edinburgh's cherished political liberties.

Edinburgh's political relationship with their king had frequently been contentious during the sixteenth century. Royal interference to secure the town's loyalty was certainly not unknown,³⁴ with clashes of interest usually focusing on the annual election of the provost. For the generation of councillors serving after the riot of December 1596, the provost was a royal appointee, and a dispute over this had arisen in 1608.³⁵ With the death of Sir John Arnot of Birswick in 1615, James seems to have relaxed into a more

²⁹ *RPCS*, 2nd ser., vol.iii, p.xvii-xxix, 422-23, 432-34, 427.

³⁰ *RPCS*, 2nd ser., vol.iv, 432. *Edin Recs 1626-41*, p.ix.

³¹ Edinburgh's jurisdiction was reduced from the 1603 charter to the town, its mills, waters and the mure, Leith, Newhaven and the roads leading thereto. Maitland, *History of Edinburgh*, 257-58. *Charter-House of the City of Edinburgh*, no.91.

³² *RPCS*, 2nd ser., vol.ii, 521, vol.iii, 502, 630-31, 632-41, vol.v, 107, 206, 298-300, 611.

³³ *RPCS*, 2nd ser., vol.iv, 597-98.

³⁴ For Mary Stewart's policies towards the burgh, see Lynch, *Edinburgh*, 110-14. James's relationship with Edinburgh between 1585 and 1603 still needs investigated. For the 1596 riot, see *RPCS*, 1st ser., vol.v, 349-52 and Calderwood, *History*, vol.vi.

³⁵ Chapter One.

accommodating frame of mind, allowing the town council to select a provost with no overt connections to royal government. This was not the end of careful royal monitoring of Edinburgh politics, however, as James's controversial religious policies, aired in 1617 to less than universal approval,³⁶ made the need for a provost who was malleable to the king's will more imperative than ever.

When his king came to Scotland in 1617, William Nisbet had been provost since the previous September and was knighted that summer.³⁷ He seemed secure in his monarch's favour, until the king proposed five new articles for worship in the Scottish church. Unable to compromise his religious beliefs by supporting a policy rejected by family and friends,³⁸ Nisbet found himself ousted from the provostship in 1619 and replaced by men more willing to support royal policy. He reappeared as provost one more time, in 1622,³⁹ to the disgust of the archbishop of St Andrews,⁴⁰ yet that very autumn, the king had insisted that only conformists should be elected as the town's magistrates. Perhaps the privy council had decided that a placatory measure was necessary; there were rumours circulating Edinburgh in the autumn of 1622 that James intended to bring in Catholic toleration. The story was given credence when news leaked out early the following year that Prince Charles had departed for Spain to pursue a marriage with the Infanta Isabella. It seems that Nisbet's nomination was allowed or even encouraged by a Scottish regime which was deeply anxious about how the Crown's foreign policy was being received in the burgh, particularly in the wake of parliament's ratification of the Perth Articles.⁴¹

The 1622 election was an anomalous event because in the 18 years from 1619 to 1637, it was the only year when neither David Aikenhead or Alexander Clerk sat as provost. Both were seen as being too eager to implement royal policy,⁴² and it seems credible that Charles's exclusive preferment of these two men was based on the reputations they had acquired during his father's reign. Before 1625, however, there was no direct royal interference in elections; an order that all royal officials, advocates, sheriffs and town magistrates 'conforme' themselves to the new religious order had originally been considered sufficient.⁴³ In 1624, the resurgence of nonconformist activity in the burgh necessitated stronger words. At the request of the king, the privy council had 'verie earnestlie recommendit' to the town council that they select

³⁶ Calderwood, *History*, vii, 246-56.

³⁷ *Edin Recs 1604-26*, 148, 167.

³⁸ Nisbet's family and nonconformist attitudes are discussed in Chapters Three and Five.

³⁹ He did sit as an ordinary councillor in 1623-24 and 1624-25.

⁴⁰ The archbishop stated in May 1623 that he had told his correspondent 'long since, that the Magistratis chusit for this year' were unsuited to the task of enforcing the Articles. *OLEAS*, ii, 713-14.

⁴¹ For rumours of Catholic toleration, see *OLEAS*, ii, 700-3. For wider concern about James's foreign policy that year and in 1623, see NLS, Wod.Fo.IX, ff.173v, 190-93. Melrose's letter to James in April 1623 suggests that he wanted to ease enforcement of the Articles, *OLEAS*, ii, 711-12. For the town council election of 1622, see *Edin Recs 1604-26*, 237. ECA, Moses Bundle 195, no.7036. The news that a Spanish match was being sought for Prince Charles coincided with setbacks in the Palatinate. WB Patterson, *James VI and I and the Reunion of Christendom* (Cambridge, 1997), 296-324.

⁴² Calderwood, *History*, vii, 304, 361, 488, 517, 597.

⁴³ Calderwood, *History*, vii, 512.

magistrates 'of whose conformitie and obedience to the orders of the Kirke ther was goode assurance'. The council politely assured their superiors that they would 'be respective and carefull in that point'⁴⁴

James was not guiltless of interfering in the town council's political processes, but the manner in which it was carried out merits discussion. James did not decree who should be on the leets. He did not openly criticise any of the councillors by name. His views were made known and, once again, the privy council acted as the mediating influence. They did not enforce, they recommended. This enabled the town council to select a conformist provost, Alexander Clerk, in October 1624, while ensuring that important men were not completely excluded because of their religious affiliations – William Dick, a known nonconformist and future Covenanter was elected bailie despite James's directions, William Rig remained on the council although he was under investigation for nonconformity and Nisbet himself also remained a councillor.⁴⁵ There was no reason to suppose, at this juncture, that Edinburgh's electoral procedures were at risk of being permanently over-ridden by the monarch.

With James's death in 1625, hopes were high of a more relaxed approach to religious conformity which would, in turn, diminish the king's need to control the chief offices of the burgh. An anonymous journal writer recorded that there were 'grite hopes of justice and pietie' from the new king,⁴⁶ but this period of mutual goodwill does not appear to have lasted very long. In September, the writer noted that Charles had expressed a desire that 'conforme men' be elected to the town council and that the Perth Articles be observed. This was 'thot strange' by those who had believed that their king wanted to express his zeal for 'religioun and peace of the cuntrey'. In April 1628, just three years into his reign, Charles rebuked the ministers of Edinburgh for requesting that their parishioners be exempted from kneeling.⁴⁷ No doubt most were convinced that it was 'bissie pepill' around the king and not Charles himself who should be blamed,⁴⁸ but nonetheless, the journal gives an impression of genuine bewilderment at the king's actions. These developments had important political repercussions. The anonymous journal suggests that Charles's accession had been greeted with high hopes, despite the Spanish Match affair. Goodwill was probably felt keenly amongst a political elite who wanted to stop religious disputes undermining their authority within and beyond the council chamber. Charles could have capitalised on this to create the kind of loyalty amongst local leading figures which was essential to the effectiveness and stability of his rule. In his determination to be 'by all our subjectis obeyed',⁴⁹ Charles missed a brilliant political opportunity.

By the early 1630s, increasing religious conflict in the burgh must have given good cause for pessimism about Edinburgh's political future. A proposal by the town council in 1632 to build a parliament and session house had quickly been over-shadowed by the king's demand that St Giles should be cleared of two

⁴⁴ *RPCS*, 1st ser., vol.xiii, 611. *OLEAC*, ii, 765-67.

⁴⁵ *Edin Recs 1604-26*, 256. *RPCS*, 1st ser., vol.xiii, 490, 521, 664. Calderwood, *History*, vii, 596-99.

⁴⁶ This impression is given primarily by a set of propositions which may have been construed as presaging a cessation of the enforcement of the Perth Articles. *Stirling's Register*, i, 62-3. NLS, Wod.Qu.IX, f.216.

⁴⁷ *Stirling's Register*, i, 271-72, 296. See Chapter Five.

⁴⁸ NLS, Wod.Qu.IX, f.219.

⁴⁹ *Stirling's Register*, i, 296.

of its three congregations and raised to cathedral status. This was to enable the creation of a new bishopric centred on Edinburgh, which would be the lynchpin of a thorough overhaul of the parish system in the town. Bringing order and dignity to what Charles saw as Edinburgh's chaotic system of worship had been on his mind since at least 1626,⁵⁰ but it was probably the controversial visit to his northern capital in 1633 which focused the king's attention. The pace of reform had not so much slackened as never quickened in the first place, for two very good reasons. Hit with the largest taxation bill in living memory, forced into borrowing large sums to meet their obligations and struggling to find the money for their parliament project, the town council was reluctant to begin work on St Giles and two new churches. The changes were also very unpopular in a burgh where culture was heavily informed by a very active nonconformist minority. The use of English forms of worship at the king's coronation ceremony reinforced fears that the true Kirk was being polluted by corrupt Anglican practices, which were easily portrayed as the gateway to Popery.⁵¹ Five years earlier, Charles had proposed coming to Scotland, but the visit had been postponed on the grounds that 'the estait' of Edinburgh and the king's coffers were 'so exhausted' that a coronation was simply beyond their financial capabilities.⁵² If anything, Edinburgh was probably experiencing more pronounced financial difficulties in 1633 than in 1628, while the political furore the visit actually caused may have meant that town councillors were amongst those who 'wissit his m[ajesty] had not come heir'.⁵³

The twelve months following Charles's visit to his native kingdom was a challenging one for Edinburgh town council. In October 1633 the bishopric of Edinburgh was erected, necessitating a speedy conclusion to a church building and repair programme which was in serious financial trouble by at least October 1634.⁵⁴ The enormous taxation granted in parliament that year also strained the town's finances, forcing the bailies to engage in another round of borrowing, around the same time as Charles demanded that Edinburgh use 'a ratable imposition' to provide 12,000 merks (£8,000 Scots) each year for the payment of their ministers' stipends – a sum just under half the value of the town's tax burden for 1632.⁵⁵ The burgh was also under pressure from other forces. Contention over the jurisdiction of the Lord High Constable, perhaps prompted by the king's visit, resurfaced in the early months of 1634.⁵⁶ In May, an unexplained tumult was 'raised within this burgh' by the apprentice of George Ker, a tailor; Ker had also been involved in a craft riot in the summer of 1626.⁵⁷ Religious discord was once more in the spotlight, as the 'extraordinary' trial of Lord Balmerino rolled to its sinister conclusion, bringing people onto the streets and providing more

⁵⁰ The idea of taxing 'the whole inhabitantis' to pay for adequate stipends first appears in December 1626. It would eventually become the 1636 Annuity Tax. *RPCS*, 2nd ser., vol.i, 488.

⁵¹ Charles's religious policies are discussed in Chapter Seven.

⁵² *RPCS*, 2nd ser., vol.ii, 383, 285. *Edin Recs 1626-41*, 44.

⁵³ NLS, Wod.Qu.IX, f.40v. Appendix, Figures 1 and 3 hint at this possibility.

⁵⁴ *Edin Recs 1626-41*, 133-34, 145, 168.

⁵⁵ *Edin Recs 1626-41*, 135, 187. *RPCS*, 2nd ser, vol.v, 209, 213, 232, 233-36. Appendix, Figures 1 and 2 show that the council's expenditure was routinely higher in the 1630s than at any point in the preceding decade, and that it was increasingly reliant on borrowing to meet its obligations. The author hopes to produce an article on Edinburgh's finances in due course.

⁵⁶ The earl of Erroll claimed he was 'supreme judge' within a four-mile radius of the king, his parliament and his privy council. *RPCS*, 2nd ser., vol.v, 206, 611.

⁵⁷ *Edin Recs 1604-26*, 3, 1626-41, 144-45.

grist for the nonconformist propaganda mill.⁵⁸ Squeezed by the demands of their monarch on the one hand, and the expectations of the community on the other, 1634 was undoubtedly a troubled year for Edinburgh's magistrates.

It was also the year that Charles I ran out of patience with the Scottish capital. Dismayed by continuing resistance to his religious policies by the capital's inhabitants and by the council's foot-dragging on the church reform programme, the king acted decisively. In September 1634, Charles sent a letter direct to the town council stipulating which individuals would be elected for the coming year. There is no surprise in seeing David Aikenhead nominated as provost, but it must have been taken as something of a rebuke to Alexander Clerk, who had been in the post for the previous four years. Little is known about the affiliations of most of the bailies, the dean of guild and the treasurer, but it is notable that two of the bailies, Archibald Tod and Edward Edgar, would be politically active during the 1640s.⁵⁹ 'For obedience', the town council did as they were bidden, but they were clearly baffled as to why the king's 'most obedient vigilant and cairful' subjects should be treated in such a dishonourable fashion. The new town council were, understandably, less keen to make it an issue, provided the burgh's liberties were not being permanently prejudiced. Fearing that a petition would risk the loss of Charles's favour, they settled for asking the Clerk Register and former town clerk, Sir John Hay and William Alexander, earl of Stirling, secretary for Scotland in London, to put a word in the king's ear instead.⁶⁰

Unusually, the details of the 1634 election (nomination might be more accurate) were so well-known outside the council chamber that public reactions were recorded in a contemporary journal. It was reported that:

the counsall thocht it ane grit noveltie and sua said And quhen it wes hard of amangis the pepill many said it wes ane extraordinar matter and utheris said the king suld be obeyit and so it bred grit diversitie of opinions not onlie amangis the counsall Bot alsua amangis the pepill of the toun.⁶¹

As in the 1620s, when James had been informed about events in Edinburgh to which many thought he should have remained oblivious, it was Sir John Hay who was rumoured to have engineered the affair. More than this, it was alleged he had been concocting 'desingis', presumably aimed at ensuring that the king could dispense altogether with an inconveniently independent town council, but that he had been 'hindert' around the same time that Alexander Clerk had been elected provost. This hints at the possibility that when David Aikenhead's five-year provostship had ended in 1630, there had been some kind of secret political manoeuvring to have Edinburgh permanently secured for the king. If the unwelcome developments of 1634 had antecedents, then the outrage of certain sectors of the political community is all

⁵⁸ NLS, Wod.Qu.IX, ff.358, 359, 365-68, 369-71, 379.

⁵⁹ See Appendix, Table 1 for office-holders. Edgar was more closely associated with the Covenanting regime than Tod, see Chapter Seven.

⁶⁰ *Edin Recs 1626-41*, 149, 150.

⁶¹ NLS, Wod.Qu.IX, f.362v.

the more understandable. The journal writer made it clear that Edinburgh's population were sufficiently politically aware to recognise that something was amiss:

thair wes nevir the lyke letter direct of befoir for that purpois Naming the particular men to be chosin Albeit sumtymes thair wer letters direct of befoir for choising of the magistrattes of conforme men and sumtymes of sic men in generall as wes thocht meit for the tyme for his majesties effairis allwys the magistrattis and haill counsalors being convenit ...

This was not what had occurred in 1634, however:

Eftir sum earnest reasoning and diversitie of judgement the particular persounis befoirnamit wer litit amongis the personis that suld be chosin to beir office And upoun tysd[a]y thaireftir In a solemne meiting according to the ordor as magistrattis ar chosin The saidis particular personis wer chosin magistrattis and that for obedience of his majesties letter eftir lang contentioun qlk bred gritt murmuration amongis the pepill as being done altogidder contrair to the libertie of the toun And the electioun that day continwit and abaid longer tyme then the ordinar yeirlic electionnes of befoir did be reasoun of the diversitie and contradicioun of Judgementis in the counsall hous Sua that all the commoun pepill for the maist part wer assemblit on the streites to sie the maner of the new electit magistrattis furthcuming as had not bene sein for many yeiris of befoir and yit the new magistrattis and thair cumpany when thair come furth wer bot a few nowmer far inferior to the cumpany that acumpanyit the magistrattis at thair first electioun in the yeiris preceeding.⁶²

The final few lines suggest that while the common people swarmed onto the streets to find out the latest gossip from inside the chamber, the wider political community expressed their dissent at the illegitimate proceedings by failing to accompany the new magistrates on their first progress onto the High Street. In a world where being surrounded by one's friends was an important political tool – consider Balmerino's Edinburgh supporters walking with him to his trial⁶³ – this must have been an embarrassing moment for the new town council.

In hindsight, the year 1635-36 was the eye of the storm. While the king's men ruminated on how to gain quiet acceptance of an unpopular Prayer Book, others began to plan just the opposite. It is hard to believe, given how nonconformity had permeated the urban elite, that David Aikenhead and his council did not know that something was brewing.⁶⁴ Failed yet again by his servants in the capital, Charles seems to have become convinced that the problems in Scotland were of personnel, not of policy. On 25 September, the privy council was served with general missives for the burghs regarding the 'choosing of thair magistrats',⁶⁵ but this was not the end of the matter for Edinburgh. Conveniently for Charles, the death of David Aikenhead in August 1637 removed the most prominent likely opponent of his plan, which manifested itself on 18 September. Sir John Hay produced a letter for the town council which stated that to secure 'the peace of that Citie', Charles needed to be sure that 'one of whose sufficiencie frome oure owne

⁶² NLS, Wod.Qu.IX, f.363.

⁶³ Lee, *Road to Revolution*, 159.

⁶⁴ Nonconformity is discussed in Chapter Five. Aikenhead may have been in ill-health at this point, but there were four bailies who had sufficient authority to take temporary control of the council.

⁶⁵ *RPCS*, 2nd ser., vol.vi, 533.

knowledge we have assurance' ought to have 'chairge amongst yow'. Charles's most loyal and willing servant was none other than Sir John Hay, who was not a merchant and had formerly been town clerk. Although the council obeyed, they also did all they could, within the rigid confines of the king's instructions, to adhere to their customary forms. On 19 September, Hay, Alexander Clerk and the long-serving councillor John Sinclair were put on the leet and Hay duly elected.⁶⁶ At the proper time for the election, however, Sinclair was removed from the leet and William Dick put in his place. It was a mark of things to come – Dick would be elected provost in 1638 and in 1639, while Clerk, who still seems to have carried the confidence of his peer group despite his associations with royal policy, became provost in 1640.

Hay's image as the ultimate royal lackey was spun by his opponents in the nonconformist camp, but there is no doubt that their assessment of him as 'ane politik man' (and hence not to be trusted) was quite correct. While Hay left the burgh in disgrace in September 1637, Clerk remained to show that religious dispute could be kept out of the council chamber even if it dominated discourse outside it.⁶⁷ Even though the delightfully vitriolic Calderwood despised Clerk's conformity,⁶⁸ he was not associated with the type of divisive and devious plotting which ultimately proved to be Hay's downfall. Although political fault lines within the highest levels of Edinburgh government were certainly linked to nonconformity, the problem was political, too. It was bad enough to know that one's career prospects were being determined by a monarch who was distant in every sense of the word, rather than the local political community. This was nothing especially new, but what Charles did, and James did not, was to threaten the burgh with the permanent suppression of its cherished right to elect its magistrates from amongst its own. Charles's eventual aim, mooted in 1636, was the establishment of a 'constant council', which would have done away with the tiresome unpredictability of annual elections. There was also direct interference in Aberdeen's election of 1634 and Aberdeen, in the main, was not implacably hostile to kneeling, vestments or a bit of ceremony.⁶⁹ It seems apparent that while James's tinkering with Edinburgh's affairs was motivated by the attempt to safeguard his religious settlement, Charles was altogether more ambitious. He envisaged a complete re-ordering of urban politics, which would complement church reforms to reflect the dignity and reverence of monarchy itself. Little wonder, therefore, that when the riots came, many of the 'better sort'⁷⁰ failed to take pre-emptive action against the conspirators and may even have assisted them.

In this summary of Charles's interaction with the town council, the impression given is that the privy council had been effectively sidelined. They simply did not have a job to do if Charles was going to direct affairs personally, and this increasingly seems to have been the situation during the 1630s. It was not just

⁶⁶ *Edin Recs 1626-41*, 194.

⁶⁷ An attempt to rehabilitate Hay by emphasising his loyalty to the king glosses over Hay's unpopularity with a generation of politically aware individuals in the burgh. JA Inglis, 'Sir John Hay, the Incendiary' in *SHR*, xv (1918). See also Calderwood, *History*, vii, 441, 617. NLS, Wod.Qu.IX, ff.118r, 121r-122f, 140r, 146r, 238r, 346f, 417r-418f, 421f.

⁶⁸ Calderwood, *History*, 428.

⁶⁹ D Stevenson, 'The Burghs and the Scottish Revolution' in Lynch (ed.), *Early Modern Town*, 176. *Edin Recs 1626-41*, 179. G DesBrisay, "'The civill wars did overrun all'" in Dennison, Ditchburn, Lynch (eds), *Aberdeen*, i, 241.

⁷⁰ Gordon, *Scots Affairs*, i, 10.

urban governments that were experiencing the development of an intrusively personal relationship with their monarch, but the privy council itself. Had it become a rubber stamp for the king's will? Did Charles successfully create 'a body of men utterly dependent on him and afraid to contradict him',⁷¹ or was the monarch simply a man whose youth and energy meant he was bound to become more heavily involved in government affairs?

As indicated previously, the absence of James VI did not result in the privy council ceasing to function (given the amount of time James had spent hunting they were accustomed to his absence anyway). The privy council, nominally composed of some fifty peers and officers of state, but normally consisting of a core membership of around a dozen, was the executive power in Scotland. Arguably it was the king who was the rubber stamp, at least in the 1610s and 1620s, signing his name to documents which were the culmination of negotiations and enactments already carried out by the privy council. Part of James's evident trust in his council, apart from the fact they were all his friends, was their experience, both of James, and the business of government. This situation changed in Charles's reign, as the young king sought to have his own men govern Scotland. Although the intricate workings of the privy council are beyond the scope of this work, the deterioration of the effectiveness of royal government must be considered as a factor in why Edinburgh should have been the flashpoint for religious unrest, and why the town council eventually accepted the National Covenant.

Maurice Lee's as yet unsurpassed work on post-1603 Scottish government maintains that James VI's talent as an absentee monarch lay in his ability to select 'capable subordinates'.⁷² Keith Brown corroborates Lee's argument that the leading figures on the privy council were experienced men with networks of influence in Scotland and at the English court, but has modified Lee's assessment of their effectiveness. By the later 1610s, the privy council was headed by men who had long since left their youthful vigour behind them and were content to 'manage' not innovate. Julian Goodare goes further. By the 1620s, the triumvirate of Thomas Hamilton, Lord Binning and earl of Melrose, Sir George Hay of Kinfauns, Viscount Dupplin and earl of Kinnoull and the king's childhood friend, John Erskine, 2nd earl of Mar no longer reflected the 'wide spectrum of political opinion' which James had been so good at creating thirty years earlier.⁷³ Even Charles, writing to 'yow thrie' in April 1625, recognised that it was James's 'approbation' which had made their dominant positions in Scotland seemingly unassailable.⁷⁴

Charles was probably unhappy at the amount of power these three men wielded in 'that our kingdom', preferring to work through an administration which was defined more by his wishes than by what James's

⁷¹ Brown, *Kingdom or Province?*, 100.

⁷² Lee, *Road to Revolution*, 4.

⁷³ Brown, *Kingdom or Province*, 94. M Lee, 'King James's popish chancellor' in Cowan and Shaw (eds), *Renaissance and Reformation*, 180-81. KM Brown, 'Courtiers and cavaliers: Service, Anglicisation and loyalty among the royalist nobility' in Morrill (ed.), *Scottish National Covenant*, 174-75. J Goodare, 'Scottish politics in the reign of James VI' in Goodare and Lynch (eds), *James VI*, 50. See also *Scots Peerage*, iii, 369-72, iv, 311-12, v, 220-23.

⁷⁴ W Fraser (ed.), *Memorials of the Earls of Haddington* (2 vols, Edinburgh, 1889) ii, 88-9.

had been. While this was quite understandable, the absence of the monarch from Scotland made it all the more imperative for a new king to take the advice of those who were intimately acquainted with the business of running the country.⁷⁵ The Revocation reveals, with painful clarity, how little regard Charles had for the opinions of his Scottish servants or for the country's independent political and legal frameworks. The scheme was of dubious legality and had been poorly explained, thereby raising fears that it was intended to bring about the 'irreparable ruine' of the landholding elite. Even if this was a blunt rhetorical device, it still reflected genuine distrust of the monarch's intentions and fomented even more ill feeling against the bishops. On this, as on other matters, Charles proved singularly unwilling to accept the advice of James's aging cronies. They continued, unimpeded if unheeded, to give their opinions, but their positions were under sustained attack from jealous rivals who told the king what he wanted, rather than needed, to hear.⁷⁶

The Revocation was barely an issue in Edinburgh, because along with the other burghs they had managed to negotiate a deal which ensured that their teinds would be used exclusively to sustain ministers, schools and hospitals.⁷⁷ There was consequently no direct political fallout for Edinburgh town council. Other aspects of Charles's new regime were causing problems, however. By the mid-1630s, Charles's privy council had more or less become an emasculated rump of yes-men, limited in their administrative experience or capabilities and squabbling amongst themselves for the spoils left in the wake of the triumvirate's demise.⁷⁸ Their role as an autonomous mediating body was being threatened by the appointment of a London-based secretary for Scotland,⁷⁹ which had created a separate channel of communication between king and country. Their authority was also being compromised by Charles's promotion of the episcopate into secular office, exemplified by Archbishop Spottiswoode's acquisition of the Chancellorship in 1634. Spottiswoode was an able and experienced politician, but his clerical status aroused the resentment of the nobility, while his advancing years weakened his ability to resist growing factionalism.⁸⁰ Historians of this period have consequently identified a serious deterioration in the privy council's authority which contributed significantly to the collapse of royal authority after July 1637,⁸¹ but how did this situation affect Edinburgh government?

⁷⁵ Donald, *Uncounselled King*, 16-17, 20-21.

⁷⁶ The earl of Mar's assumption that his role was to give Charles blunt and truthful advice is a fascinating insight into the differences in style between the two kings. *Mar and Kellie*, i, 133, 141-42, 151-55, 156. Macinnes, *Making of the Covenanting Movement*, ch.3. Donald, *Uncounselled King*, 18-20. Lee, *Road to Revolution*, 44-66.

⁷⁷ Macinnes, *Making of the Covenanting Movement*, 62. *Edin Recs 1626-42*, 24, 38.

⁷⁸ For discussion on the men advanced by Charles, see Lee, *Road to Revolution*, 23, 32, 47-8, 97, 106, 109, 121, 123, 126, 156-57. Brown, 'Courtiers and cavaliers', 162. *Scots Peerage*, v, 222, vi, 375-77, 485-86.

⁷⁹ William Alexander, 1st earl of Stirling. *Mar and Kellie*, i, 153-55, 173. *RPCS*, 1st ser., vol.xiii, 2nd ser., vol.i, introductions. *Stirling's Register*, i, 28. Brown, 'Courtiers and cavaliers', 162.

⁸⁰ Lee, *Road to Revolution*, 154-55, 176, 190, 192.

⁸¹ Donald, *Uncounselled King*, 38. Brown, *Kingdom or Province?*, 100-01. Macinnes, *Making of the Covenanting Movement*, 40, 44-5. Lee sees Charles weakening a system of government which was then incapable of implementing his policies, *Road to Revolution*, 4, 33, 240-41.

The impression given by the evidence in this chapter is that the ideal relationship between town and privy council was one whereby the latter gave unobtrusive support to the former. Although Lee has suggested that Edinburgh's intimidation of its neighbour burghs made the relationship between town and privy council 'difficult' in the early seventeenth century,⁸² there was little suggestion that Edinburgh's liberties were under threat. In other areas, particularly economic affairs, James's councillors at the very least kept the town informed on developments and often consulted with them. Most of the time, however, the town council were left to carry out their own work largely unimpeded by bureaucracy. James aided this development (perhaps unwittingly) by letting the privy council deal with the irritating details he had no interest in, which was made possible because his servants were respected. In this set-up, Edinburgh reaped the benefits of being ruled by a king who was 'both distant and attentive'.⁸³

Conversely, under Charles, Edinburgh suffered the whirlwind of being ruled by a king who was both remote and meddlesome. With the privy council neutralised into passivity, the town council had lost their customary buffer-zone, which could protect them from the king's more unpalatable demands. This left the town council facing the full force of Charles's increasing impatience with Edinburgh's 'strange'⁸⁴ jurisdictions and its high level of political self-awareness. Moreover, war with Spain and France after 1625 had left the burghs vulnerable to the accompanying downturn in trade.⁸⁵ An authoritative privy council was needed to advise the king that the burghs were under a great deal of pressure and that policy, particularly on taxation,⁸⁶ should reflect that fact. In 1637, Charles had reigned for only twelve years and if he had inherited his father's longevity he could be expected to live for another two or three decades. For the current and upcoming generations of town councillors in Edinburgh, the future looked bleak. The town's interests were not being adequately addressed either by the privy council or the king, while Charles's direct interference in burgh elections carried the very real prospect of permanent exclusion from political influence. Those most at risk politically were, of course, the opponents of crown religious policy, but their fears were being shared by a wider constituency who realised that if today one group was marginalised, tomorrow they might be next.

Giving a context to the Prayer Book crisis which looks beyond radical circles is essential. Concentrating on the politically disaffected and their nonconforming cohorts shows the forces working to bring down the Caroline regime, but does not explain why they were stronger than the ones upholding it. The view from the inside has not been properly explored, but without a systematic study of the operation of post-1603 government and its leading personnel, firm conclusions remain elusive. In terms of civil government – religious policy is yet to come – it is difficult to see structural failings. James VI left behind an effective

⁸² Lee, *Road to Revolution*, 138-41.

⁸³ Schama claims that *government* was distant and attentive, but this statement does not recognise a difference between the monarch and his government. S Schama, *A History of Britain: The British Wars 1603-1776* (London, 2001), 32.

⁸⁴ *RPCS*, 2nd ser., vol.iii, 433.

⁸⁵ Lee, *Road to Revolution*, 30.

⁸⁶ The author is working on the impact of national taxation on Edinburgh and intends to publish on this in due course.

privy council which, at least in its dealings with Edinburgh town council, showed itself responsive, pragmatic and willing to delegate. By clearing out the men who were so good at this, and replacing them with those who did not have their range and depth of experience, Charles produced a situation in which Edinburgh's interests no longer had a sympathetic forum. When this was coupled with Charles's attempts to compress Edinburgh's political and jurisdictional horizons, loyalty to the Caroline regime in the capital was compromised. This was the vital backdrop to the Prayer Book riots, the perfect tinder for the spark of religious unrest:

Nou the fyre being throughlie kendled, and the flames therof bursting fourth in every corner of the kingdome, and with such unexpected furey and impetuosity, as it was past both the skill and pouer of his Maiesties privey counsaill to quenche it.⁸⁷

⁸⁷ Balfour, *Works*, ii, 257.

A Culture of Dissent: The Five Articles Debate

On the morning of Sunday, 23 July 1637, the congregation of Edinburgh's north-west parish convened, as usual, in the High Church of St Giles'. Town councillors, privy councillors, lords of session and senior ecclesiastical figures were all present. The service had barely begun when 'a number of the meaner sorte of the people, most of them waiting maides and women' began a fracas which was joined by the 'tearing and crying' of the gentlewomen. All proclaimed that 'the Masse was entred amongst them'. David Lindsay, bishop of Edinburgh, attempted to continue regardless but, when he rose to his feet, the people 'beganne to throw at him stooles and ther verie bybles'. The women called him 'False Antichristian Woulf, beastlie Belligod and Craftie Fox'. Archbishop John Spottiswoode tried in vain to calm everyone down. At his behest the provost and bailies got out of their seats and, 'with much tumult and confusione', evicted the rabble from the church. This was just a prelude. When the Dean, James Hannay, opened his mouth to speak, a great din went up which necessitated another intervention from the bailies. The service was abandoned, but by this time a mob had gathered on the High Street which was sufficiently threatening in its attitude to warrant a rescue of the bishop of Edinburgh by the servants of his neighbour, the earl of Wemyss. In the afternoon, the service did go ahead in St Giles', to a restricted congregation shorn of disagreeable women, but when it was over, the earl of Roxburgh and the bishop were assaulted as they crossed the High Street.

This version of the infamous Prayer Book riot is primarily that of James Gordon of Rothiemay¹ – a man who was sufficiently well-acquainted with Edinburgh to produce a map of the town for the council in 1647, and whose detailed account suggests he was either there or knew people who were. The tumult was 'the faire, plausible and peacible wealcome' Archibald Johnston of Warriston believed this 'vomit of Romisch superstition' deserved. Across town at Greyfriars, similar 'peturbationis' persuaded Andrew Ramsay against its use, and he, along with most of Edinburgh's clergy, suspended their sermons.² Two separate accounts make an interesting observation. Gordon was convinced that the multitude 'had mor then a bare connivence of many of the better sort to sett them to worke'. Spalding went further, and claimed that not only were the town's magistrates 'upone the counsall of this disorder' but that the nobility had devised the protest.³ If these statements are true, the question is not simply, 'why did the riot happen', but 'why did town councillors, normally so careful of their special relationship with the king, allow it to happen'?

Historians of Caroline Scotland have shown, convincingly, that the king's political policies had alienated the local magnates who should have supported his efforts to homogenise religious practice in Scotland with that of England. The profound piety of men such as Lord Lorne, future 8th earl and 1st marquis of Argyll, or John, 2nd Lord Balmerino, was relatively rare amongst a landed elite whose instinctive conservatism

¹ Gordon, *Scots Affairs*, i, 3, 7-10. NLS, Wod.Fo.XXIX, ff.24-5.

² *Wariston's Diary*, 265, 267. J Spalding, *Memorials of the Troubles in Scotland and England 1624-45*, ed. J Stuart (2 vols, Spalding Club, 1850-51), ii, 79-80.

³ Gordon, *Scots Affairs*, 10. Spalding, *Memorials*, 79.

favoured a church that reflected the existing social hierarchy. Charles, therefore, had unwittingly united political disaffection with religious zeal, which is what had happened in 1560. There is no reason to challenge this broad assessment of what occurred in 1637, but other issues need to be considered in order to build a comprehensive picture of the crisis and how it developed into a revolution (albeit a socially conservative one).⁴ That Edinburgh should have been the venue for the riot of 23 July deserves attention, because Edinburgh was not, in fact, the first place to receive the Prayer Book. It was already being used by its two principle exponents, John Maxwell, bishop of Ross, and James Wedderburn, bishop of Dunblane, in his capacity as dean of the chapel at Holyroodhouse.⁵ The roots of this riot were buried deep in the capital's sub-culture of religious dissent. This chapter will explore that culture, why it existed and its role in the breakdown of royal government in Scotland.

There has been justifiable praise for James's policy of *via media*, which essentially followed Elizabeth's policy of creating a balance between the competing factions. This situation reflected the king's fundamentally Calvinist beliefs, while also giving house-room to anti-Calvinists whose forms of worship were more suited to the king's desire for a deferential church order. In James's opinion, deferential order certainly did not describe the Scottish kirk. A largely opportunistic programme to curb the strident independence of Scottish clerics was given added momentum when James moved south, and was heavily informed by the necessity of keeping the more extreme elements of the English body politic in check. Even if James did not intend to merge the two churches completely, the possibility of harmonising Scottish practice with that of England must have been an attractive prospect for a London-based monarch.⁶

The Scots had other ideas. Recent research has attacked the idea that James had managed to create a mixed system of bishops and presbyteries which, according to WR Foster, 'worked surprisingly well'. The lull between 1612-17 masks behind-the-scenes activity on the part of the government and an increasing level of absenteeism on presbyteries where bishops had been made permanent moderators,⁷ but this should not be exaggerated. MacDonald states himself that 'instances of opposition' were rare and his evidence of absenteeism relates to a handful of presbyteries. Meanwhile, a predominantly well-educated, diligent episcopate got on with the business of spreading the Word to the far corners of the kingdom and eradicating Catholicism.⁸ It is conceivable that had the Scottish church been left alone after 1610, the presbyterians

⁴ Stevenson, *Scottish Revolution*, chs. 1, 2 and 9. Donald, *Uncounselled King*, ch. 1. Lee, *Road to Revolution*. MacInnes, *Making of the Covenanting Movement*. D Stevenson, *Revolution and Counter-Revolution*, 232.

⁵ Gordon, *Scots Affairs*, 4.

⁶ The term anti-Calvinist is more appropriate than Arminian, which was cast about with abandon by contemporaries but rarely reflected accurately the doctrinal differences. Likewise, Laudian or Canterburyan is controversial, as it obscures the historical continuum of the debate. K Fincham and P Lake, 'The Ecclesiastical Policies of James I and Charles I' in K Fincham, (ed), *The Early Stuart Church, 1603-42* (London, 1993), 23-31. N Tyacke, *Anti-Calvinists: The Rise of English Arminianism, c. 1590-1640* (Oxford, 1987), 4, 9. *Religious Controversy in Scotland 1625-39*, ed. D Mullan (SHS, 1998), 2.

⁷ Foster, *Church before the Covenants*, 199. Goodare, 'Scottish politics in the reign of James VI', in Goodare and Lynch (eds), *Reign of James VI*, 48. MacDonald, *Jacobean Kirk*, 150-52.

⁸ Foster, *The Church before the Covenants*, ch. 3. D Mullan, *Episcopacy in Scotland: The History of an Idea, 1560-1638* (Edinburgh, 1986), 162-64. MacDonald, *Jacobean Kirk*, 152-55.

would have become an aging band of marginalised radicals, whose view of the imminent demise of their beloved kirk into apostasy would not have been shared by most of their colleagues.

Then the king overplayed his hand. Delighted by the success of the full jurisdictional restoration of episcopacy and the subsequent quiescence of the presbyterians, James displayed the extent to which he had lost touch with Scottish politics, by proposing the changes in worship known as the Five Articles of Perth. They were passed by a packed general assembly in August 1618, and ratified by a carefully managed parliament in June 1621. Three of the articles were relatively uncontentious. Private baptism and private communion were upsetting to the rigorously Calvinist who thought this was popish practice, but in fact they served a basic human need for comfort when a loved one, particularly a newly-born child, was sick or dying.⁹ Episcopal confirmation of children merely added to an existing programme to ensure that the young were educated in the basics as early as was feasibly possible, but it seems that it was considered unnecessary anyway. The remaining two articles were much more problematic because they had a direct bearing on the most important event in the Scottish church calendar, the communion. Observance of holy days, particularly Yule and Easter, might be considered acceptable in other Reformed churches, but to Scottish presbyterians they were not warranted in Scripture, while also being reminiscent of saints' days. On its own, this article was controversial enough, but it took on even greater propaganda potential by its association with the first article: Contrary to the customary way of taking the elements while seated, communicants in Scotland should now receive the sacrament 'heirefter Meiklie and reverendlie upone thair knees'.¹⁰

It was a gift to the presbyterian propagandists because next to images, it was the most obvious, visible difference between Catholic and Protestant practice. The communicant did not need a sophisticated grasp of theology to understand that kneeling was idolatrous, nor did the minister himself have to work that hard to explain to his congregation why this was so. For those who wanted them, however, there were also convincing doctrinal arguments. As far as Calvinists were concerned, kneeling was not, as Anglicans put it, a reverential practice with an ancient pedigree which now, in purer times, could be restored.¹¹ Kneeling implied that the elements themselves were being revered, and hence they were not only idolatrous, but could also lead communicants into the erroneous doctrine of transubstantiation. One's position during communion also affected another tenet of Calvinism, predestination. There were subtle variations on when exactly God had made all the crucial decisions, but the net result was pretty much the same – salvation was up to God alone, and taking communion might be a sign of election, but taking communion did not confer elect status. Anti-Calvinists adopted a more comforting variation which came to be associated with Jacobus Arminius.¹² It maintained that although only the Elect could be saved, Christ's death had been for all humankind (universal atonement). Furthermore, God had chosen who was Elect, but it was not irresistible. This suggested that

⁹ Todd, *Culture of Protestantism*, 122.

¹⁰ APS, vol. iv, 396-7. Foster, *Church before the Covenants*, 57.

¹¹ NLS, Wod.Qu.XX, f.305v.

¹² Tyacke, *Anti-Calvinists*, 4.

while Grace was still essential to salvation, a sincere faith gave as good an indication as it was possible to get about where one would end up on the Day of Judgement.¹³

The act of kneeling was important not just in the negative sense of association with Catholicism. It also had a crucial impact on the symbolism of one of the church's two sacraments. For biblical literalists, there was no dispute about the right way of taking the elements, because the gospels clearly explained how Jesus had performed the ritual at the Last Supper.¹⁴ How the sacrament was performed could not, for many, be legitimately called adiaphoristic and therefore within the king's remit (in a way that vestments, for example, could be). This was a fundamental component of faith which had scriptural warranty. A vivid conversion narrative by an Edinburgh resident known only as 'Mistress Rutherford', shows clearly the significance of the communion to a body of literate, theologically aware members of the Scottish church.¹⁵ Even before the event itself, individuals were examined by their ministers or kirk sessions for their suitability to take the sacrament, then encouraged to prepare themselves through reading and prayer. At the communion, tables were set out in the church. Everyone, including the minister, sat together, the bread was shared out amongst the recipients – it was expressly *not* given directly by a clergyman – and psalms were sung before retiring. Communion was an expression of fellowship and unity in the presence of Christ, which also reinforced 'the awesome power of the eucharist'.¹⁶ Lacking the ceremony and pageantry of Catholic rites, the Scottish church focused instead on the sacrament.

Lousie Yeoman has shown in her work on religious radicalism that the communion could offer 'remarkable spiritual experiences' along with an 'unprecedented degree of inner authority'. Those who entered into this deeply emotional, personal relationship with God became part of a close-knit community which did not require a formal church structure to support it and had little relation to the norms of the accepted social hierarchy.¹⁷ Kneeling at communion rudely intruded into this process, by removing the communal aspect which was so intrinsic to the entire meaning of the ritual. Gathering round a table with fellow-parishioners not only reinforced the godly society, but also reconnected that society with the kingdom of heaven. Even for those who did not share the fragile mental condition of people such as Mistress Rutherford or Archibald Johnston (they may have known one another through Johnston's grandmother, Rachel Arnot),¹⁸ the Scottish way of taking the sacrament was still seen as the purest, most efficacious means of representing 'the great freindschip and familiaritie that is betuix him and christian soullis'. A pamphlet of the period, probably penned by David Calderwood, goes on to explain the significance of the tables:

¹³ Tyacke, *Anti-Calvinists*, 30-1. Mullan, *Episcopacy*, 167. D Mullan, *Scottish Puritanism 1590-1638* (Oxford, 2000), 214-15.

¹⁴ Luke 22:14.

¹⁵ I am grateful to Lousie Yeoman for bringing this narrative to my attention, and to David Mullan for allowing me to see it before publication. DG Mullan, 'Mistress Rutherford: A Seventeenth Century Conversion Narrative', *Bunyan Studies*, vii (1997).

¹⁶ LE Schmidt, *Holy Fairs: Scottish Communion and American Revivals in the Early Modern Period* (Princeton, 1989), 15. Mullan, 'Conversion Narrative'. See also Calderwood, *History*, vii.

¹⁷ LA Yeoman, 'Heartwork: Emotion, empowerment and authority in Covenanting times' (PhD thesis, St Andrews, 1991), ch.2. Schmidt, *Holy Fairs*, 18.

¹⁸ Mullan, 'Conversion narrative'.

I am callit by the example of Chryst and his apostles in the primitive ministracion of that blessit supper by the example of the kirk for many years beeing nearest to those dayis as ane gestur fittest to resembl o[u]r freindschip and familiaritie with chryst as ane gestur fittest to resembl o[u]r perpetuall rest with chryst in heaven.¹⁹

Was this the marginal view of extremists who are assumed to be the mainstream because it is their version that has been left to posterity? If anyone can be described as mainstream it must surely be John Spottiswoode, Archbishop of St Andrews, whose entire career was based on being a shrewd, politically-aware, ambitious but, more importantly, conventionally pious man. In a bout of startling honesty regarding the Articles, he confessed that:

the conveniencie of them for our church is doubted, but not without cause. They are new and uncouth; such things as we have not been accustomed with ... Had it beene in our power to have dissuaded or declined them, mostly certainly wee would; and if any of you thinke otherwise, yee are greatly mistaken.²⁰

The exponents of the Perth Articles could, and did, argue that the king was able to decide matters of ceremony, that they were not actually barred by scripture and that if they were used in other Reformed churches there was patently nothing wrong with them.²¹ This latter argument was especially relevant because of the common useage of Edward VI of England's Second Prayer Book in Scotland, even after the Reformation. It included an insertion widely attributed to John Knox called the 'Black Rubric', which denied that kneeling at communion was an act of adoration.²² It seems likely that amongst Edinburgh's church-goers, particularly those lower down the social scale, these arguments were not as effective as the far simpler idea that kneeling was the position papists preferred. The thunderous invective of an opposition in its biblical element consequently seemed to fit more comfortably with what most Edinburgh people had heard in church all their lives, than the more complicated and less compelling arguments put forward by the conformists.

Alan MacDonald has perceptively shown that the Scottish church was not split into factions, such as the misleadingly termed Melvillian party, but that ministers shifted their allegiances depending on the issue.²³ The Perth Articles debate corroborates this notion, and nowhere more pertinently than in Edinburgh. The unpopularity of the proposals immediately manifested itself at the general assembly at St Andrews, held in

¹⁹ NLS, Wod.Qu.LXXXIV, ff.34, 360-1. Calderwood's arguments are assessed in a digestible form in JD Ford, 'Conformity in conscience: The structure of the Perth Articles debate in Scotland, 1618-38', *Journal of Ecclesiastial History*, xlv (1995), 262-66.

²⁰ Foster, *Church before the Covenants*, 64 quoting from the Spottiswoode Miscellany I, 65-6. The view that the Articles had been brought in because it suited the king was held by Samuel Rutherford, Ford, 'Conformity in conscience', 275.

²¹ A considerable body of literature was generated in defence of the Articles, but the arguments were highly contentious. For a discussion of Calvin, indifferent ceremonies, and the argument that the king's laws had primacy over conscience in matters indifferent, see Ford, 'Conformity in conscience', 257-62, 269-70. MacDonald, *Jacobean Kirk*, 164-65, 169-70.

²² Many English puritans were unhappy with this version of the Prayer Book. It was eventually superseded by a Genevan version, although Edward VI's Book continued to be used. G Donaldson, *The Making of the Scottish Prayer Book of 1637* (Edinburgh, 1954), 1-4, 13, 19.

²³ MacDonald, *Jacobean Kirk*, 172-77.

the autumn of 1617, just after the king's only royal visit since his departure. Various excuses were made by the bishops and Thomas Hamilton, Lord Binning for the rejection of the Articles, but prime amongst them was the difficulty created by the absence of representatives of much of the north country,²⁴ particularly Ross, Aberdeenshire, Caithness, Argyll and the Isles. The implication was that opposition was concentrated in the area around Lothian, Fife and the south-west and if the rest of Scotland's ministers could be mobilised the government could win the day. James, in tones which were set to become rather familiar to his senior Scottish servants, expressed his 'highest displeasure' at the disgraceful proceedings. It was not just the ministers who were likely to 'draw the anger of a King upon them' if things went wrong next time.²⁵

Edinburgh's ministers had been at the forefront of the opposition against innovations. Dark rumours circulated in the capital that summer, not unfounded, that the king intended to render the general assembly completely irrelevant, essentially by creating a version of the English Convocation. This would have allowed the king to determine 'the external government of the Church' with the advise of 'a competent number of the ministry'. Meetings were held in the capital by dissident ministers 'diverse times', apparently with Spottiswoode's consent, and a protestation was drawn up by Peter Hewat, minister at the High Kirk. It was signed by fifty-five ministers, mostly from the Lothian area, including all of Edinburgh's ministers.²⁶ A subsequent 'mutinous meeting' in the Edinburgh Musical School came to James's ears, precipitating the deprivation of a number of ministers, including David Calderwood and Peter Hewat. The rest of the Edinburgh clergy, who felt the wrath of a king disobeyed more keenly than that of God, duly recanted.²⁷

The Edinburgh ministers were not rebels or malcontents. Patrick Galloway was almost old enough to remember the Reformation, and although he had got himself into trouble by supporting the Ruthven Raiders in the 1580s, he subsequently became royal chaplain and attended the Hampton Court conference in 1604.²⁸ Interestingly, he was one of the ministers nominated by the general assembly of 1616 to draw up a new 'uniforme ordour of Liturgie' to be used 'in all tyme of commoun prayers', along with none other than Peter Hewat.²⁹ So it is all the more striking that when James specifically wrote to Galloway asking his opinion on the Articles, he should have responded with such blunt frankness:

Of receaving the Lordis Supper kneeling: Trewlie, Ser, I wolde faine be informed of your Majestie, how I might doe it myself? how I might informe otheris to doe so? and how, be reasone, I might

²⁴ There had been opposition to episcopacy, at least in Moray, although it was probably not as strong as in the central belt. Nonetheless, it might be more productive to think about the influence of local patrons, or the university education of particular ministers, rather than a 'conservative north'. MacDonald, *Jacobean Kirk*, 149-51, 166. See the origin of this idea in G Donaldson, 'Scotland's conservative north in the sixteenth and seventeenth centuries' in *Transactions of the Royal Historical Society*, xvi (1966), 65-79.

²⁵ *OLEAS*, i, 519-20, 523, 524.

²⁶ Interestingly, Hewat had also been favoured by the king with a grant of the abbacy of Crossraguel, which entitled him to a seat in parliament. Spottiswoode, *History of the Church of Scotland*, iii, 241 (quotation), 244. Calderwood, *History*, vii, 246-56. Appendix, Table 5.

²⁷ Calderwood, *History*, vii, 271. How the Five Articles came into being is in *RPCS*, 1st ser., vol.xi, pp.xlviii-lvii and assessed in Mullan, *Episcopacy*, 152-54, MacDonald, *Jacobean Kirk*, 158-64 and in Mackay, 'Five Articles of Perth', chs.3 and 4.

²⁸ *Fasti*, i, 53-4.

²⁹ *BUK*, iii, 1127-28.

meete and mend otheris who ar of contrary mynd? And as for my awin opinione herein, I think as yit that the best forme of taking it is, as we do, sitting; becaus ... our Lord did so ...³⁰

Like Galloway, John Hall's career was also a chequered one. He had refused to accept James's version of the Gowrie incident, but had returned to favour and, again like Galloway, had sat on the Court of High Commission, a body of bishops and carefully selected ministers set up in 1610.³¹ Both men were asked to work on a new catechism at the 1616 general assembly, while their colleague, William Struthers, was given the task of producing a new set of canons with Archbishop Law of Glasgow.³² Andrew Ramsay had also been a member of the High Commission. Having taught in Saumur for a number of years, Ramsay had been tempted back to a parish in rural Fife before removing to the more intellectually stimulating environment of the capital. A request to transfer to Aberdeen in the 1620s (which was refused) confirms the impression of a religious conservative. Thomas Sydserf, the youngest of the clerics, had graduated from Edinburgh's college in 1602, before departing for that bastion of Calvinist orthodoxy, Heidelberg. He took up a charge in the town in 1611.³³ These were talented, learned and ambitious men who, in some cases, had experienced first-hand what it was to draw the anger of their king upon them. They were pragmatic enough to value their jobs – clerical training did not tend to emphasise transferable skills – but they also believed that they had a vocation, which might necessitate re-educating the monarch should he stray from the path of Scottish Calvinist righteousness.

After the passing of the Perth Articles in the highly-charged general assembly of August 1618, Galloway, Struthers, Sydserf and Ramsay (but not Hall, who demitted his charge in 1619) became the agents of a policy which they had asked the king not to pursue.³⁴ All four men had signed the 1617 protestation against innovations, while Struthers had spoken out from the pulpit against the corruptions of English ceremonies.³⁵ The vitriolic way in which these men were subsequently written about by Calderwood hints at a sense of betrayal, not only of their colleagues who continued to stand against the Articles, but of Edinburgh itself. The capital was 'the watchetoure' of the Scottish church and its distinctive Reformation. It was the natural home of the general assembly and, through its highly influential presbytery, the spiritual guide for the central belt.³⁶ By putting ambition before conscience, as the opposition propaganda made out, Edinburgh's ministers were

³⁰ *OLEAS*, i, 513. Mullan, *Episcopacy*, 152.

³¹ There were originally two courts under the jurisdiction of St Andrews and Glasgow, but they were combined in 1615. Lay members of the privy council also attended, particularly Thomas Hamilton, earl of Melrose. GIR McMahon, 'The Scottish Courts of High Commission, 1610-38' in *RSCHS*, xv (1965), 193-97, 198-99.

³² *BUK*, iii, 1127, 1128. The canons and liturgy appear to have been dropped as they were not mentioned at subsequent assemblies.

³³ *Fasti*, i, 54. Mullan, *Episcopacy*, 169.

³⁴ Mullan, *Episcopacy*, 152.

³⁵ Spottiswoode, *History*, iii, 241-42.

³⁶ Before 1603, 55 of the total 66 assemblies were held in Edinburgh. There are no presbytery records for Edinburgh in this period, but both the synod records and the kirk commission records for the 1640s show the instrumental role that Edinburgh ministers played in Scotland's spiritual life. *Synod of Lothian and Tweeddale*, ed. Kirk. *Commission*, i-iii. See Chapter Two.

destroying 'the peace of Jerusalem'³⁷ and disrupting that fellowship which was embodied by the sacrament itself.

This community aspect is essential to understanding what it was about the Perth Articles that made them so much more explosive than the debate over episcopacy. While the restoration of bishops clearly offended the doctrine according to David Calderwood, its nuances were largely the preserve of well-educated clerics and did not impact significantly on the lives of the worryingly articulate 'wyfes of Edinburgh'.³⁸ The Articles were different because they took debate out of the college or the presbytery and into the merchants' booths and market-places.³⁹ It also changed the nature of resistance to royal religious policy. Those who did not like bishops were presbyterians, an easily-identifiable group of people who were accused, as English puritans were, of cloaking a political agenda in the mantle of conscience.⁴⁰ Those who did not like the Articles were nonconformists and, although the usual suspects could be found in their ranks, this issue had a much wider constituency. It transcended the accustomed realms of discourse which had largely occurred *within* the Scottish church, but James seems not to have been aware that this fundamental shift had occurred. His language⁴¹ was still informed by the limits of the presbyterian argument and it was therefore extremely difficult for his Scottish servants to advise the king when his frames of reference were too narrow to appreciate the way in which the debate had moved on.

When the Perth Articles were presented for parliamentary ratification, James proved to his anxious Scottish administration just how oblivious he was of the extent of resistance to his policies. A convention of the nobility, with the officers of state and a handful of bishops, had already refused to grant James a tax in order to provide support for his son-in-law, Frederick, Elector Palatine, in his struggle against the Holy Roman Emperor.⁴² There were fears that, if forced to call a parliament, it would be impossible to keep the Perth Articles off the agenda; a rejection of them could also scupper the tax. James was assured by Lord Binning, now earl of Melrose, that despite resistance to both an innovative levy on annualrents and to the Perth Articles, both could be secured. Careful management by Melrose and his relative, the Marquis of Hamilton, ensured that the 'tumultuous crew' did not prevail over the 'well affected' and the vote was won by a respectable twenty-seven votes.⁴³ The town council, according to Calderwood, had originally prevaricated over a supplication against the ratification of the Articles, but it was ultimately 'riven in peeces'. No doubt councillors thought they 'could not afford to displeas the government'; conformists were duly selected to

³⁷ NLS, Journal, Wod.Qu.IX, ff.103, 239.

³⁸ OLEAS, i, 527.

³⁹ MacDonald, *Jacobean Kirk*, 167.

⁴⁰ OLEAS, i, 700-3.

⁴¹ Note, for example, James's references to 17 December 1596, implying that 1617 was more of the same debate. OLEAS, i, 499, 760-61. *RPCS*, 1st ser., vol.xiii, 577.

⁴² MacDonald, *Jacobean Kirk*, 165. *APS*, iv, 589-90..

⁴³ J Goodare, 'The Scottish Parliament of 1621' in *The Historical Journal*, xxxviii (1995), 30-1. OLEAS, ii, 656-57.

represent the burgh, which not only voted for the legislation but proved itself highly accommodating in the business of the tax.⁴⁴

James was elated. Making telling use of the word 'puritan' to describe the opposition – a term which does not appear to have been widely used in Scotland before this period⁴⁵ – the king claimed that the parliament had 'cutte shorte' any legal objections to the Articles, so that now 'that rebellious and disobedient crew must eyther obey or resist'. He went on to express surprise that at the 'verie instant when both wee and thee had wone so great and honourable a victorie against the enemies of all religion and good government', his Scottish servants should be 'fraughted with nothing but grones and expressions of affliction'.⁴⁶ Melrose, whose blundering efforts at the 1617 General Assembly had got him into enough trouble, was understandably less sanguine. In July 1621, as the agenda for the parliament was being drawn up, Melrose sent a grovelling apology to his king for 'errours' in a draft proclamation. A subsequent letter from August shows that the customary meetings held by the 'noblemen and barons' to discuss likely business had to be broken up by Hamilton because some had 'dealt so passionatlie aganis the confirmation of the church articles'. Although it had taken considerable effort to 'dissolve their combination', Melrose seems to have been suggesting that there was no insult to the king's rights intended and therefore 'offensive rigour' was pointless.⁴⁷ It seems that Melrose was keen to show that he was the man who could deliver what the king wanted, but at the same time, he was tactfully informing James that even if a hundred parliaments were held, the Articles would never be considered lawful by people who thought the Word of God was being transgressed.

The people most single-mindedly opposed to these Articles belonged to a tight-knit community of lay men and women, focused on Edinburgh, but linked to like-minded souls in Lothian, Fife, Glasgow and the south-west. Resistance was particularly marked in Fife, where the synod found that many ministers had refused to give the sacrament kneeling because they 'saw the maist pairt of [their] people not disposed to receive it so'.⁴⁸ Such activity could be covered up in remote areas, but it would be impossible to hide it in the capital. Indeed, the capital seems to have been the only place, apart from Mauchline in the south-west, where laity and not just clergymen were prosecuted for resistance to the Articles.⁴⁹ In the spring of 1620, and again, in the spring of 1624 (that is, just after the Easter communion), James was given the names of Edinburgh kirk

⁴⁴ PHR Mackay, 'The Reception Given to the Five Articles of Perth', *RSCHS*, xix (1975-77), 198-99. Goodare, 'Scottish Parliament of 1621', 38, 41. Alexander Clerk and George Foulis were originally selected. The latter was replaced by the surgeon Andrew Scott, when Foulis fell off his horse. Calderwood, *History*, vii, 460, 488, 490.

⁴⁵ MacDonald, *Jacobean Kirk*, 174.

⁴⁶ *OLEAS*, ii, 662-64.

⁴⁷ Melrose had convened trusted nobles and privy councillors in July. The reference to the 'combination' is described as being an error 'almost popular'. *State Papers and Miscellaneous Correspondence of Thomas, Earl of Melrose* (2 vols, Abbotsford Club, 1837), i, 411-16, 423-24. *OLEAS*, ii, 656-57, 661-62.

⁴⁸ Further north, there were apparently fewer problems. In 1619, Brechin, Arbroath, Dundee and Perth reported that the communion had been kept according to the Perth Articles. *Selections from the Minutes of the Synod of Fife 1611-87*, (Abbotsford Club, 1837), 88, 89, 90, 92-3. Mackay, 'Five Articles of Perth', 86-7.

⁴⁹ *RPCS*, 1st ser., vol. xii, 728-29. There is no obvious link between Mauchline and Edinburgh. Mauchline was under the jurisdiction of John Campbell, 1st earl of Loudoun, Chancellor from 1641, whose son held the title of Lord Mauchline. Loudoun was closely associated with, although distantly related to, the Marquis of Argyll. *RMS*, vi, no. 2120, vii, no. 967, ix, nos. 88, 1500. *Scots Peerage*, v, 506.

session members who had refused to assist at communions where their brethren were kneeling, verbally abused their ministers and contradicted their doctrine.⁵⁰ In both cases, it was James who had acquired the information through informal sources, and it was James who then pressed for prosecution. It was certainly not the privy council or the town council who instigated these investigations; for them, the less attention the king bestowed on his capital, the better.⁵¹ As will become apparent, nonconformity presented a very serious political problem for the secular authorities in the capital, both at local and national level.

Who were the people who chose to resist the king's will in such a public manner? Calderwood names six men from the crisis of April 1620. Two were respected members of the skinners' guild, Robert Meiklejohn and Thomas Inglis. Meiklejohn sat on a number of the town council's committees and on the town council, as deacon of the skinners, in the early 1630s. Inglis was probably related to the prominent Edinburgh family of that name, who often had members on the council.⁵² John Mein was a particularly troublesome individual, who had the rare honour of being the only person the new bishop of Edinburgh reasonably thought he could pursue (albeit unsuccessfully) for disobedience. If he ever sat on the council it was not until 1649, but he was certainly active on the kirk session. James Cathkin and Richard Lawson, both involved in the book trade, are interesting figures. Cathkin, with his brother Edward, disturbed a sermon by the unpopular archbishop of St Andrews, Patrick Adamson and subsequently fled to England. They were also investigated after the 1596 riot. Lawson was Cathkin's creditor and their wives, Agnes and Janet Mayne respectively, were probably sisters. Cathkin and Lawson show that direct continuity existed between the presbyterian radicals of the 1590s and the nonconformists of the Perth Articles debate alluded to by Johnston of Wariston.⁵³ William Rig was a merchant burghess, wealthier than the group he was included with, who may have been responsible for financing the subversive activities of Cathkin and Lawson.⁵⁴ He made his debut on the town council in 1616, which obviously made the affair particularly embarrassing for that body. Nonetheless, it was determined to show that religious affiliation had nothing to do with political influence. Rig's father had been a bailie, and Rig was raised to this honour in 1623, having probably escaped from the 1620 business unpunished.⁵⁵ It was not the end of the matter.

Rig and Mein were the only two of the six to appear again before the privy council in April 1624. Perhaps Cathkin and Lawson had been neutralised, both by the threat of banishment (a very serious punishment as it essentially prevented someone from pursuing a living) and by their elimination from a kirk session leet in

⁵⁰ Calderwood, *History*, vii, 433-34, 601-3, 611. *RPCS*, 1st ser., xii, 249-50. See also Stevenson, 'Conventicles in the Kirk', *RSCHS*, xviii (1972-74), 101-5.

⁵¹ Chapter Two discusses this aspect more fully.

⁵² The Inglis family is difficult to disentangle, but there were several of that name on the council in this period. *Edin Recs 1604-26*, 45, 54, 66, 182, 197, 245, 280, *Edin Recs 1626-41*, 1.

⁵³ *Wariston's Diary*, 265. Row, *Historie*, 390. Calderwood, *History*, iv, 79, 351, v, 511. RB McKerrow (ed.), *A Dictionary of Printers and Booksellers 1557-1640* (London, 1910), 63, 64, 190, 170. A Mann, *The Scottish Book Trade, 1500-1720: Print, Commerce and Print Control in Early Modern Scotland* (East Linton, 2000), 26, 45, 59-60, 151, 171. See Appendix, Table 7 for more information on Cathkin's social networks.

⁵⁴ Mann, *Scottish Book Trade*, 60, 87.

⁵⁵ *Edin Recs 1604-26*, 7, 80, 132, 245. James had demanded banishments but Rig and Mein were still in Edinburgh, with the permission of the archbishop of St Andrews, in July 1620. Rig was making a nuisance of himself by October. Calderwood, *History*, 434, 446, 448.

December 1621.⁵⁶ Another who was barred from this election and named by the privy council in April 1624 was John Hamilton, an apothecary who also appears to have been transporting Calderwood's works into Scotland. As well as being Samuel Rutherford's brother-in-law, it is possible that he was a relation of Barbara Hamilton, sister of Robert Blair's first wife, and spouse of John Mein.⁵⁷ They were accompanied by John Dickson, an unusually wealthy flesher and a craft deacon who had sat on the council in the late 1610s and early 1620s. He had the particular honour of being called 'an ignorant' by his minister, William Forbes, but the evidence suggests the feeling was mutual.⁵⁸ William Simpson is an obscure figure on whom no information has been found.⁵⁹ Two others were fortunate. John Fleming, a sitting councillor, was probably advised to absent himself, while Joseph Millar, an advocate, was not cited to appear because the clerk of the privy council, James Primrose, who was himself married to the daughter of a known nonconformist,⁶⁰ claimed a legal technicality – Millar's name had been wrongly noted in the original indictment.⁶¹

Rig, Mein and their ilk were certainly not representative of the religious mainstream. It was said by the minister John Livingstone, who knew Mein personally, that he rose every day at 3am to perform religious exercises until 6am, when he woke his family so they could join him.⁶² Rig was renowned even beyond Edinburgh as 'most zealous in the cause of God' and 'a terror to all evil-doers', so much so, that he perhaps encountered a certain amount of resistance while in office.⁶³ He was married to Catherine, daughter of the nonconforming minister of Carnock, John Row.⁶⁴ Although a six-month spell in Blackness Castle temporarily silenced Rig,⁶⁵ his 'precisian' credentials would later be put to good use by the Covenanting regime, who sent him north to suppress the works of that nemesis of the nonconforming laity, William Forbes.⁶⁶ Livingstone's circle extended beyond the merchants of Edinburgh to lesser members of the landed gentry, and was linked to Samuel Rutherford not only through his own correspondence, but also through that of John Fleming, Rig, and John Mein's son.⁶⁷ The relationships between these people gives further credence to David Stevenson's work on the emergence of the 'radical party' which organised the Prayer Book riots.⁶⁸

⁵⁶ Calderwood, *History*, vii, 518.

⁵⁷ *The Letters of Samuel Rutherford*, ed. AA Bonar (London and Edinburgh, 1891), 281. Mann, *Scottish Book Trade*, 81.

⁵⁸ Makey, *Church of the Covenant*, 158. Calderwood, *History*, vii, 599. John Dickson, flesher was a witness to Lawson's testament, *Bannatyne Miscellany*, iii, 203-4

⁵⁹ He does not have a testament, nor is he mentioned as being married or as an apprentice. It may be that he was from outwith Edinburgh originally.

⁶⁰ He married Catherine, daughter of Richard Lawson, bookseller. *Scots Peerage*, vii, 216.

⁶¹ Calderwood, *History*, vii, 603.

⁶² J Livingstone, 'Memorable characteristics and remarkable passages of divine providence', in *Select Biographies*, ed. WK Tweedie (2 vols, Wodrow Society, 1845), i, 344-45.

⁶³ Livingstone, 'Memorable characteristics', 542. ECA, Kirk Treasurer's Accounts 1615-62, SL154/3/1, anno 1623, 1624. *Edin Recs 1604-26*, 253.

⁶⁴ Row, *Historie*, 457.

⁶⁵ Livingstone, 'Memorable characteristics', 342. *RPCS*, 1st ser., xiii, 538, 693.

⁶⁶ Rig was described by James Gordon as 'a great precisian', one who was exacting in his religious observance. The term was used in a derogatory sense. Gordon, *Scots Affairs*, iii, 239-41. ECA, Minutes, vol.xv, f.81.

⁶⁷ *Rutherford's Letters*, 147, 169, 191, 230, 181-82.

⁶⁸ Stevenson, 'Conventicles in the Kirk', 99-114. Stevenson, *Scottish Revolution*, 56-62.

Stevenson's radicals were undoubtedly the mainstay of that shadowy 'privy kirk' which would recoil from the harsh light of assembly scrutiny in 1640.⁶⁹ It is impossible to know how many people attended bible-readings and prayer gatherings at the houses of people like Mein, or Nicolas Balfour, daughter of a former High School master,⁷⁰ but their existence appears to have been common knowledge; it stretches the bounds of credulity (and it certainly stretched the king's) that news of this activity had reached London, but had failed to get far as town and privy council meetings in the Edinburgh Tolbooth.⁷¹ Conventicles, which were prohibited in 1624,⁷² presented a two-fold problem for James's programme. They provided dissenters with an alternative forum to their parish church, although even in 1640, when the sacrament had been returned to its pure form, such meetings continued to flourish in Edinburgh.⁷³ It is a possibility that the sacraments were also being offered at these gatherings by ministers who had been deprived for refusing the Articles. Such men were clearly becoming something akin to local celebrities on the conventicle circuit. Instead of being ruined and forced to recant, these men were being received amongst an adoring audience of the capital's leading nonconformists.⁷⁴

The nonconformist names left to posterity merely scratch the surface of this community of godly souls.⁷⁵ One historian has claimed that dissenters represented the middle-ranks who had little opportunity of entering the oligarchy,⁷⁶ but this is at best a simplification. Even amongst the ones who were willing to be caught there were significant burgh inhabitants, such as Rig, Dickson and Meiklejohn. Other prominent individuals perhaps had more to lose, perhaps were more pragmatic, perhaps were more committed to the idea of unity within the church, however wrong they thought kneeling was. At Easter 1621, Calderwood noted that 'the bailies communicate not at all'; one of those men was William Dick, the future provost, who, far from 'becoming a rebel to stop a revolution' in 1638, had shown over a decade earlier where his loyalties lay.⁷⁷ William Nisbet, provost of Edinburgh three times after 1616, was favoured by King James, but Nisbet was

⁶⁹ For the debate on conventicles which was held in 1638, see Stevenson, *Scottish Revolution*, 198-205. Makey, *Church of the Covenant*, 165, 175.

⁷⁰ Calderwood, *History*, 449. Livingstone, 'Memorable characteristics', 346. Mr James Balfour was a master at the High School of Edinburgh in 1597-8, and signed the 1617 protestation against the Perth Articles.

⁷¹ Calderwood, *History*, vii, 596-7, 603-4. *RPCS*, 1st ser., vol.xiii, 490-1, 519-21, 578. *OLEAS*, ii, 745-8, 832-3. Row, *History*, 328.

⁷² *RPCS*, 1st ser., vol.xiii, 520. When charged to tax town councillors on their knowledge of, or attendance at, conventicles in 1624, Chancellor Hay gave such a narrow definition of what they were that all could attest they knew nothing about them. Calderwood, *History*, vii, 620.

⁷³ *Baillie*, i, 250. Stevenson, *Scottish Revolution*, 201-2, 232. Livingstone, 'Memorable characteristics', 343. Interestingly, it was the ministers of Edinburgh, and David Calderwood, who were most opposed to conventicles in 1640, presumably because of the particular influence they had on the capital's inhabitants.

⁷⁴ Robert Boyd is a pertinent example. He was ordered to leave the burgh in 1622 but was accused of lending his services to conventicles in 1624, a charge which the privy council defended him against. Could he really have been living in the town without either town or privy councillors knowing? See Makey, *Church of the Covenant*, 175. NLS, Denmilne Papers, Adv.Ms.33.1.1, vol.11, no.24. Chapter Two. Other ministers who were not from the capital could also find support there. *OLEAS*, ii, 745-48. *Wariston's Diary and other Papers*, 7.

⁷⁵ Appendix, Table 7.

⁷⁶ Makey, *Church of the Covenant*, 158-59. Brian Manning also saw puritanism as a feature of middle-class consciousness, 'Religion and politics: The godly people' in B Manning (ed), *Politics, Religion and the English Civil War* (London, 1973), 82, 105, 109, 123.

⁷⁷ *Edin Recs 1604-26*, 212. Makey, *Church of the Covenant*, 161.

linked by marriage to the circle around Rachel Arnot, Wariston's grandmother.⁷⁸ He ruined his political career through an outspoken disregard for the king's policies, but there was no public humiliation of Nisbet and he retired into genteel prosperity on his estate at the Dean.⁷⁹

Even higher up the social scale were those members of the landed elite who were uncomfortable with the Articles but were not prepared to stake their political future on it. In March 1617, Calderwood noted that the 2nd Marquis of Hamilton, James's childhood friend John Erskine, 2nd earl of Mar, and John Cunningham, 7th earl of Glencairn, had refused to communicate in 'the Englische form'. Even the elderly bishop of Galloway, William Cowper, refused, although he rapidly changed his mind and was villified as a result.⁸⁰ Sir George Erskine, Lord Innerteil had been educated with James VI and in 1638 would refuse to take the Covenant, but along with some other unnamed advocates, he refused to kneel at a particularly stressful communion in March 1619.⁸¹ Accompanying him was Sir James Skene of Curriehill who, unlike the future Lord Advocate, Sir Thomas Hope, failed to keep his religious persuasions ambiguous enough to avoid trouble. Only Skene appeared before the privy council, where he was admonished.⁸² Skene had married one of Rachel Arnot's daughters, and it was said that Skene had acted under her influence, which did not prevent him becoming Lord President in 1626.⁸³

These people were politically and socially influential individuals, whose activities impacted on the wider community in two important ways. Through their friendships, business associations, political activities and through inter-marriage Edinburgh nonconformists compromised the ability of the authorities positively to endorse the Perth Articles. Some privy councillors, lords of session and town councillors openly avoided communion, which hardly set a good example for the rest of the population. Others might be prepared to kneel themselves, but there must have been immense pressure to turn a blind eye to the indiscretions of nonconformist friends or colleagues – and of their wives. Exasperated by the attitude of his secular colleagues, Spottiswoode informed a gentleman of James's bedchamber that as he had said long before, the poor 'example' of the town's magistrates had a lot to do with the 'obstinate purpose and resolve in that people'.⁸⁴ So contentious had the Perth Articles become at local level, that even those who had previously upheld royal authority, did not want to be seen taking the sacrament on their knees; at Easter 1622, the dean of guild, John Byres and the provost, David Aikenhead, attended church but did not take communion.⁸⁵

⁷⁸ See Chapter Three. Calderwood, *History*, vii, 274, 359.

⁷⁹ In 1623 he was nominated as a justice of the peace for Edinburghshire, *RPCS*, 1st ser., vol.xiii, 341.

⁸⁰ Calderwood, *History*, vii, 246. Mullan, *Episcopacy*, 116-20, 132-33, 153, 155, 163-65. See Appendix, Table 7.

⁸¹ G Brunton and D Haig, *An Historical Account of the Senators of the College of Justice* (Edinburgh, 1849), 259-60. Innerteil was a cousin of Mar. *Scots Peerage*, v, 81-2, 615.

⁸² Calderwood, *History*, vii, 359. *RPCS*, 1st ser., vol.xi, 595.

⁸³ Geddie, 'The Dean Group', *BOEC*, 1 (1908), 85-106. Calderwood, *History*, vii, 359, 383. *The Faculty of Advocates in Scotland, 1532-1943*, ed. FJ Grant (Edinburgh, 1944), 193. ECA, Abstracts from the Protocol Book of John Hay, (card index) vol.ii, 23 August 1615.

⁸⁴ Spottiswoode to John Murray, Viscount and future earl of Annandale, 11 May 1623 in *OLEAS*, ii, 713-14.

⁸⁵ David Aikenhead's daughter was married to John Byres's son, while Byres's daughter Rachel married the minister, Thomas Sydserf. Calderwood, *History*, vii, 304, 361, 516, 546. Geddie, 'West-End and Dalry Groups', *BOEC*, 2 (1909), 134-7. This action may be linked to the possibility that Aikenhead had made

Melrose confessed to James around the same time that it was the 'good sort' of Edinburgh's population who were either refusing to kneel if they did attend communion, or not attending at all.⁸⁶ The desperate fact of the matter was that Edinburgh's communicating population were flooding out of the burgh, towards St Cuthbert's, Canongate, Leith, Duddingston, and even as far as Dalkeith and Musselburgh, to take the sacraments from ministers who were still observing the old form.⁸⁷

Initially, Melrose had optimistically told the king that although 'many of the citizens of the Towne, speciallic of the women, wer absent at other churches', a 'good and peaceable beginning' had been made in Edinburgh.⁸⁸ This letter was written the day after what Calderwood would later call a 'cold and graceless' communion. The provost, along with hundreds or possibly thousands of other Edinburgh inhabitants, was absent, and others walked out as soon as the sacrament was administered. A year later, Thomas Sydsersf conceded the extent to which the king's policy was falling apart, by offering the communion 'Efter what maner ye please to receive it; sitting, standing, or kneeling'. For nonconformists, and indeed anyone who was committed to the harmonious fellowship of the communion service, this was 'confusion'.⁸⁹ The failure of the Perth Articles was nowhere more obvious, or less recoverable, than in these mass demonstrations of public non-compliance. Conventicles could be outlawed, ministers could be deprived, but how could the government force a communicating population of about 12,000 people into church?⁹⁰ Differences about how to proceed began to appear amongst councillors. Spottiswoode believed that threatening the full rigour of the law and then showing clemency for those who asked forgiveness would eventually root out those weeds who were poisoning the healthy plants around them. Melrose was not so sure about this, and expressed concern that 'the scandall and difficultie of the remede' could end up being 'more hurtfull' than simply tolerating dissent for 'a short space'.⁹¹

Some may have been hoping that 'a short space' reflected James's lifespan. Were some beginning to think that it was not intransigent nonconformists who were the problem, but the king himself? It has become an historical shibboleth that James, Solomon to the end, realised what a terrible mistake he had made and 'had

himself unpopular by interfering in college elections to place his son-in-law, Patrick Sands. T Craufurd, *History of Edinburgh University* (Edinburgh, 1808), 90.

⁸⁶ *OLEAS*, ii, 711-12.

⁸⁷ Spottiswoode, *History*, iii, 257. Calderwood, *History*, vii, 352, 359-60, 364, 380, 458, 546-57. St Cuthbert's, Duddingston and the churches of North and South Leith were within the presbytery of Edinburgh. Edinburgh's conforming ministers were consequently sitting amongst their nonconforming brethren at these meetings. How unfortunate that the presbytery records have disappeared. BL, Scotland's Rents and Tenths 1639, Add.Ms.33,262.

⁸⁸ *OLEAS*, i, 598-600.

⁸⁹ Calderwood, *History*, vii, 359, 436. Row, *History*, 320-21.

⁹⁰ A 1592 census counted 8,003 'persones of discretion' for a collection. This figure has problems, but one would still expect this figure to have risen in line with population increase over the the next quarter-century. A population of 20,000 should mean there were about 12,000 adult communicants. Lynch, *Edinburgh*, 10-11. There are records for the purchase of communion tickets, but the figures fluctuate dramatically year to year and are difficult to interpret. This information is discussed in Appendix, Table 6.

⁹¹ *OLEAS*, ii, 711-2, 756-8.

the sense to turn back when he saw the strength of the forces he was arousing against himself'.⁹² There is reason for perhaps thinking this. It is true that the Scottish administration, whatever Calderwood might have thought, took a very soft line on persecution - between 1610 and 1625, forty-eight ministers appeared before the Court of High Commission. Twenty-seven of them were chastised and released back to their congregations, while only seven men were permanently deprived.⁹³ Spottiswoode was keen not to make martyrs of these men, and the surviving examinations of dissenting ministers show the huge efforts made to bring them back into the fold.⁹⁴ The work of the High Commission does not, however, reflect James's intentions, but Spottiswoode's genuine fear of 'the danger of schism'⁹⁵ if the nonconformists were forced out of mainstream religious practice.

Does James's decision of December 1624 to ease strict observation of the Articles in Edinburgh suggest that the king was relaxing enforcement?⁹⁶ Not if the context is taken into consideration. This moratorium for the people of Edinburgh was intended to be for a limited period only, with the express condition that town and privy council 'deale effectually in this business and mak thame see thair owne goode and benefite thairin'.⁹⁷ That very summer, James had also demanded the deprivation and imprisonment of dissenters, criticised 'the turbulent persuasionis of restles ministers', banned 'discourse or disputation' on the issue, pressed town and privy council into public conformity, threatened to remove the Court of Session and College of Justice (an act reminiscent of December 1596) and requested a list of 'disconforme persones'. In the autumn, the privy council suggested to the burgh that in their new council, it would be prudent to select 'suche of whose conformitie and obedience to the orders of the Kirk ther was goode assurance'.⁹⁸ These were hardly the actions of a monarch 'not insisting on absolute obedience to the Five Articles of Perth'.⁹⁹

A distinction must be made, therefore, between James's intentions regarding the Articles and the actions of his servants in Scotland. Lee correctly notes that 'enforcement was ineffective' in Edinburgh, but this was not because James wisely decided to leave well alone. It was because 'officialdom, both secular and clerical' was reluctant to pursue Protestants whose objections to kneeling were well-founded enough for Spottiswoode to acknowledge them in his speech to the Perth Assembly. When Lee asserts that James's anger was 'spasmodically aroused' by noisy nonconformists who 'temporarily revived' his interest in the Articles, he

⁹² Stevenson, *Scottish Revolution*, 24. This assumption has, unfortunately, been adopted by the historical mainstream. See Chapter Six. A convincing alternative is in MacDonald, *Jacobean Kirk*, 169-70. See also Goodare, 'Scottish politics', 52.

⁹³ William Arthur and Richard Dickson of St Cuthbert's (both continued), Peter Hewat of Edinburgh (warded until 1638) Henry Blyth of Canongate (restored) and David Forrester of Leith (restored) came from the Edinburgh area. See McMahon, 'The Scottish Courts of High Commission', 200-01.

⁹⁴ See, for example, the proceedings against Mr John Scrimgeour, where a lengthy debate was conducted which resulted in Scrimgeour being confined in a place of his choosing - hardly a harsh punishment. Spottiswoode also made himself and other ministers available to address William Rig's 'doubtis and scruples' in 1624. Calderwood, *History*, vii, 414-24. *RPCS*, 1st ser., vol.xiii, 694.

⁹⁵ PHR Mackay, 'The Five Articles of Perth' (PhD thesis, Edinburgh, 1975), 78-9. Lee, *Government by Pen*, 188.

⁹⁶ *Edin Recs 1604-26*; 259. *RPCS*, 1st ser., vol.xiii, 660-1. ECA, Moses Bundle 195, no.7035.

⁹⁷ *RPCS*, 1st ser., vol.xiii, 661

⁹⁸ *RPCS*, 1st ser., vol.xiii, 519-24, 577-8, 599, 611

⁹⁹ Stevenson, *Scottish Revolution*, 42.

does miss the sustained seriousness of the crisis in the capital during the last years of the king's life.¹⁰⁰ While the Scottish privy council was clearly concealing the true extent of nonconformity, this is hardly surprising. James was not going to drop the Articles because he found out there were even more of William Rig's friends impertinently resisting the royal will, and the only outcome would be some luckless councillor being made scapegoat.

For James the issue was, as ever, the royal prerogative. It was the king's belief in his God-given right to decide on an appropriate manner of taking the sacrament which propelled him into sending edicts on the matter to Edinburgh every year from 1618 until his death.¹⁰¹ He personally interviewed a London-bound nonconformist, James Cathkin, in June 1619 and interfered directly in council elections in 1624.¹⁰² Far from successfully managing to 'eliminate the extreme Presbyterians' in 1621,¹⁰³ James's vigorous campaign to have the Articles enforced only serve to further entrench the opposition. By the summer of 1624, it is apparent by the flurry of activity on this issue that James had embarked on a new campaign, against the wishes of his Scottish servants,¹⁰⁴ which was stalled only by the king's timely demise. All the evidence shows that James, despite early advice to the contrary,¹⁰⁵ was absolutely determined Edinburgh's inhabitants would observe the Perth Articles and consistently pursued that objective.

It is important to stress that Edinburgh was not like the rest of Scotland. As the capital, it was inevitable that the Crown would focus its attention there, for if the monarch could not get Edinburgh to obey, then his pen was hardly likely to prove invincible anywhere else. All over Lowland Scotland, clergymen were failing to insist on kneeling and absenting themselves from uncomfortably inquisitive presbytery meetings, but James clearly felt that if Edinburgh obeyed, the rest of the country would follow suit. Royal scrutiny undoubtedly polarised opinion there, but James was also up against some formidable opponents. When Thomas Sydsenf had offered a compromise in March 1619 (see above), Mein and his circle rejected outright anything short of a total abandonment of kneeling.¹⁰⁶ A contrast could be made with Perth, where ambiguous practice became commonplace after a brief attempt at enforcement. The presbytery there openly asserted in 1633 that kneeling 'was not insisted upon at Perth, nor almost any other part of Scotland. The communicants were generally left at their liberty either to kneel or to sit still upon their seats when they received the elements'.¹⁰⁷ In Aberdeen, the Articles were barely an issue at all, although its rural hinterland saw more resistance to the Articles. Kneeling was not embraced almost anywhere in Lowland Scotland one could care to mention,¹⁰⁸ but

¹⁰⁰ Lee, *Government by Pen*, 178-85.

¹⁰¹ James was involved in the issue every year from 1617-25, *OLEAS*, ii.

¹⁰² 'A relation of James Cathkin his imprisonment and examination about printing the nullity of Perth Assemblie' in *Bannatyne Miscellany*, i (Edinburgh, 1827), 197-215. *RPCS*, 1st ser., vol. xiii, 611.

¹⁰³ J Wormald, *Court, Kirk and Community: Scotland, 1470-1625* (London, 1981), 129. Wormald also skirted the issue of enforcement in a later article; the church might have been 'quiescent' in England, but it was not so in Scotland, J Wormald, 'James VI and I: Two kings or one?' in *History*, lxxviii (1983), 196, 204.

¹⁰⁴ Goodare, 'Scottish politics', 49.

¹⁰⁵ From Patrick Galloway, which James requested, see above.

¹⁰⁶ Calderwood, *History*, vii, 358-60.

¹⁰⁷ Mackay, 'Five Articles of Perth', 108.

¹⁰⁸ Mackay, 'Five Articles of Perth', 58. MacDonald shows that passive resistance was much more widespread than previously thought, *Jacobean Kirk*, 167-68.

because there was limited pressure to conform in the localities, the Articles failed to exacerbate existing social or political tensions, as demonstrably occurred in the capital during the 1620s.

James's attitude towards Edinburgh, his mounting frustration with the population's disobedience and his sense that both town and privy council were not making sufficient effort to correct it, provides a vital context to the policies pursued by Charles I. At his accession, Charles may have been regarded with suspicion in Scotland after his dalliance with the Spanish Infanta led some to a sinister interpretation of why the government was harrasing ministers and laymen whose piety could not be faulted.¹⁰⁹ Possibly to counteract this feeling, Charles decided to assure his Scottish subjects that no changes in religion were planned.¹¹⁰ Within weeks of James's death, nonconformists saw reasons to be hopeful that the new king was moving towards a more elastic interpretation of the Perth Articles. In February 1625, Spottiswoode had quietly given William Rig leave to reside at his Fife estate of Atherny. Having been informed of Rig's 'more dewtiefull maner' in June, Charles allowed him to go 'whither it shall best please him'.¹¹¹ The following month, a set of articles were sent to the bishop of Ross that confirmed the impression given by Rig's pardon. Charles stated that all ministers who were admitted before the passing of the Perth Articles would not be pursued if they 'mak scruple' of performing them, provided they preached 'no doctrine publicklye against our authoritie the church govenament, nor the canons thairof'. As all four of Edinburgh's ministers fell into that category, this theoretically left them free to adopt whichever position they thought most appropriate. The July articles went on to stress that ministers were not to give communion to people from neighbouring congregations, a condition which was also included in the instructions for the reorganisation of Edinburgh's parishes that same month. They were also not to refuse the sacrament to those who requested it kneeling, or persuade them not to take it kneeling, or write invectives against the Articles. Those who had been banished would be allowed to return if they were willing to recognise these conditions, although this offer did not extend to that perennial troublemaker, David Calderwood.¹¹²

The policy, perhaps inspired by Spottiswoode, who had advised Charles in the William Rig case, was a highly intelligent one. Rig had, as Spottiswoode might have feared, become a martyr to the cause when he had been singled out for 'ane extra ordinair grite fyne'. The issue had created a political crisis, as the town council and even the ministers whom Rig had offended campaigned alongside a resolute privy council to make James realise that his harsh treatment of the Edinburgh merchant was undermining royal authority. One of the last letters from the king to his Scottish servants makes it quite clear that the privy council were pursuing their own interpretation of Crown policy, while the town council had shown their opinion of the proceedings by electing Rig as a councillor in September 1624, regardless of the fact that he was under censure.¹¹³ By releasing him, Charles seemed to be indicating a willingness to trust the judgement of the

¹⁰⁹ Even in government circles, the proposal was generating anxiety. A public thanksgiving was held when he returned unmarried. *OLEAS*, ii, 714, 728, 729-30. NLS, Wod.Qu.IX, ff.189, 192-93.

¹¹⁰ *RPCS*, 2nd ser., vol.i, 132. NLS, Wod.Qu.IX, f.218.

¹¹¹ *OLEAS*, i, 778-80. *Stirling's Register*, ii, 52.

¹¹² *Stirling's Register*, ii, 62-3, 375. Appendix, Table 5. *Edin Recs 1604-26*, 262. *RPCS*, 2nd ser., vol.i, 105.

¹¹³ *OLEAS*, ii, 740-1, 752-54, 754-56, 768. There were rumours that Hamilton was to be fined, too. Calderwood, *History*, vii, 433-4, 617, 622. *Edin Recs 1604-26*, 245. *RPCS*, 1st ser., vol.xiii, 664-5.

privy council and a desire to pour balm on open wounds. His new articles opened up the possibility of positive, fruitful dialogue on the subject, while also reinforcing the fact that criticism of the government would not be tolerated. Since the imposition of the Perth Articles, a steady stream of clandestine propaganda against them had been circulating virtually unimpeded in the capital. Although the main focus of much of the material was on the unlawfulness of kneeling,¹¹⁴ some of the literature made direct attacks on the episcopate or on conformist ministers such as William Struthers.¹¹⁵ Charles's articles made a clear distinction between those who, in their own conscience, could not accept the Articles and those who were actively agitating against the government. The new policy also reflected a fundamental change in the regime – it was abundantly clear in the articles that just as the old king had naturally been supplanted by a young, energetic monarch with new ideas, so the same would happen eventually amongst the clergy.

In the first few months of the reign, the sense that James's death had ended a 'fearfull storme of persecution'¹¹⁶ and high hopes that 'the libertie of the kirk fredome of religioun and justice suld be respectit' emboldened the ministry of Edinburgh to petition the king for the abandonment of kneeling at the sacrament in April 1628. If the original petition did, indeed, end up in the hands of the earl of Stirling without Spottiswoode's knowledge, he nonetheless took it upon himself to excuse the ministers. Charles's response was icy. He expressed surprise that the ministers 'durst presume to move us against that course which was soe warrantabillie done', and demanded that 'the authoris of that bussieness' be censured. This was specifically intended to terrify others 'from attempting the like'. Both Patrick Lindsay, bishop of Ross and St Andrews had informed the king that the ministers were 'learned men and weeldisposed', but this could not excuse them. In future, they should 'goe one in the administratioune of the communion, according to the ordour prescribed' and a note was to be taken of 'such persones of thare congregation whoe shall refuse the same'.¹¹⁷

It must have been a shattering blow to everyone in Edinburgh, both conformists and nonconformists alike, to find that the king was not, after all, willing to endorse what was undoubtedly the best means of repairing the widening breach in the Scottish church. Later that year, there seems to have been such widespread dismay at these dashed hopes that the ministers decided to defer the sacrament. The tone of Stirling's letter to the clergy of Edinburgh suggests that they had promised their congregations the old form of communion, and when they were forced to retract that promise, their parishioners had displayed a 'factious and turbulent dispositione' by refusing to appear at all. There is also a possibility that the ministers refused to give the sacrament, not to punish their congregations, but to make a protest. Stirling's letter states that the ministers were unhappy that so many people 'separat themselves from the communion', and their decision to down tools may have been an attempt to show that Charles's narrow commitment to the letter of the law was actually impeding

¹¹⁴ A representative sample is available in the Wodrow collection, NLS, Wod.Qu.LXXXIV, ff.34, 78, 172, 241, 242, 357-59, 363, 364-70, 371-81, 382-86.

¹¹⁵ See the fascinating fictional dialogue between Walter Balcanquhal, John Smith, James Melville and Archibald Johnston, who were all dead by the late 1610s. NLS, Wod.Qu.LXXXIV, f.19-29. See also Wod.Qu.LXXXIV, ff.30-31, 172. Wod.Qu.XXV, f.38v.

¹¹⁶ Row, *History*, 337. NLS, Wod.Qu.IX, 216v.

¹¹⁷ *Stirling's Register*, ii, 271-72, 296. Row, *History*, 346. NLS, Wod.Qu.IX, ff.250-51.

everyone's ultimate goal, the reunification of the church in an orderly form of worship. When the communion was performed in February 1629, it was done 'with such confusion as was pitifull to behold', with even the ministers adopting different forms. By Christmas 1629, Charles's policies were pitting 'pulpit aganis pulpit', making a way out of the quandary seemingly impossible.¹¹⁸

During the early 1630s, Edinburgh continued to be a hotbed of contentious debate, not only on the Perth Articles, but on the possibility that they were intended as a portal for imposing 'the haill ordor of the Inglische kirk' on Scotland. Although the appetite for pursuing lay nonconformists had waned, there was probably a contentious attempt to plant Edinburgh's college with conformist regents.¹¹⁹ Communion were still in chaos¹²⁰ and, in an act reminiscent of one of the precursors of the 1596 riot,¹²¹ the king requested that the High Commission exercise tolerance in its dealings with that notorious Catholic, George Gordon, 1st marquis of Huntly. Edinburgh's godly folk noted that, while there would be 'sum hard urging to cum soun for keiping of the fyve articlis', the spread of Catholicism was going unchecked.¹²² Against this background of rising tensions, a Convention of Estates was held in Edinburgh to raise another tax for the king, which enabled a number of the 'best sort and weill effectid staitismen' to present a set of grievances against the Crown's religious policies. This time, it was not disgruntled ministers and their turbulent parishioners who were making a fuss, but a group of young noblemen whose names are now synonymous with the Covenanting regime. The earls of Morton, Menteith and Chancellor Hay managed to gain the new tax without having to address the petition, but the frustration of this attempt to make their voices heard encouraged the disaffected to mount a more organised campaign when the king visited Scotland in the summer of 1633.¹²³ It was in the wake of that public relations disaster, when king and subjects looked upon each other's religious persuasions with genuine horror,¹²⁴ that Charles decided to renew his efforts to force the capital into obedience.

The idea of a bishopric for Edinburgh may have struck Charles during the coronation visit, but it was probably part of an attempt to reduce and rationalise the territories pertaining to the two archbishoprics. One commentator claimed to know of abortive plans to carve a new bishopric out of the southern part of the diocese of Glasgow.¹²⁵ Busy archbishops might have suggested it; in Edinburgh's case, the aging Spottiswoode's sprawling diocese was quite enough for any man to contend with and he was probably only

¹¹⁸ *Stirling's Register*, iii, 324, 325. Another copy can be found in *The Red Book of Menteith*, ed. W Fraser (2 vols, Edinburgh, 1880), ii, 10. Row, *History*, 345. Ford stipulates that Charles initially 'did little to reanimate the debate' until the Canons appeared in 1636, but this date can be pushed back to 1628, at least in the capital. Ford, 'Conformity in conscience', 272.

¹¹⁹ A Bower, *The History of the University of Edinburgh*, (3 vols, Edinburgh, 1817), i, 171-73.

¹²⁰ Row, *Historie*, 345, 348, 350, 390.

¹²¹ In 1596, Huntly had been allowed to return to Scotland, whereupon he was fully restored to his estates. Calderwood, *History*, v, 439-55. McMahon, 'Courts of High Commission', 202.

¹²² NLS, Wod.Qu.IX, ff.273-74, 348-49. Row, *History*, 352, 354-55.

¹²³ The noblemen were the earl of Rothes and Lords Balmerino, Loudon and Ross. NLS, Wod.Qu.IX, ff.279-81.

¹²⁴ NLS, Wod.Qu.IX, f.336v. Spalding, *Memorialls*, 36-7. Donald, *Uncounselled King*, 29-32. Macinnes, *Covenanting Movement*, 86-8.

too happy to devolve responsibility for its most troublesome locality onto someone else. On 30 October 1633, Charles sent a missive to Edinburgh instructing them to begin preparations for the erection of a bishopric, which would also involve the erection of St Giles' into a cathedral. Around the same time, the king sent an order 'For the Apperrell of Churchmen of Scotland', which included the hated 'whyttys' for the higher clergy and surplices for the 'inferiour clergy' during the administration of the sacrament. The black-garbed Scots looked upon this as unnecessary ostentation and their use had been regarded with suspicion at the king's coronation.¹²⁶ These developments were offensive enough, but Charles compounded the perceived insults by nominating none other than 'our trustie and weilbeloved Dr W[illia]m Forbes'.¹²⁷

The Aberdeen preacher had made himself highly unpopular in Edinburgh during the early 1620s,¹²⁸ and his three short years at the south-east parish had been marked by an intensification of the Perth Articles dispute. His return to the capital sparked a vigorous propaganda campaign, which rejected Forbes himself as much as the idea of the bishopric. As Charles was presumably aware, Forbes was no conciliator, and one of his first acts was to present the Edinburgh clergy with a document declaring their conformity to the Perth Articles. He then threatened to take the names of those who refused to give the sacraments from their own hands to kneeling supplicants, and use 'ecclesiasticall censures' against them.¹²⁹ Most of the Edinburgh clergy subscribed, to the dismay of the nonconformists. One pamphleteer, possibly a clergyman or a kirk session member, lamented that 'if ye subscriyve ye quyt all these defences which ye might use incais he wold proceid againes yow'. The writer ominously predicted that 'god's providence' would not protect those who took this course, for their subscription was no less than to 'cover tyranny and hardin thame in the usurpation'. He asked his readers to remember 'how hynoues a sine it is to bring in that abomination [kneeling] in yor congregationes where the worship of god hath bein prescribed in puritie ever since reformation'. As for Forbes himself, many of his adversaries thought it that he was plainly 'popische and under pretence of conformitie', which explained why he was so keen to urge changes in the sacrament.¹³⁰

Other circumstantial evidence hints at unease with the new bishopric beyond the authors and readers of these pamphlets. During the mid-1630s, the town council began two separate subscription schemes to raise money for the building of two new churches accompanied by the raising of St Giles' to a cathedral and a parliament house. There is no doubt that the town's serious cash-flow problem was affecting these projects, but the difficulties of the church building scheme far outweighed those of the parliament house. The latter may have caused 'uncertainty and division' amongst councillors in terms of where it should be built and how the expense was to be met, but once work was underway, there were no further references to any problems.¹³¹

¹²⁵ The commentator was probably a minister from the southwest. 'Historie of Church and State, c.1646', *Religious Controversy*, 13, 28.

¹²⁶ *Stirling's Register*, iii, 689, 693. *Edin Recs 1626-41*, p.xiii. NLS, Wod.Qu.IX, ff.334-35.

¹²⁷ *Stirling's Register*, iii, 689.

¹²⁸ Chapter Two and NLS, Wod.Qu.IX, 350r.

¹²⁹ *Stirling's Register*, ii, 372-4. Bower, *History of the University*, i, 183.

¹³⁰ NLS, To my Reverend brether, Wod.Qu.LXXXIV, f.42, 413. NLS, The Reconceiler, Wod.Qu.LXXXIV, f.28, 247.

¹³¹ Hannay and Watson, 'Parliament House', 17, 27, 35. *Edin Recs 1626-41*, 134. ECA, Minutes, vol.xiv, f.262.

The St Giles' project, which seems to have been expressly at the king's 'special desire', could not have been more different. Initial difficulties may have been linked to the council's futile attempts to raise an Annuity Tax, which might have paid for at least some of the church building work. Although Charles had first expressed his wishes in October 1633, the subscription books were not opened until August 1635.¹³² Renovations were under way by January 1634, but the widely-held belief that it was 'na gude wark' probably stalled the project almost as soon as it had begun. These delays irritated Charles so much that he sent threats to the magistrates via the new clerk register, none other than John Hay, the former town clerk. Charles could, and did, change the burgh's governors, but he could not change the attitude of the population at large. By the third week of August, it had become apparent to the town council that pressuring the 'nichtboures' was not going to convince them of the 'necessitie and charitie of the said worke'.¹³³ On 26 August 1640, five years after the subscription books had opened, and nearly seven years since the project had first been mooted, the town council observed that the 'voluntary offering' had still not been collected.¹³⁴

An interesting detail in one of the subscription books also sheds a flickering light on this ill-fated project. John Hamilton, occupation unstated, resident of the north-east quarter, gave a respectable 500 merks as his contribution, one of the highest sums. However, against his name, and no other, the bailies noted that 'he will not subscribe the book, for reasons knawin to himself'.¹³⁵ Could this be the same John Hamilton, apothecary, who had been banished for resisting the Perth Articles in 1624? The Annuity Tax roll shows the property owner 'John Hamilton, appoticarie' as resident on the north side of the High Street, north-east quarter, in 1635.¹³⁶ As the books are incomplete, it would be problematic to undertake any investigation into whether known nonconformists boycotted the project; a Robert Meiklejohn, for example, did make a substantial offer, but was not named in the subscription book.¹³⁷ This tiny fragment of information, coupled with the obvious problems that the council was having with the project in general, raises at least the possibility that religious disaffection in the capital impacted on the scheme.

The Crown's religious policies took on a striking visual aspect in the early 1630s, when at least three of the capital's churches acquired expensive new items for use in communion and baptism. Some of the pieces were commissioned in London, and were probably intended to be in use by the time Charles arrived for his coronation. They were ornately decorated in comparison to earlier examples, and may signify an attempt to

¹³² *Edin Recs 1626-41*, 149-50, 168. ECA, Minutes, vol.xiv, ff.346, 348. NLS, Wod.Qu.IX, ff.347v, 350. Chapters Three and Four. Charles allowed the town to stent the inhabitants in January 1636, *Charter-House of the City of Edinburgh* (Edinburgh, 1894), no.88 (quotation).

¹³³ ECA, Minutes, vol.xiv, f.348.

¹³⁴ A comparison might also be made with the building of a library for the college in 1615. There were considerable sums given towards it, notably by William Nisbet in 1619, and the college remained a favoured recipient of legacies for books, the stipends of professors and chambers for students. *Edin Recs 1604-26*, p.xxx, 190. *Edin Recs 1626-41*, 243. See *Edin Recs 1604-26, 1626-41, 1642-55*, index, College for references to legacies.

¹³⁵ It was not because he could not write. Where this occurred, individuals made a mark and the bailies signed for them. ECA, Subscription Book, north-east quarter, Moses Bundle 195, no.7058. The other book, for the south-west quarter, is at ECA, Moses Bundle 196, no.7080.

¹³⁶ CBB Watson; 'Owners of Property in Edinburgh, 1635' in *BOEC*, xiii, 110.

extend to Scotland the ‘beauty of holiness’ associated with William Laud, Archbishop of Canterbury.¹³⁸ One piece is particularly interesting. It is a bread plate, gifted to the north-east parish by 34 parishioners and first appearing in the kirk session records in August 1633. In the centre of the plate is an image of Christ kneeling to receive the sacrament. Apart from the minister, Thomas Sydserf, the list of donors carries the names of six kirk session members, seven town councillors (there was obviously some overlap here) and two advocates. Shared surnames suggest that a further four individuals were related to either town councillors or kirk session members. Three men, James Roughead, George Suittie younger and William Carnegie, would be prominent under the Covenanting regime, hinting again that political influence was largely unrelated to religious affiliation. It is nonetheless hardly surprising to find that three known nonconformists, William Dick, William Rig and John Mein, plus the future provost Archibald Tod, who had also been kirk session members, did not give money for this plate.¹³⁹

The pamphlets circulating in Edinburgh criticising the new bishop, and the repeated attempts to have the recent changes in worship considered by either a parliament or convention, strongly suggest that the aggressive policies pursued by the government were meeting with considerable hostility. Two fragments of information dating from the early 1630s could suggest that these policies were generating tensions amongst the wider population. An act of 8 March 1633 in the kirk session records for the south-east parish claimed that there had been ‘great abuse and daylie misordour committed be servandis alsweill men as women in all the kirkis of this burgh in fechtig ane another brecking of stulis and making of suches schamles voice and dyn in godis hous’. By this time it was known that the king would soon be arriving in Scotland. While the ministry became ‘sumquhat mair vehement’ in their attempts to make Edinburgh’s population conform to the Perth Articles, work had begun in the chapel at Holyroodhouse to hang bells and build an organ – features which were considered by nonconformists to be akin to idolatry, and by many others as simply unnecessary ornamentation.¹⁴⁰ Interestingly, in the previous year, there had apparently been ‘disorders’ because the remaining minister of the south-east parish, David Mitchell, his colleague John Maxwell having been promoted to the bishopric of Ross, had preached sermons advocating ‘the ordor of the kirk of ingland in thair kneiling at the ressavng of the Sacrament’. Mitchell had compounded the insult by claiming that the Scottish communion was ‘ane pure [poor] barbarus forme.’¹⁴¹ This evidence suggests that Mitchell had made himself so unpopular with his parishioners that at least some felt no compulsion to treat his preaching with either respect or reverence.

¹³⁷ ECA, Offer Book, south-west quarter, Moses Bundle 196, no.7080. It is not clear what the difference between the Offer Book and the Subscription Book is. They all contain differing numbers of names.

¹³⁸ *Religious Controversy*, 3.

¹³⁹ I am grateful to Mr George Dalgleisch of the National Museum of Scotland for giving me a copy of a draft article on the communion and baptismal plate from Trinity College. It is on display in the Museum. References to the items mentioned here are in NAS, CH2/141/1, 15 Aug 1633, 26 Sep 1633.

¹⁴⁰ NLS, Wod.Fo.XVI, ff.79-80. NLS, Wod.Qu.IX, f.318.

¹⁴¹ Appendix, Table 5. NLS, Wod.Qu.IX, f.305. Mitchell had previously been at Garvock, Fife for nine years before his move to Edinburgh. He was deprived in 1638 but survived to be promoted to the episcopate in 1662. It is not known where he acquired his MA. *Fasti*, i, 70, 74, v, 469. Forbes had also been minister at the

There is another example of discontent in the burgh around this time, probably dating from February 1633. An anonymous journal records that Mr George Nicoll, a former servant of Sir Archibald Acheson, was publicly whipped in front of St Giles' for spreading slander against the earls of Traquair and Strathearn (formerly Menteith) and the Lord Advocate. It seems, however, that the crowd were in sympathy with Nicoll, because the punishment was considered excessively severe for the fault, and as a result there was 'lamentatioun and outcrying' against the men who by virtue of being the ones slandered, had pushed for such a harsh sentence. The writer maintained that it was 'a wounder that among sa grite a nowmer of pepill that thair wes not sum notabill tumult and seditioun', and had the said men been present they might have found themselves 'in grite danger of their lyffis'.¹⁴² Comparisons were made with the English court of Star Chamber, and although it is not possible to surmise if there was a connection to religious dissent, these fragmentary pieces of information do allude to heightening tensions in Edinburgh during the early 1630s. It seems likely that the rising taxation, economic contraction and political disaffection associated with the early 1630s had created an atmosphere in which resistance to the Perth Articles could easily become linked to wider dissatisfaction with the Caroline regime.

It was against this backdrop of widespread discontent that the idea of a Prayer Book for the Scottish church was mooted. James VI had wanted to impose a liturgy in 1617, but given the furore surrounding the Perth Articles he was dissuaded from pursuing it further, and the whole notion had been dropped. By at least 1632, however, there were rumours that 'the liturgie of ingland'¹⁴³ was under consideration again. By the summer of 1634, Laud was urging its use on Adam Bellenden, bishop of Dunblane, in the chapel at Holyroodhouse. In an episode reminiscent of the crisis in 1637, the difficulties encountered introducing the Book were blamed on the failings of the individual, not the policy itself. Some manner of 'disturbance' did occur in Edinburgh in the summer of 1634, which may have been related to the warding of Lord Balmerino, but even if it was insignificant enough to go without mention in other sources,¹⁴⁴ it is evident that the entire package of religious reforms associated with the Prayer Book were generating tension in the capital.

Apart from the obvious association between the recited prayers of the Book and Catholic practice, the Liturgy was also objected to because it suppressed *ex tempore* preaching and imposed a prescribed order. This meant that every church in Scotland would follow the same service, thereby removing the considerable scope for variation which, in the king's opinion, was causing so much disagreement and contention north of the border. For the Scots, this was blatantly an English imposition (the fact that a Prayer Book had been discussed immediately after the Reformation was conveniently glossed over) and, as one pamphleteer pointed out, the danger of accepting this innovation was clear: 'Doth it not tend to perfect conformitie with the English church, then at last will it not end in full conformitie with the Romane kirk?' The Scots had

East Kirk in the 1620s, but it seems unlikely that the idea of an Edinburgh bishopric, with him as the incumbent, was known about before the king's coronation visit at the very earliest.

¹⁴² NLS, Wod.Qu.IX, ff.311, 322. The context is in Lee, *Road to Revolution*, 121-23.

¹⁴³ NLS, Wod.Qu.IX, f.311r.

¹⁴⁴ Bellenden was demoted to Aberdeen after the death of Patrick Forbes. Laud, *Works*, vi, 370-71, 383-84, 395, 409, 419, 434-36, 443. NLS, Wod.Qu.IX, 358v-359r.

created the perfect reformed church, and to embrace, rather than resist, English corruptions was all part of the 'bluidie designs' of the Antichrist.¹⁴⁵

What is so surprising about the Prayer Book is not just that it was imposed at all, but the clumsy in way in which it was done. There was no attempt to give even a gloss of consensus by consulting the general assembly or achieving parliamentary ratification, as had occurred, eventually, with the Perth Articles. It was imposed instead by royal prerogative, through the privy council, while a proposal that the synod of Lothian should be allowed to see a draft of the Book and return comments came to nothing.¹⁴⁶ This lack of public consultation enabled the nonconformist propagandists to put the worst conceivable interpretation on what was contained in it, because of course there was no evidence to the contrary. The process was further hampered by lay-clerical rivalry on the privy council.¹⁴⁷ The principal architects of the various drafts produced between 1634 and 1636 were John Maxwell, bishop of Ross and James Wedderburn, bishop of Dunblane.¹⁴⁸ Ross, in particular, seems to have been so blinkered by the delightful vision of royal gratitude and favour that he was either unable or unwilling to see any obstacles. In the meantime, lay privy councillors, notably Chancellor Traquair, were distancing themselves from the project in the belief that, when it all fell apart, the bishops would be politically ruined.¹⁴⁹ This effectively meant that there was nobody in Scotland with a vested interest in telling Charles how intensely unpopular a Prayer Book would be.

By the end of 1635, Ross had been 'entrusted with the press' and the final version, which had increasingly become his version, was well underway. A book of canons and a book of ordination were also being prepared, with the former in use by January 1636.¹⁵⁰ This activity spawned 'quiet meittings' amongst the clergy, while Edinburgh notables and the privy council were also holding consultations by at least the spring of 1637, when the final draft appeared. The air of mystery gathering around the Book was sustained by the fact that, as late as November 1636, the privy council had only seen a draft. According to Robert Baillie, who was waiting to have sight of it, last-minute editing was still taking place in January 1637. Meanwhile, the opposition in the capital was gathering momentum. A timely edition of Calderwood's *Re-examination of the Five Articles of Perth* was in print by the autumn of 1636, just in case anybody's memory regarding previous Crown policy was failing them.¹⁵¹ As early as the first weeks of 1637, Lord Advocate Hope was as convinced

¹⁴⁵ A pithy assessment of the problems with the Prayer Book and its part in the king's wider programme can be found in M Steele, 'The "Politick Christian": The theological background to the National Covenant' in Morrill, *Scottish National Covenant*, 33-6. NLS, Queres concerning the estait of the kirk of Scotland, Ms.1939, ff.40-8.

¹⁴⁶ J Leslie, *A Relation of Proceedings concerning the Affairs of the Kirk of Scotland* (Edinburgh, 1830), 2. Row, *History*, iii, 4.

¹⁴⁷ Baillie, i, 4.

¹⁴⁸ For Wedderburn's theological position, see *Religious Controversy*, 8, 50-81.

¹⁴⁹ Lee, *Road to Revolution*, 207-8. Donaldson, *Scottish Prayer Book*, 47-59. Baillie, i, 14.

¹⁵⁰ Donaldson, *Scottish Prayer Book*, 44, 47, 50.

¹⁵¹ Stevenson, *Scottish Revolution*, 57-9. Row, *History*, iii, 377, 390-91, 407. *RPCS*, 2nd ser., vol. iv, 336, 343. Baillie, i, 4, 6. JM Henderson, 'An "Advertisement" about the Service Book, 1637' in *SHR*, xxiii (1926), 203. Another work, purporting to be a debate between Samuel Rutherford and Thomas Sydserf was also circulating, *Religious Controversy*, 82-100.

as Baillie that the nobility and gentry, of both sexes, were so 'farr on a way to separate from all who will imbrace it', that he was ruminating on whether he ought to alert the Court in London.¹⁵²

It was clear by June that, contrary to the proclamations on the subject, there were many parishes in Scotland which had refused to acquire the book and were doing 'what in thame lyes to foster and interteane distraction and troubles', implying that attempts were being made to organise the opposition. Against this background of mounting hostility, the bishop of Edinburgh, David Lindsay, seems to have taken it upon himself to press for the use of the Prayer Book. A curious comment by Hope, uncorroborated elsewhere, stated that on 23 May, the Book was 'urgit but resistit'.¹⁵³ On 31 May, Lindsay was defied by a synod held in Edinburgh, which refused to receive the Book.¹⁵⁴ Was the bishop trying to pre-empt the agitators and, if so, who were the ones resisting him? John Row believed that the Prayer Book had been brought in prematurely because of deep concern about Edinburgh's reaction.¹⁵⁵ Henry Guthrie, the future bishop of Dunkeld, claimed that, as early as April, a 'consultation' had been held in Edinburgh at the house of that notorious conventicler, Nicholas Balfour. A number of 'matrons' of Edinburgh consulted with Mr Alexander Henderson, representing Fife, and Mr David Dickson, representing the west country, to plan an 'affront to the book'.¹⁵⁶ John Livingstone's information corroborates the idea that ministers were meeting with Edinburgh's leading female nonconformists. He claimed that Lady Binning had told him that she had been advised by some friends to absent herself from the church, but it was in her mind to remain in the church until the hated article was produced, whereupon she would 'rise, and goe out'. Undecided about the best course of action, she went on to ask Livingstone if some of his colleagues might advise her also.¹⁵⁷ If this does not absolutely confirm that some of Lady Binning's friends knew there was likely to be something of a fracas on the day, it certainly shows that Edinburgh inhabitants, during the many months of rumour and speculation, had been giving a great deal of thought to how they might demonstrate their disapprobation of this latest innovation.

The Prayer Book riot did not simply fall out of the clear blue sky of a Scottish summer day. There were clear antecedents which could be traced by contemporaries back to the inception of the Five Articles of Perth and, for some, perhaps earlier. For the radicals who formed the nucleus of resistance to the Prayer Book, the Articles were part of a much bigger issue. They believed that the resurrection of episcopacy was a popish corruption which was defiling their church. William Struthers, who had previously written at least four tracts in support of Crown policy, made it abundantly clear that the two were linked when he told the earl of Menteith in June 1631 that 'o[u]r churce lyes alreddie groning under tuo burdens, the first of the erecting of bishopes the uthr of kneiling'.¹⁵⁸ Men of Cathkin's stamp had been involved in religious dissent since the

¹⁵² Baillie, i, 6, 17. *Diary of Public Correspondence of Sir Thomas Hope of Craighall 1633-45*, ed. T Thomson (Bannatyne Club, 1843), 55.

¹⁵³ Hope, *Diary*, 61.

¹⁵⁴ Stevenson, *Scottish Revolution*, 59.

¹⁵⁵ Row, *History*, iii, 408.

¹⁵⁶ *The Memoirs of Henry Guthrie late Bishop of Dunkeld 1637-50* (2nd edn, Glasgow, 1748), 23.

¹⁵⁷ Livingstone, 'Memorable characteristics', 348. Lady Binning is identified by Livingstone as an Erskine, but it is not clear who she was; the only obvious candidate, the wife of Thomas, 2nd earl of Haddington and daughter of John, earl of Mar, died in 1635. Balfour, *Works*, ii, 222.

¹⁵⁸ NLS, Wod.Qu.LXXXIV, f.406.

1580s and, although he did not live long enough to see the Prayer Book riot, it is probably safe to assume that he would have been in the front line if he had done. These people, who had been outmanoeuvred by the wily tactics of the king and his advisers, leapt on the Five Articles as a vindication of their position, and proceeded efficiently and effectively to convince the moderate mainstream that this was the case. James's mental horizons had probably stopped at 1610, and his attitude towards those who resisted the Articles displays a man who did not understand how the debate had changed. There was infinite scope for persuasion (of the positive and negative kind) if nothing fundamental was at stake. Bishops, whites, even organs, did not interfere with the very personal relationship between God and his people. Kneeling certainly did.

Edinburgh was undeniably the heart of a nonconformist network which had links in Lothian, Fife, Glasgow and its rural hinterland. This was a formidable alliance, not because of its size, but because of the support they gave one another. People like Mein, Rig and Samuel Rutherford were unshakeable in their conviction that God would take care of his own; whatever trials they had to face were mere tests of their suitability to fulfill His great design. Accusations of schism could confidently be denied because it was Spottiswoode and his ilk who were the separatists. They were the ones who, by enjoining conformity to the Articles, were breaking the fellowship with Christ which was symbolised by and effected through the sacrament. If that made the king a schismatic, then so be it; there was no competition between the word of King James and the Word of God.

Not everybody thought like this. Moderates were still pious and godly men, but they were also pragmatists who knew that there were heavy penalties for upsetting the king. Losing one's job was not just about the worldly concern of having an income and somewhere to live. Many ministers probably believed that their first responsibility was to their parishioners. Putting a personal principle before the community was perhaps seen as rather selfish. The Edinburgh minister David Mitchell, then at Garvock in Fife, took six months of agonising to come to the conclusion that the Perth Articles were not a sufficiently 'weightie and violent cause'¹⁵⁹ to prevent him fulfilling his primary duty of preaching the gospel. These principles, stressing unity and harmony over doctrinal purity, were dismissed by the 'precisians' as a cover for venality or self-interest. Many clergymen probably did want a quiet life, but this did not necessarily make them bad ministers or uncaring pastors.

The continuity of the Perth Articles debate in Edinburgh throughout the later 1620s and early 1630s is evidenced by the pamphlet propaganda, the persistent problems getting people to communicate in the capital and the palpable hostility towards conformist ministers. For Charles I, the answer to these difficulties was more order, not less. For many nonconformists, the future as envisaged *circa* 1633 was a bleak one, prompting a number of Scottish ministers to contemplate resettlement in New England.¹⁶⁰ Their pessimism was, however, ill-founded. The Caroline house had been built on sand, and was steadily being undermined by

¹⁵⁹ ASW Pearce, 'John Spottiswoode, Jacobean Archbishop and Statesman' (PhD thesis, Stirling University, 1998), 323.

¹⁶⁰ Mullan, *Scottish Puritanism*, 37-8.

a rising tide of opposition. While there were certainly other factors in play, the nonconformist community which had coalesced around the issue of the Perth Articles was well-placed to organise resistance. Deep unease at the religious path which the king seemed to be taking was coupled with a genuine fear that, even if the Scottish church was not being returned to Rome, it was being swamped by English practices, which was coming uncomfortably close to the same thing. On 23 July 1637, the church-going population of the capital, some of whom had grown to adulthood within a clandestine sub-culture of dissent, spearheaded a genuinely popular revolt against the Anglicanising, Romanising, corrupting policies of the monarch.

Moderates probably took a pragmatic view of the riot. It would tell the king what his sycophantic bishops and hapless privy councillors had failed to tell him, that the Prayer Book would not be tolerated, that the Perth Articles were odious and that when he got rid of them, everybody could go home reassured that normality would soon be restored. The radicals saw things differently. Struthers had warned Menteith seven years earlier that further 'novations' would spark 'ane new fyre of combustionis',¹⁶¹ and so it proved to be. The Perth Articles were swept away in the general assembly of 1638 and the subsequent parliament. Few mourned their passing. This was not the end of the matter, however, because now the radicals were in charge, and they were determined not to stop until the new Jerusalem had been purged of foul corruptions. So the bishops were intimidated, deprived, excommunicated, then abjured, then declared unlawful. The latter word had far-reaching consequences; bishops could not be lawful in England while they were unlawful in Scotland. Charles, like James, believed that no bishop implied no king. On a scaffold twelve years hence, Charles would ultimately be proved right.

¹⁶¹ NLS, Wod.Qu.LXXXIV, ff.406-8.

The National Covenant and the Bishops' Wars in Edinburgh

The National Covenant remains an iconic document in Scottish culture. Although links have been made with the Declaration of Arbroath,¹ contemporaries would have been more familiar with the influences of George Buchanan and John Knox.² For all its studied vagueness, the Covenant at least hints that loyalty to the monarch is contractual. One of the Covenant's chief architects, Johnston of Wariston, was reading Buchanan in January 1639, and an edition of the *Rerum Scoticarum Historia* came off an Amsterdam printing press in 1643. For John Knox, the contract between monarch and people was a Covenant, which if broken by the monarch, justified resistance to the proper authority. Knox's *History* was re-printed and went into circulation in 1644.³ The Covenant was not just a political statement, however.⁴ In banding together as one nation before God, the Scottish people were claiming to be the second Israel, a chosen nation of the Elect.⁵ This was clearly an advance on the 1581 Confession of Faith, which had been sanctioned by the monarch to make a political statement, although it was renewed and circulated in 1590.⁶ The Covenant of 1596 had been greeted with great effusion of joy by the the General Assembly and sent out to the parishes, but its purpose was limited to a vow of diligence in one's religious life.⁷ Although hardly original in its conception, the National Covenant became 'one of the most profound experiences in Scottish history'⁸ not only because of a vast subscription campaign encompassing people of all social backgrounds, but also through the astonishing ambition of the vision behind it.

In its immediate context, the Covenant had a less elevated purpose. It signified the exhaustion of normal channels of protest and the beginning of a second, more radical, phase which would culminate in a second Reformation, a constitutional revolution and war with the king. To protect themselves from being regarded, and prosecuted, as a rebellious faction, the supplicants drew up a document which banded the entire nation with God. The Covenanting revolution may have been highly conservative in many respects,⁹ but it hinted at real social radicalism, by giving a political voice to a godly nation expressly comprised of 'all his Majesties subjectis of what ranke and quality soevir'. If in practice, the hundreds of copies which circulated in Scotland

¹ Ford, 'Conformity in conscience', 276.

² I would like to thank Roger Mason for his advice on this point.

³ Makey, *Church of the Covenant*, 7. Wariston, *Diary*, 408. HG Aldis, *A List of the Books Printed in Scotland before 1700* (Edinburgh, 1970), nos.1073.5, 1143. Samuel Rutherford also made extensive use of Buchanan. J Coffey, 'Samuel Rutherford and the political thought of the Scottish Covenanters' in Young (ed.), *Celtic Dimensions*, 80. *The Works of John Knox*, ed. D Laing (6 vols, Edinburgh, 1895), ii, 280-82.

⁴ Steele, 'The "Politick Christian"' in Morrill (ed.), *Scottish National Covenant*, 42-3. Lee, *Road to Revolution*, 228.

⁵ Steele, 'The "Politick Christian"', 48, 53. Leslie, *Relation*, 70.

⁶ Calderwood, *History*, v, 90.

⁷ Calderwood, *History*, v, 408, 436-37.

⁸ EJ Cowan, 'The making of the National Covenant' in Morrill (ed.), *Scottish National Covenant*, 68.

⁹ Stevenson, *Revolution and Counter-Revolution*, 232.

were headed with the names of the traditional landed elite, and the Tables were divided into Estates led by the nobility, the Covenant still seems remarkable for its inclusivity.¹⁰

Questions about how the Covenant came into being and its subsequent interpretation have been well rehearsed both by contemporaries and historians.¹¹ What seems less clear is how the Covenant was received by local communities and here, Edinburgh's case is particularly interesting.¹² As a royal burgh and capital of Scotland, the riots of 23 July 1637 placed the guardians of that community, the town council, in a predicament. Along with some of the older bishops, there was no body of people in Scotland who knew better than the town council how the riots had come about. There were fourteen men on the town council of 1636-37 who had been councillors during the last half-decade of James VI's life, when resistance to the Perth Articles had caused so much chaos in the burgh.¹³ Enforcing the Prayer Book in Edinburgh was simply not feasible because the opposition to it was so widespread and well-organised.¹⁴ Although Charles was probably told this,¹⁵ he could not see beyond the narrow political arguments put forward by advisers such as Laud or Wentworth,¹⁶ who did not know Scotland or understand its history of resistance to the Perth Articles. Charles appears to have believed that the Scottish people were not principled objectors, but rebels who wore their religion as a cloak to cover sedition.¹⁷ In keeping with his conviction that the policy was perfectly sound, Charles also came to the conclusion that as the people implementing the Book were at fault, there was no need to withdraw it. This was the predicament facing both town and privy council on 23 August 1637, when Charles made it plain that nothing less than 'a full and quyet sattling of the practise of the service booke' was required.¹⁸

The result was a supplication campaign which was initially focused exclusively on the withdrawal of the Prayer Book.¹⁹ To a certain extent, the attempt to make sense of how the Covenant came into being has partially obscured the indecision and prevarication in those early months leading up to the signing of the

¹⁰ D Stevenson, 'Copies of the Covenant in Edinburgh', in *RSCHS*, xxiii (1989), 259. D Hay Fleming, 'The Subscribing of the Covenant' in WM Bryce, *The History of Old Greyfriars Church* (Edinburgh, 1912), 84. For a subtle variation on this theme, see R Mason, 'The aristocracy, episcopacy and the revolution of 1638' in *Covenant, Charter and Party: Traditions of Revolt and Protest in Modern Scottish History*, ed. T Brotherstone (Aberdeen, 1989), 10, 16, 17.

¹¹ Wariston, *Diary*, 282-331. Spalding, *Memorialls*, i, 85-7. Baillie, i, 56-68. Leslie, *Relation*, 76-83. W Balcanquhal, *A Large Declaration Concerning the Late Tumults in Scotland* (London, 1639). Gordon, *Scots Affairs*, i, 32-46. Stevenson, *Scottish Revolution*, ch.3. Donald, *Uncounselled King*, ch.2. Macinnes, *Making of the Covenanting Movement*, ch.7.

¹² G DesBrisay, '“The civill wars did overrun all”: Aberdeen, 1630-1690' in Dennison, Ditchburn, Lynch (eds), *Aberdeen*, i, 242-47. Steele, 'The "Politick Christian"', 31-2.

¹³ William Dick, Alexander Clerk, David Aikenhead, James Cochrane, George Suittie, Archibald Tod, Andrew Ainslie, John Sinclair, Gilbert Williamson, merchants and James Guthrie, skinner, John Bicked, bonnetmaker, Thomas Weir pewterer, Thomas Weir, furrier and John Pringle, surgeon were on the council between 1619 and 1624. *Edin Recs 1604-26*, 182, 197, 212, 226, 237, 256-57. *Edin Recs 1626-41*, 182.

¹⁴ See Chapter Five.

¹⁵ Stevenson, *Scottish Revolution*, 86-7.

¹⁶ Laud did not understand why the Scots found the changes in worship so offensive. *The Works of William Laud*, ed. W Scott and J Bliss (7 vols, Oxford, 1847-60), iii, 298-99, vi, 457, 493-95, 503, 505.

¹⁷ Russell, *Fall of the British Monarchies*, 207.

¹⁸ *RPCS*, 2nd ser., vol.vi, 521. *Laud's Works*, 494.

¹⁹ *RPCS*, 2nd ser., vol. vii, 700. The petition from Ayr is a good example of the type.

National Covenant.²⁰ Edinburgh town council's official endorsement of the supplication campaign was an important moment in the foundation of the Covenanting regime. If the king had managed to retain the support of his capital, the burgeoning movement would have found it that much more difficult to secure a base from which to organise their campaign. It was also crucial to the legitimisation of the movement in the country at large that Edinburgh, the seat of government, and royal government at that, was on-side; it would be difficult to argue that resistance to the Prayer Book was truly national if the capital held itself aloof. The king also recognised the importance of regaining the capital, and made royal re-occupation of Edinburgh castle a condition of the Pacification of Berwick in June 1639. Given its pivotal status for both the royalists and the Covenanters, it seems worthwhile to look specifically at how Edinburgh town council came to support the Covenant. By doing so, it will be possible to put Edinburgh into a wider political context. In the early years of the Covenanting revolution, the unity of Edinburgh's political elite, despite initial difficulties, gave the regime a stable, reliable home.²¹ The importance of this to the initial military and political success of the regime cannot be underestimated, in the same way that London's backing of Parliament was instrumental in its victory over the king in the first English Civil War.²²

In the immediate aftermath of the 23 July riot both town and privy council appear to have prevaricated in the hope that Charles would have the good sense to withdraw the Book. The town council minutes are silent on the riots, strengthening the impression that the burgh was holding its breath while decisions were made elsewhere. The privy council immediately issued a proclamation on 24 July against anyone criticising the bishops, the clergy, the magistrates or the Book itself. Two of Edinburgh's ministers who had refused to read the Book, Andrew Ramsay and Henry Rollock, were suspended from their duties by the bishop of Edinburgh, while the reader in the High Kirk, Patrick Henderson, was deposed.²³ Despite this activity, the privy council also made it clear that the town council 'must be lyable' for the disturbance 'within thair citie'. This statement suggests that the privy council were distancing themselves from the events of 23 July and were unwilling to take responsibility for restoring order.²⁴

Without the privy council's public support and knowing that the some of the town's more substantial inhabitants had been involved in the disturbances, it is little wonder that the town council proved politely resistant to demands for the 'trying and punishing' of the perpetrators;²⁵ a handful of unnamed servants were warded and then released.²⁶ By the end of July the archbishop of St Andrews was advocating the 'surceasse

²⁰ Stevenson, *Scottish Revolution*, 79-87.

²¹ Compare somewhere like Chester, which became riven by faction in the early 1640s. Johnson, 'Politics in Chester' in Clark and Slack, *Crisis and Order*, 204-9, 212-14.

²² The rise of an influential puritan minority in London has obvious parallels in Edinburgh. Pearl, *London*, 94, 103, 160-72, 197-207, 235-36. J Boulton, 'London, 1540-1700' in Clark (ed.), *Cambridge Urban History*, ii, 339. Brenner's exhaustive study shows that the merchant elite on the aldermanic bench were reluctant to back Parliament. Those seeking reform of church and state within Parliament consequently made alliances with more radical elements who had influence in the larger body below the aldermanic bench, called common council. Brenner, *Merchants and Revolution*, 314-15, 316.

²³ Stevenson, *Scottish Revolution*, 63. Leslie, *Relation*, 4. Spalding, *Memorialls*, 80.

²⁴ *RPCS*, 2nd ser., vol.vi, 483.

²⁵ *RPCS*, 2nd ser., vol.vi, 486.

²⁶ Leslie, *Relation*, 3. Gordon, *Scots Affairs*, i, 11. Spalding, *Memorialls*, 80.

of the service book'.²⁷ On 10 August, nearly three weeks after the riot had taken place, the privy council was still pressing the town council to investigate the tumult, but by this time it was evident that the town council had no wish to see the 'reall performance' of the new liturgy.²⁸ The lack of decisive action in the wake of the Edinburgh riot probably encouraged a copycat incident in Glasgow, when clergymen there tried to read the Book on 30 August. Once again, the involvement of those of 'the best qualitie' meant that Glasgow's magistrates proved as reluctant as Edinburgh's had been to carry out a thorough enquiry.²⁹

If the privy council were disinclined to brave the burgh population's anger, the king had no such qualms. On 18 September, after two months of foot-dragging in Edinburgh, the king sent a letter to Clerk Register John Hay. It stated that in order to ensure 'the peace of that Citie', the town council should 'leitt' and make choice of Hay as their provost. This they duly did, but the council ensured that their customary forms were adhered to as closely as possible.³⁰ Four days later,³¹ on 22 September, the town council proved to be no more amenable than they had been before the king had intervened. They claimed that they had shown willingness 'according to thair powars to contribute in all his Ma[jesty's] services thair best indeavours', and were still prepared to do everything they could to 'mantein this citie in peace quietnes and dew obedience'. Nonetheless, the council confessed that the nobility, gentry and ministers who had congregated in the town had 'so alienated thair myndes that no such assurances can be expected now as formerlie they had' and a petition would be submitted to the privy council accordingly. This was a startling rejection of the king's instructions on the Prayer Book. It surely reflects disaffection not only with Hay's intrusion, but with a long process of increasing royal interference in Edinburgh politics – London also seems to have found that the Crown's 'incessant' demands were undermining its status and prestige.³² At this crucial juncture, Charles had completely misjudged the mood inside the council chamber and alienated the very people his government relied on to implement their policies.

There are indicators that, as supplications against the Prayer Book began to pour into the privy council,³³ there was increasing pressure on town councillors to signify their official disavowal of the Book. By the last week of September, Robert Baillie across in Glasgow knew that 'the whole body of the Towne' was engaged in 'discourses, declamations [and] pamphlets' against the Book. It is evident from Baillie's correspondence, and from the council's own act, quoted above, that its members were being lobbied to give support to the supplicants. Given the size of the capital, and the social standing of some of the leading supplicants, it is unlikely that town councillors could avoid them. The council's difficulties were enhanced by the fact that the privy council was not in a position to support its actions. Its members were too busy trying to gain personal

²⁷ *RPCS*, 2nd ser., vol.vi, 490.

²⁸ *RPCS*, 2nd ser., vol.vi, 489, 509, 510, 515. *Baillie*, i, 18.

²⁹ *Baillie*, i, 20.

³⁰ *Edin Recs 1626-41*, 194-95.

³¹ Wood claims that Hay was absent, but he was not yet technically provost. The old town council were still sitting, but their provost, Alexander Clerk, had died in the first week of August. *Edin Recs 1626-41*, 194.

³² Pearl, *London*, ch.3, especially 105. See Chapter Four.

³³ *RPCS*, 2nd ser., vol.vii, 700-16. There are at least 45 separate petitions listed here from all across Lothian, Fife and the south-west.

advantage out of the deteriorating political situation and its authority had become virtually meaningless. Unity was hardly evident in the town council, either. Hay had been imposed on the council to force their adherence to the Crown's policy, but Baillie suggests that had it not been for his influence, the council would have pronounced against the Book at some time in the second half of September. Even before he officially took up his new position, Hay had become the focus of popular anger at the town council's prevarication. When a committee, sanctioned by the privy council and including Bishop Lindsay, met on 20 September, it was specifically Hay who was harangued by the crowd who had gathered around the Tolbooth. Two days later, the scene was even uglier. Men and women rushed into the committee meeting, refusing to move until the town council agreed to a supplication; this probably resulted in the act of 22 September, quoted above.³⁴

On 26 September, three of the town's bailies, John Smith, James Cochrane and Charles Hamilton, with treasurer James Roughead, met with the privy council. On the previous day, the higher body had ordered the bailies 'to advise upon a dewtifull and satisfactorie answer anent the service book', but they must have convinced their superiors that the Book was a lost cause. As a result of the 26 September meeting, any further action on the Prayer Book was deferred until a petition from the town council, requesting the withdrawal of the Book, had been seen by the king. Another letter was sent to Archbishop Laud by the three bailies and the treasurer. It supported the information given to the king by Traquair and the privy council, by claiming that 'poor ignorant people' were responsible for the disorders in Edinburgh. The council then stated that the 'innumerable confluence' of people had 'diverted' them from their 'former resolution' to implement the Book.³⁵ This must have puzzled the king. If the riot had been a matter of little consequence involving people of little substance, why had the town council been persuaded in their favour?

The official election of the council took place on 3 October and, as was typical of seventeenth-century councils, there was considerable continuity between the bodies elected for 1636-37 and 1637-38. All four bailies remained as ordinary councillors, Roughead was re-elected treasurer, as was the dean of guild, John Sinclair. Three councillors, two deacons and four extraordinary deacons also continued into the following year, which meant that 15 men, nearly half the full council, had been re-elected. There were six men, plus the provost, who had never sat on the council before, but the rest all had some experience. This high level of continuity is worth commenting on in the context of Hay's unpopular promotion. His position must have been extremely difficult because he was working with the very same men who had witnessed the breach of the burgh's liberties occasioned by his nomination. The activity by the council in the last days of September, when there had been no provost present, also suggests that many of these individuals were opposed to any attempt to restore the Prayer Book.

Charles's response to the town council's petition was received on 17 October. It is unlikely that many in Scotland were pleased with its contents. His proclamation not only upheld the Prayer Book, but demanded that those who had come to Edinburgh 'to attend this bussines' leave the town immediately. This indicated

³⁴ Macinnes, *Covenanting Movement*, 164-65. *RPCS*, 2nd ser., vol. vi, 528. *Baillie*, i, 14, 17-18. Leslie, *Relation*, 9-11. NAS, Letter of 22 Sep 1637, Breadalbane Muniments, GD112/39/63/20.

that Charles expected no more petitions on the subject, as his will had been made clear to everyone. It is also apparent that Charles did not regard these petitions as a debate but simply as disobedience and, consequently, Edinburgh would have to be punished. He decided to follow his father's laudable example of December 1596, by removing the Privy Council and Court of Session from the capital until further notice.³⁶ No doubt this was intended to bring forth grovelling apologies from a chastened town council, who would obediently impose the Book without any further difficulties. Unfortunately for the king, this was not 1596. Resistance to Crown policy had taken on a much broader, more sophisticated agenda,³⁷ spearheaded by young men and women who, perhaps like John Pym,³⁸ were not prepared to give Charles the benefit of the doubt on religious issues. In October 1637, trying to overawe Edinburgh was a futile gesture on numerous counts. It gave the impression, as had the Balmerino affair, that Charles was a tyrant who intended to rule without the of his nobles. His actions appeared vindictive, because it was 'hurtfull to all the subjectes' if the Session was withdrawn from the only place it could 'commodiously' be accommodated.³⁹ At the same time, because Charles was not actually there to pressurise or cajole in person, his threats appeared hollow. This was especially so because the the privy council's prevarication in the immediate aftermath of the riot had damaged its authority; it had proved itself incapable of independent action or of influencing the king's demands. In the short term, Edinburgh had little to fear from the removal of a body which had become politically inert.

On 18 October, town and privy council met in their respective chambers in the Tolbooth to discuss the king's instructions. The riot which ensued was probably bigger and better organised than the one on 23 July, since so many more people had flocked to Edinburgh from all across the country in the interim. Their intended target was the Bishop of Galloway, the town's former minister, Thomas Sydserf, who was manhandled by people who were probably once his parishioners. According to the earl of Lothian, a future Covenanter who was in Edinburgh at the time, Galloway narrowly escaped with all his limbs still attached to his torso. Ironically, the other target was Traquair, whose clever tactic of absenting himself from the town when the Prayer Book was actually read, did not prevent him from being almost 'trodne under foote' by the angry mob. Hay, accompanied by the bailies, ventured out of the council house in a vain attempt to persuade the crowd to disperse. Although competition for Edinburgh's least popular inhabitant was stiff that day, Hay was certainly in contention. John Leslie, earl of Rothes claimed that Hay had been double-dealing, promising the people that the Book would be withdrawn while plotting with privy councillors and 'other speciall men in the toun' to have it imposed. When he attempted to return to his own house after the council meeting, the people

³⁵ Gordon, *Scots Affairs*, i, 13. *RPCS*, 2nd ser., vol.vi, 534. Leslie, *Relation*, 12.

³⁶ *RPCS*, 2nd ser., vol.vi, 538.

³⁷ See Chapter Five.

³⁸ For an interesting discussion of the possibility that Charles was never really trusted by English puritans, see C Russell, 'The parliamentary career of John Pym, 1621-9' in Clark, Smith and Tyacke (eds), *English Commonwealth*, 155.

³⁹ Gordon, *Scots Affairs*, i, 20.

he governed swarmed around him calling him 'traitor' and apparently threatening his life. That night, Hay retreated to Leith, 'curseing the Toune of Edinburgh' and vowing never to return.⁴⁰

The active participation of the 'best of the cittye' is probably beyond doubt. Rothes reported that Traquair thought the town council were 'more mutinous then any'.⁴¹ Gordon of Rothiemay claimed that while the political élite had universally condemned the 23 July riot, they were 'the authors of, and actors in' this second, 'more dangerous uprore'. Apparently 'non had been more troublesome than two baillies', who had signed the letter to Laud a few weeks earlier. James Cochrane, John Smith and Charles Hamilton had all put their names to that document, although the absence of their colleague, Andrew Ainslie, hints at divisions amongst the magistrates. Smith and Cochrane went on to become prominent town councillors and members of the Covenanting regime, so it would be reasonable to speculate that these two men were the bailies referred to by Gordon.⁴² Along with two very prominent former councillors, John McNacht and Gilbert Acheson, and another burgess, David Johnston, these men appear to have been instrumental in getting the rest of the council to petition the king for 'dischargeing the service book', restoring the 'common prayers', reinstating the two banned ministers Henry Rollock and Andrew Ramsay and recalling the privy council and Court of Session.⁴³ Not that the councillors needed much persuading. Some members of the crowd 'vowed to kill all within the house unlesse they presently subsigned a paper presented to them'. It is little wonder that 'for feare of ther lyves', they decided to do just that.⁴⁴

After the riot of 18 October, Edinburgh rapidly slipped from the king's grasp. With the provost⁴⁵ reluctant to show himself in the council chamber, the bailies were now in control of the town.⁴⁶ The privy council had obeyed the king's command and sat impotently at Linlithgow, where they could do nothing to prevent the capital being occupied by the supplicants. On 15 November, the movement took a decisive step towards becoming a rival regime by instituting itself into four separate Tables, made up of the nobility, gentry, burgesses and ministers, with representatives from each committee sitting on the fifth executive Table.⁴⁷ Was Edinburgh at the point of no return? Reference to the concluding of the bargain of Broughton 'with his

⁴⁰ *Ancram and Lothian*, i, 94-7. Gordon, *Scots Affairs*, i, 21-4. NLS, Wod.Qu.IX, ff.419-421. Inglis, 'Sir John Hay', 124, 131, 141. Leslie, *Relation*, 13-14, 20-21.

⁴¹ Leslie, *Relation*, 22.

⁴² Hamilton was elected one more time, in 1638, as water bailie of Leith. *Edin Recs 1626-41*, 209.

⁴³ *Edin Recs 1626-41*, 197. Stevenson, *Scottish Revolution*, 72-4. Stevenson claims that about 36 burghs were represented on this document, but an anonymous journal mentions only 22. NLS, Wod.Qu.IX, ff.421v-422r. Leslie, *Relation*, 14. David Johnston was a water bailie of Leith in 1614, but beyond that, it is not clear who he was. He may be the same man who became a burgess and guild brother through his wife in 1594. Was he perhaps related to the influential nonconforming Johnstons, of whom Wariston was one? *Edinburgh Burgess Roll*, 275. Hamilton was elected one more time, in 1638, as water bailie of Leith. *Edin Recs 1626-41*, 209.

⁴⁴ Gordon, *Scots Affairs*, i, 22. Guthrie, *Memoirs*, 29.

⁴⁵ Hay remained in Scotland, and appeared on the privy council where he managed to make a nuisance of himself also. He went to York in March 1639. Inglis, 'Sir John Hay', 140. *CSPD 1638-9*, 628. Guthrie, *Memoirs*, 32. NAS, Letter, 10 Dec 1637, GD112/39/64/15.

⁴⁶ Hay does not appear again in council. ECA, Minutes, vol.xv.

⁴⁷ The movement did not officially use the term Tables until the spring of 1638, and would not mutate into the Committee of Estates until 1639. Stevenson, *Scottish Revolution*, 79. Macinnes, *Making of the Covenanting Movement*, 166-68. *RPCS*, 2nd ser., vol.vi, vii-viii.

Majestic and the Erle of Roxburgh' on 6 September 1637, or the order to lift the king's tax on 13 October,⁴⁸ indicates an expectation that present difficulties would be resolved and things would soon return to normal. By deciding to join the supplicants, Edinburgh had committed itself to a movement which was rapidly moving beyond a mere rejection of the Prayer Book. Key activists were already planning how to pluck out what they considered to be the root of all their problems, the episcopate.⁴⁹

Not everyone in the capital thought that the signing of the supplication was an irreversible step. Edinburgh's historic dependency on royal favour made its position precarious,⁵⁰ and there were people willing to exploit fear of the king's wrath. A disgruntled Traquair told Rothes on 14 November that royal vengeance was highly likely, which may have prompted nervous burgesses to attend a meeting where 'heartie prayers for his Majestic' were a prominent feature of the day's proceedings. At around the same time, the town's commissioners for the supplication of the king, James Cochrane, John Smith and the tailor, Thomas Paterson, requested a meeting of their colleagues to decide what their role now entailed. With unease growing amongst councillors over the likely repercussions of 18 October, Hay saw his opportunity. He attended a meeting in Edinburgh where he 'dealt exceeding earnestlie with some of the Touns men' to separate themselves from 'the nobilitie', and attempted to dissuade councillors from convening to discuss what their commissioners should do next. It was all to no avail, but it is telling that Hay was supported by the venerable dean of guild, Sir John Sinclair, one of the council's most experienced men with a political career dating back to 1610. In the end, only 'sex voyces' sounded against continued representation on the Tables, and on 27 November, the commissioners were commended by the town council for their 'paynes' in keeping the town 'in peace and quyetnes and in dew obedience to his Majesty'.⁵¹

Hay, however, was not going to give up. He was well aware of Edinburgh's fear that if the nobles were given the right set of concessions, the town might become the movement's scapegoat. No doubt royalists were purposely putting about such rumours. Councillors wanted to be convinced that seeking the king's clemency early was not the best course of action and, to this end, Archibald Johnston of Wariston was recruited by the supplicants around the middle of November to prepare a defence of the capital's position. Other legal figures joined him at the beginning of December. This activity reflected heightened tensions in the wake of rumours that Charles's honour could be satisfied only by the sight of Edinburgh's commissioners prostrating themselves before him. Hopes that this unpalatable prospect might be used to break the unity of the town council prompted Hay to risk a rare appearance at a meeting on 29 December. As the stack of petitions on the privy council table grew ever higher, Hay attempted once more to convince the town council to draft a separate document. Hay's proposal posed a serious political threat to Cochrane, Smith and Paterson, who had persuaded their colleagues that they would be protected from the king's anger. To counter the damaging rumours, the three men asked the leading supplicants to meet them and confirm 'their constant promised unione with the Toun'. Also in attendance were William Dick, William Gray and John Sinclair. The presence

⁴⁸ ECA, Minutes, vol.xv, ff.22, 35.

⁴⁹ Stevenson, *Scottish Revolution*, 73, 78. Wariston, *Diary*, 270.

⁵⁰ Makey, *Church of the Covenant*, 153.

⁵¹ Leslie, *Relation*, 29, 31, 32, 33.

of Sinclair indicates that the supplicants were hoping to make a convert of an influential councillor who had expressed doubts on a previous occasion. Their arguments must have worked. In council that day, Hay claimed that key privy councillors had been given a commission to proceed against the burgh, but he was unable to prevail with his colleagues. When it was put to the vote, there was apparently not a single person 'to second the Provost'.⁵²

It is into this context that the idea of the National Covenant needs to be placed. If it can be described as an attempt to 'broaden support' in the light of the 'inadequacies' of an 'elitist campaign', there does still seem to be more to say.⁵³ The point about the Covenant was that support for a campaign against the Prayer Book, and probably the Five Articles too, already existed, across all social levels. By instigating a subscription campaign, that support was harnessed, and ideally broadened, by the community's natural leaders, who also reclaimed the organisational impetus from an unofficial network of ministers, kirk session members and burgesses' wives.⁵⁴ Resistance to royal policy after 1617 had failed in part, but this was not through the inadequacy of a campaign which was demonstrably anything but 'elitist' in its composition.⁵⁵ The normal channels of dissent were customarily controlled by the landed elite, through petitions to the privy council, through pre-parliamentary meetings and through private discussions with the monarch. They had all been closed down by a ruler who was also removed from political discourse in the kingdom. In 1634, Lord Balmerino had been imprisoned, tried, and had narrowly escaped execution for handling, not even drafting, a petition. That would put anybody off the idea of protesting, yet there was Balmerino, undeterred, allegedly coordinating resistance to the Book in April 1637.⁵⁶

On 23 February Archibald Johnston of Wariston, who had already been in consultation with leading town councillors regarding Edinburgh's legal position, agreed to take on the additional 'insupportable burden' of drawing up the National Covenant.⁵⁷ During the five days Wariston took to produce this document, intense efforts were made to ensure that it would be well-received. There was certainly opposition 'amongst the ministrie and barons, and from the great grandies of the lauers'. The Covenant was a huge political gamble, and of questionable legality,⁵⁸ but there was another, perhaps more important, concern – was all the rioting really an attempt overturn the social hierarchy? Another tumult may have occurred on 19 February, only nine days before the Covenant was publicly aired. It followed the king's proclamation affirming his participation in the production of the Prayer Book and discharging all 'meetings and convocations' for the purpose of

⁵² Gray was John Smith's brother-in-law, Chapter Three. Leslie, *Relation*, 52-3. Wariston, *Diary*, 273, 279, 282, 289.

⁵³ Steele, 'The "Politick Christian"', 37. This argument belies the social complexity of nonconformity, and ignores the campaign's roots in the Perth Articles debate.

⁵⁴ Stevenson, *Scottish Revolution*, 57. Stevenson, 'Conventicles in the Kirk', 99-114. Lee, *Road to Revolution*, 223.

⁵⁵ Resistance had prevented the imposition of the Prayer Book, with the canons, in 1617. James concentrated on consolidating the Perth Articles, but Charles clearly intended to advance this agenda. Donaldson, *Scottish Prayer Book*, 32-9. See Chapter Six for nonconformity in Edinburgh.

⁵⁶ Guthrie, *Memoirs*, 22.

⁵⁷ The lower levels of the legal profession was seen as a bastion of nonconformity. Wariston, *Diary*, pp.xi-xii, 295, 307-8. Gordon, *Scots Affairs*, i, 20. Baillie, i, 37, 41. Leslie, *Relation*, 43.

⁵⁸ Stevenson, *Scottish Revolution*, 86.

petitioning against it. If Gordon of Rothiemay did not exaggerate in his account, the incident would show that Edinburgh's swollen population could all too easily be stirred into violence.⁵⁹ Royal proclamations were customarily a solemn affair, but this time there was 'jeiring and laughing' amongst the 'unmannerly sorte' in the crowd. Worse still, some of them appear to have taken the proclamation as an excuse for another riot. Bishop Sydsersf of Galloway, who, remarkably, was still resident in the town, along with the Archbishop of St Andrews and the bishop of Brechin, had their lodgings surrounded by insurgents who wanted 'to hange them upp instantlye'. Rothes broke up the demonstration by telling them 'that if they tooke the lyfe of any of the Bishops' all the nobility of Scotland, himself included, would personally take them to the King 'with ropes about ther neckes'.⁶⁰ Robert Baillie had already made anxious allusions to the St Bartholomew's Day massacres;⁶¹ he was undoubtedly not the only one to conjure the spectre of social upheaval.

The details of the subscription of the Covenant have been well-rehearsed, but its significance for the town of Edinburgh is worth revisiting. It is arguable that, with the signing of that document, which was conducted with strict observance of the proper social hierarchy, the nobility really took control of the movement. Many of the Scottish landed elite had hitherto been cautious in their association with the supplication campaign. The leading supplicants naturally distanced themselves from allegations that the nobility had organised the tumults (and Rothes had acted personally to prevent bloodshed), but if the supplication campaign was to have any credibility it would have to gain the support of local elites.⁶² For Edinburgh's town councillors, the move towards an organised provisional government which these developments represented was a positive one. Their inability to control the capital's inflated population, the probability that some members of the political elite had been involved in the riots and the intrusion of the multitudes into their private proceedings was a serious threat to order, stability and unity in the town. It was also an assault on the dignity of burgh government, which ultimately undermined its authority.⁶³ An indecisive, faction-ridden privy council dominated by ecclesiastical figures compounded the town council's problems, making it difficult for the lesser body to take resolute action. It is telling that on 18 October and again on 19 February, it was not privy councillors who intervened to save the bishops, but leading members of the supplication campaign who knew that bloodshed would only alienate the moderates.⁶⁴ The fact that, on 19 February, Rothes was able to break up the hordes baying for bishops' blood indicated where moral authority now lay in Edinburgh, and the town council were pragmatic enough to recognise this. Regardless of where personal loyalties might lie, the reality was that the supplicants could control the crowd.

⁵⁹ Gordon was critical of the Covenanters and curiously, the incident is not recorded in a contemporary journal which was possibly written by an Edinburgh inhabitant. Gordon, *Scots Affairs*, i, 33-4. NLS, Wod.Qu.IX, f.430. *RPCS*, 2nd ser., vol.vii, 3-4.

⁶⁰ Leslie, *Relation*, 34.

⁶¹ They occurred in France in August 1572. Baillie, i, 23. Balfour, *Annals*, ii, 257.

⁶² Stevenson, *Scottish Revolution*, 79-84. Wariston, *Diary*, 331. Baillie, i, 62. Leslie, *Relation*, 15, 19, 41-2. *Ancrum and Lothian*, i, 96. Gordon, *Scots Affairs*, i, 34. John Spalding claimed otherwise. Spalding, *Memorialls*, 79.

⁶³ Patterson, 'Conflict resolution and patronage', 1. Archer, 'Politics and Government' in Clark (ed), *Cambridge Urban History*, i, 247. Lynch, *Edinburgh*, 3-4, 49.

⁶⁴ J Scally, 'Counsel in Crisis: James, 3rd Marquis of Hamilton and the Bishops' Wars 1638-40' in Young (ed.), *Celtic Dimensions*, 27. *Ancrum and Lothian*, i, 96. Gordon, *Scots Affairs*, 34. Rothes does not mention the incident. Leslie, *Relation*.

Whatever the practicalities of the situation, there was undoubtedly a huge outpouring of zeal for the Covenant in Edinburgh. Witnessing the multitudes flocking to the churches on 28 February and 1 March to add their names, some allegedly drawing 'ther owne blood' in place of ink,⁶⁵ both Traquair and Spottiswoode decided that the Prayer Book was finished.⁶⁶ The privy council all but acknowledged the hopelessness of their own position and in the first week of March, finally sent a representative to Court in order to impress on Charles that nothing short of the complete withdrawal of the Book would pacify his kingdom.⁶⁷ The town council were still treading carefully, however. It was at Wariston's behest that the council met on 24 March to ratify the proceedings of their commissioners, Cochrane, Smith and Paterson. In keeping with the spirit of the Covenant, the town council's act claimed that all their actions had been carried out 'in ane legall way' for the glory of God and the 'honour of the king's Majestie thair dread soverayne'. The council also specified, in a reference to the 1581 Confession of Faith, that they were 'renewing' the Covenant. This act was clearly carefully worded, as the Covenant had been, in order to reassure moderates about the intentions of the supplicants, but on this occasion the council appear to have been preaching to the converted. Curiously, only thirty-one neighbours met with the magistrates and town council that day, in contrast to the 388 individuals who gathered to denounce the Engagement a decade later. It is not clear what can be inferred from the small numbers present, or the fact that it was nearly a month after the first signing of the Covenant before the town council officially mentioned it.⁶⁸ All the neighbours present were former councillors. Some of those present, namely John Fleming, David Jenkin, Edward Edgar, Robert Meiklejohn, Peter Blackburn and Richard Maxwell, were prominent either as councillors during the 1640s, or as active participants in the Covenanting regime.⁶⁹ Was the Covenant so popular that a show of solidarity was needless? As the burgeoning regime was not hostile to the council, in the way that the radical faction of September 1648 would be, there was nothing to prove to higher powers. This suggests that the meeting was either a mere formality to satisfy the anxieties of the commissioners and Wariston's legal mind, or a gathering of the faithful to plan future policy. The absence of three key figures of the 1640s, John Jossie, John Binnie and John Pearson, is surprising,⁷⁰ but it is possible that as none of them were sitting councillors they were out of town on their own business.

⁶⁵ Gordon, *Scots Affairs*, 45. Wariston, *Diary*, 322.

⁶⁶ Stevenson, *Scottish Revolution*, 86-7.

⁶⁷ *RPCS*, 2nd ser, vol.vii, 9-11. The archbishop of St Andrews' letter appears to have been instrumental in convincing the privy council to adopt this attitude. *RPCS*, 2nd ser., vol.vii, 7.

⁶⁸ *Edin Recs 1626-41*, 201. Wariston, *Diary*, 322, 329. Wariston stated that the burgh commissioners signed on 1 March, and the people of Edinburgh on 2 March. The commissioners signed officially for the burgh but it is likely that individual councillors also added their names the next day. *Scottish Historical Documents*, ed. G Donaldson (new edn, Glasgow, 1997), 191-94. Copies then circulated in Edinburgh. A copy signed by the skinners on the curiously late date of 18 August was headed by the usual nobles and gentry, followed by Cochrane, Smith and Paterson in their capacity as Edinburgh's commissioners. Several ministers' names came next, with Ramsay and Rollock first. ECA, Accession 617, Covenant signed by the Skinners of Edinburgh, 18 August 1638.

⁶⁹ ECA, Minutes, vol.xv, f.50.

⁷⁰ Jossie was prominent on the finance committees of the Covenanting regime. Binnie also served the regime and, like Pearson, sat on the town council for most of the 1640s. See Chapter Nine. Young, *Scottish Parliament*, 53, 56, 59, 205, 210.

After the displays of 'heavenly harmony' amongst Covenanting townspeople, and after the delights of the communion 'celebrat purly' in Edinburgh for the first time in twenty years,⁷¹ there was still serious work to be done. Although Baillie noted with satisfaction that Edinburgh 'continues constant',⁷² the capital's position was more precarious than ever. The Covenant did not make war inevitable, but it certainly increased that possibility. Not only was the Scottish Covenant an affront to royal authority, but it also threatened to incite those Englishmen who were 'Scotized in all their Practises' to agitate for change in the Anglican church.⁷³ By the spring, reports were reaching London that the Covenanters were quietly acquiring muskets and powder, while numerous nobles, namely the marquis of Douglas, the earl of Abercorn and Lord Sempill, were allegedly arming.⁷⁴ Of course it must have been apparent to all that the king's primary war aim would be the occupation of Edinburgh and its castle.⁷⁵

Despite this threat, Edinburgh seems to have been a little tardy in the business of defending itself, as it was 22 June before a visit to the armoury, 'to separat the muskettis according to thair bore', was made. Over the summer, the town council made further preparations in anticipation of the need to stockpile arms.⁷⁶ Edinburgh, however, was not simply a convenient depot for the Covenanting regime. Its well-connected international merchants possessed vital commercial contacts with northern Europe. This enabled the Covenanting regime to mobilise and equip a relatively poor country which had not seen serious warfare on its own soil for 70 years (and even David Calderwood was not old enough to remember that). Weapons were undoubtedly making their way into Scotland directly from Scandinavia and from the Low Countries, via the Scottish staple at Campvere. Despite the fact that Charles I was Christian IV of Denmark-Norway's nephew, Scottish ships were still travelling virtually unimpeded through his waters from the Baltic. Although the number of ships reaching Leith in 1638-39 was less than half that of the previous year, it is telling that twenty-six ships came from Norwegian ports – five more than Campvere.⁷⁷

These same mercantile channels could also be used to acquire and disseminate information. Scottish propaganda was certainly being smuggled into England via the Low Countries by at least the early months of

⁷¹ Wariston, *Diary*, 330-31, 334. NLS, Wod.Qu.IX, 433r.

⁷² Baillie, i, 64.

⁷³ Russell, *English Civil War*, 35, 49, 111. P Heylyn, *Cyprianus Anglicus or The History of the Life and Death of William Laud* (London, 1668), 328.

⁷⁴ Donald, *Uncounselled King*, 67-8. Baillie, i, 65.

⁷⁵ M Fissel, *The Bishops' Wars: Charles I's campaigns against Scotland 1638-40* (Cambridge, 1994), 5-6.

⁷⁶ *Edin Recs 1626-41*, 204, 205, 206.

⁷⁷ More work on this subject is needed. S Murdoch, 'Scotland, Scandinavia and the Bishops' Wars, 1638-40' in AI Macinnes and J Ohlmeyer (eds), *The Stuart Kingdoms in the 17th Century* (Dublin, 2002), 114-120. Swedish assistance was aided by the personal friendship between Alexander Leslie and Chancellor Axel Oxenstierna, while Scottish merchants were influential in Denmark-Norway, S Murdoch, *Britain, Denmark-Norway and the House of Stuart, 1603-1660* (East Linton, 2000), 91, 93, 96, 101, 106. EM Furgol, 'Scotland turned Sweden: The Scottish Covenanters and the Military Revolution, 1638-51', in Morrill (ed.), *Scottish National Covenant*, 134-48. See also NAS, Hamilton papers, GD406/1/967. Analysis of the accounts and letters of the Paris factor John Clerk shows that Edinburgh merchants had links with Paris, Bordeaux, La Rochelle, Dieppe and, notably, London in the 1630s. NAS, Clerk of Penicuik Papers, GD18/2367 and 2368. ECA, Accounts for Building and Repairing of Churches, 1635-47. See also *The Journal of Thomas Cunningham of Campvere*, ed. EJ Courthope (SHS, 1928). For shipping, see ECA, Merk of the tun compts, Accounts of the Building and Repair of Churches, 1635-47, anno 1637-38 and 1638-39.

1638, which the English government was aware of, but struggled to counteract.⁷⁸ Their attempts to do so throw up some revealing examples of Edinburgh merchants actively using English contacts to acquire information. John Fleming was elected to the town council in 1638, where he sat for four years, and was possibly the same man who had been prosecuted for nonconformity in the 1620s. In the summer of 1638, the English government intercepted an intelligence addressed to Fleming from an unnamed correspondent, in cipher, describing the king's military preparations.⁷⁹ Later, in the spring of 1640, the future provost James Stewart became involved in the machinations of the 'unscrupulous' English peer Lord Savile, who was also acquainted with Robert Baillie.⁸⁰ There is also a possibility that John Smith was exchanging letters with parliamentarians in 1638 and, if so, was well-placed to sit as a member of the peace negotiations which began in the autumn of 1640.⁸¹ Anglo-Scottish connections worked for the royalists too, of course. In June 1638, a ship hired by the wealthy merchant Patrick Wood was found to be carrying musket and powder into the country.⁸²

The mood in Edinburgh appears to have been one of fevered excitement during the summer of 1638, when the Covenanters began serious efforts to secure the acceptance of their agenda through a legally sanctioned parliament and general assembly. By this time, anecdotal evidence implies that anyone who objected to the Covenant had fled the capital and its menacing atmosphere.⁸³ Unsurprisingly, members of the episcopate were largely confined to their homes after the October riot, although a reference to the Archbishop of St Andrews reading prayers unmolested in the capital in November shows that ill-will against the bishops was by no means universal.⁸⁴ It also suggests that the episcopate were not going to allow their estate to be overthrown without a fight. Spottiswoode's withdrawal to London shortly after 1 March, lamenting that all his efforts over the past thirty years had been 'thrown down at once', was not intended to be a permanent removal, as he was in back in Scotland before the Glasgow General Assembly.⁸⁵ The former minister of Edinburgh, John Maxwell, bishop of Ross, probably went with him and they were joined by Bishop Sydserf on 7 April, ostensibly to enlist support at Court.⁸⁶ Gordon of Rothiemay claimed that people who (bravely or

⁷⁸ *CSPD 1637-38*, 358, 564.

⁷⁹ *CSPD 1637-38*, 524-25. Robert Baillie also reported on English military activity in September. *Baillie*, i, 109. Sir Henry Vane told Hamilton about military preparations in June, NAS, Hamilton Papers, GD406/1/7543. After Fleming's death, his widow, Christian Hope, loaned 1,000 merks in May 1643 for the army in Ireland. *RPCS*, 2nd ser., vol.vii, 435.

⁸⁰ Savile had forged a letter from leading English parliamentarians asking the Scots to invade England in August 1640. Stevenson, *Scottish Revolution*, 188, 205-6, 213. *The Coltness Collections*, ed. J Denniston (Maitland Club, 1842), 1, 14, 19, 28. His later involvement with Robert Baillie can be found in V Pearl, 'Scotch 5th Columnists' in AEJ Hollaender and W Kellaway (eds), *London IIistory* (London and Edinburgh, 1969), 317-20.

⁸¹ *CSPD 1637-38*, 529-30. BL, Minutes of the Council at York, Harl.Ms.457, ff.1-2.

⁸² On the whole, the royalists do not seem to have been nearly as adept at exploiting such links as the English parliamentarians. Brown, 'Edinburgh merchant elite', 397-98. Leslie, *Relation*, 133.

⁸³ Gordon, *Scots Affairs*, i, 45-6.

⁸⁴ NAS, Letter, 29 Nov 1637, GD112/39/64/11. The bishop of Brechin had tried to read the Prayer Book in his diocese but had been resisted.

⁸⁵ Guthrie, *Memoirs*, 35.

⁸⁶ Laud, *Works*, iii, 547. NLS, Wod.Qu.IX, 433r. Hamilton advised Ross and Brechin against attempting to return in June, but Spottiswoode and Lindsay were back in Edinburgh by August. NAS, 17 Aug 1638,

foolishly) remained in the town without subscribing the Covenant were 'threatned and beatne', but the normal course for ministers seems to have been deprivation.⁸⁷ Edinburgh's first casualty was Mr Robert Rankin, a professor at the town's college, on 24 August. His colleague, Mr John Brown, lost his post twelve days later. Although it was the town council who held the patronage of the college, it seems more likely that the two men were forced out by their more zealous brethren;⁸⁸ there had been disputes over appointments to the college in the 1620s, when the Crown had been keen to plant conformist regents there.

A vivid demonstration of Edinburgh's loyalty to the Covenant was staged on 10 June when the king's commissioner, James, 3rd Marquis of Hamilton, arrived in Scotland. It was estimated that 20,000 people lined the mile-long road from Leith Links to the Watergate, at Canongait, where the magistrates of Edinburgh waited for Hamilton's arrival.⁸⁹ He found the town bursting at the seams with people 'all in armes', who had 'stopped' their ears to all his attempts to dissolve them.⁹⁰ Two days previously, the town council had written to Hamilton's Dalkeith residence to ask if they could attend him at Holyroodhouse, whereupon the commissioner pointedly replied that he was willing to do so, if the council showed themselves to be 'masters and governors of there ain toun and wald behave themselves as good subjects'.⁹¹ The event was a powerful expression of popular approbation for the Covenant which may have been entirely peaceable, but was still clearly intended to intimidate. Such a self-conscious display also reveals Covenanting insecurity about how long their unity might last once the king mounted a serious challenge to the new order in Edinburgh. At the end of May, rumours that Dalkeith was being fortified for the royalists prompted fears that the capital's own stronghold could be used against the town. To this end, the Covenanters asked the council to take measures against such a possibility, and a watch was established. A special guard was placed on the Castle when Hamilton arrived to prevent him providing it with supplies, although at this early stage the Covenanters were reluctant to take the provocative step of ousting its small, demoralised garrison.⁹²

The difficulty for the Covenanters, having established control of the capital, was maintaining support. There was a danger that while they worked for a parliament and general assembly, the popular element might grow tired of waiting and take matters into their own hands – this had been narrowly avoided on 19 February, and again on 4 July, when news of a royal proclamation resulted in 'multitudes of people' filling the streets, 'with ther swordes pulled out of ther beltes' and with 'syd pistolls' displayed.⁹³ The return of the privy council and

GD406/1/630, petition of the bishops, GD406/1/661 and Hamilton to the bishops of Brechin and Ross, 26 Jun 1638, GD406/1/699.

⁸⁷ Gordon, *Scots Affairs*, i, 45. This was happening elsewhere, NAS, bishop of Edinburgh to Hamilton, 19 Nov 1638, GD/406/1/660.

⁸⁸ *Edin Recs 1626-41*, 207. Baillie, 110-11.

⁸⁹ Leslie calls it the Canongait Port; the Netherbow was the entrance from Canongait into Edinburgh and would have been known as such. Leslie, *Relation*, 115. Guthrie, *Memoirs*, 37. H Arnot, *The History of Edinburgh* (Edinburgh, 1779), 114.

⁹⁰ NAS, Hamilton to Laud, 7 Jun 1638, GD406/1/553.

⁹¹ HMC, *Duke of Hamilton Manuscripts, Supplementary Report*, ed. JH McMaster and M Wood (London, 1932), 46-7.

⁹² Scally, 'Counsel in Crisis', 28-9. Stevenson, *Scottish Revolution*, 94. Leslie, *Relation*, 115, 131. *Edin Recs 1626-41*, 203.

⁹³ Gordon, *Scots Affairs*, i, 75.

session the previous day, and the announcement that the Canons and Prayer Book would be withdrawn, prevented violence on that occasion, but the Covenanters needed to show that they could deliver on their promises within an acceptable timeframe. Four days later, the desired general assembly and parliament were allowed by the king; presumably because Charles was buying time to prepare a military force, he did not object to the conventions being held in Glasgow and Edinburgh respectively.⁹⁴ The popular mood remained volatile during the autumn; in October, the uncovenanted Aberdeen minister Mr William Ogston was 'manhandled' by a group of Edinburgh women.⁹⁵

Preparations for the coming general assembly, which sat in Glasgow on 21 November, focussed on anti-episcopal propaganda – 'Spotiswood, full of Spots indeid!' was one of the kinder insults⁹⁶ – and on asserting lay dominance of the agenda through the manipulation of the appointment of commissioners. This was effected by essentially sending the representatives of the Tables, who had convened in Edinburgh in advance, to the general assembly.⁹⁷ During this time, the Edinburgh presbytery acted as a vital spiritual and disciplinary guide for the rest of the country. Even before the General Assembly sat, there appear to have been moves to have the Edinburgh minister David Mitchell barred from his pulpit. In July, he had been physically shut out of his own church, as had his colleagues Alexander Thomson, James Elliot and David Fletcher, and their efforts to continue in their calling were subsequently thwarted.⁹⁸ This must have been exacerbated, if not actively encouraged, by the preaching of the Covenanting ministers Andrew Ramsay and Henry Rollock. The latter's sermons were so popular that on at least one occasion it was impossible to get everyone into the Greyfriars' church and the service was held in the kirkyard instead.⁹⁹

Not everyone was happy with the authoritarian role the Edinburgh presbytery and its ministers had taken upon themselves. Objections were raised when the Tables gave in a petition to the presbytery requesting them to begin proceedings against the bishops on 24 October 1638. The document had been signed by two of the town's councillors, John Smith and Richard Maxwell, with John Hamilton, who may have been the nonconformist prosecuted in the 1620s. Once the assembly had convened, 'up strode James Cochrane and Thomas Paterson' to demand a commission in Edinburgh to proceed with the work of the assembly after its dissolution. This primarily involved depriving recalcitrant ministers. It appears to have been the presbytery by another name, justifying Gordon's sardonic comment that 'as the Presbytrye of Edinburgh pyped, so the rest of the Presbytryes daunced'.¹⁰⁰

⁹⁴ Stevenson, *Scottish Revolution*, 95. Scally, 'Counsel in Crisis', 24, 28.

⁹⁵ Baillie, i, 76.

⁹⁶ NLS, A Caveat for Scotland, Ms.1939, f.28. This is only one example from the collection.

⁹⁷ Stevenson, *Scottish Revolution*, 104, 106-8, 114, 127. Gordon, *Scots Affairs*, i, 100, 118, 120, 133-34, 187. Wariston, *Diary*, 381, 384. Baillie, i, 100.

⁹⁸ Gordon, *Scots Affairs*, i, 124-25, ii, 50, 163, 169. Wariston, *Diary*, 367. NAS, John Spottiswoode to Hamilton, 9 Aug 1638, GD401/1/677.

⁹⁹ Wariston, *Diary*, 381.

¹⁰⁰ Mullan, *Episcopacy in Scotland*, 188. Gordon, *Scots Affairs*, 127. Wariston, *Diary*, 396, 404. Balfour, *Annals*, ii, 298-99, 307. Spalding, *Memorials*, 116. NAS, the bishops and ministers to Hamilton [autumn 1638], GD406/1/405 and Traquair to Hamilton, 10 Jan 1639, GD406/1/996.

Unfortunately, the absence of the Edinburgh presbytery records means that it is not possible to find out which of the town's burgesses were attending these proceedings and, as a consequence, the part played by leading lay Covenanters from the burgh remains rather shadowy. On 3 October, with John Rind voting in place of the provost, John Hay, a new council was elected. As Guthrie pointed out in rather unflattering terms, it was William Dick's vast financial resources which made him such an obviously attractive candidate as Hay's replacement, and there were great hopes of his selection amongst the Covenanting faithful.¹⁰¹ Dick had other political advantages to recommend him which were no less important. He was already an experienced councillor (unlike James Stewart, who became provost a decade later) and he had solid nonconforming credentials which had not compromised his political career, as had happened in the case of William Nisbet.¹⁰² Like the new provost, the rest of the council did not reflect any radical departures from the councils of the 1620s and 1630s. While John Smith, James Cochrane and Edward Edgar were radicals, they were not new to burgh government and were balanced by the presence of notable conservatives, such as John Sinclair, John Trotter and James Roughead.¹⁰³ It is no surprise that none of the latter were sent to the General Assembly. Cochrane and Paterson, who had already proved their worth as commissioners to the Tables, were elected on 13 October 'with full powar and commissioun ... to treat reassone voite and conclud in all maters'.¹⁰⁴ Likewise, when parliament met on 15 May, John Smith and Richard Maxwell, who had also been early participants in the supplication campaign, acted as the town's representatives.¹⁰⁵ The fact that Edinburgh's political élite were, in the early years, reliable supporters of the Covenanting regime not only ensured that the capital was a secure home for the new government, but encouraged other burghs to be equally loyal.

In the aftermath of a general assembly which abjured not only the Prayer Book, but the Perth Articles and episcopacy, Edinburgh's fidelity became all the more essential to the survival of a regime which had to counteract internal as well as external opposition. War costs a lot of money, and the only people in Scotland who could quickly raise the enormous sums required lived in the capital.¹⁰⁶ 'We wer much oblidge to the Toun of Edinburgh for moneyes' pithily sums up the relationship between the Covenanting regime and its leading burgh. In June, the provost and bailies of Edinburgh were implored to use their considerable social and political influence to extract gold and silver from their friends, which was then 'struck into money'. Edinburgh's tireless ministers were only too eager to assist, and in August 1639, the 'neighbours' of

¹⁰¹ NAS, 1 Oct 1638, GD112/39/67/14. A folk memory repeated by Sir Walter Scott claims that Dick's fortune was put into sacks and emptied out of his windows, to be carted to the army at Duns. Recounted in TC Smout, *A History of the Scottish People, 1560-1830* (Glasgow, 1969), 169.

¹⁰² Nisbet had died in 1639. See Chapter Three.

¹⁰³ Sinclair had expressed doubts in the early stages of the Prayer Book campaign. Trotter and Roughead had given money for new communion plate which carried an image of Christ kneeling. See Chapter Two. *Edin Recs 1626-41*, 208-9. Guthrie, *History*, 55.

¹⁰⁴ *Edin Recs 1626-41*, 209.

¹⁰⁵ *Edin Recs 1626-41*, 261-17.

¹⁰⁶ Charles I's military problems in 1639 and in 1640 were greatly exacerbated by the slowness with which his revenues came in to the exchequer and were recycled to the ordnance office. Fissel, *Bishops' Wars*, 94, 106-10, 111-19.

Edinburgh were exhorted to 'shake out their purses', which produced the tidy sum of 'ane hundreth thousand pounds' – Wariston predictably thanked God more effusively than his fellow inhabitants.¹⁰⁷

William Dick's seemingly bottomless financial reserves turned him into the archetypal Covenanter, and by the conclusion of the Bishops' Wars in October 1640, the former provost was the regime's biggest creditor, indebted to the value of £474,126 19s 7d.¹⁰⁸ Other less famous Edinburgh merchants also gave material assistance to the Covenanting regime in these early years. John Smith's donation of £10,000 sterling (£120,000 Scots) and David Jenkin's assiduous acquisition of armaments meant that they were exempted from a proclamation offering pardons to all Scots who rejected the Covenant (as were Henry Rollock, Wariston and, not surprisingly, David Calderwood).¹⁰⁹ Some did not possess these resources but were still keen to show their generosity. The records pertaining to the voluntary taxation of January 1639, which was received by Smith, show that despite an order to the contrary, 115 people offered to pay sums over and above their valuation. The usual suspects were there, of course. Laurence Henderson offered £99 for 'powder he sauld', John Mein gave £16 and John Fleming gave £13 6s 8d. There were also six individuals with the note 'voluntar' against their names, which suggests that they gave a contribution even though they were not taxpayers.¹¹⁰ It was just this kind of support which led the copyist of an English pamphlet to make a telling correction. In the 'Confutation of the Covenaut', there was mention of an unnamed 'Ringleader of the faction' opposed to the king, but when stating where that faction was based, the word 'Scotland' was scored out, and 'Edinburgh' written in its place.¹¹¹

Awareness that Edinburgh would prove to be the gateway to the rest of Scotland was noted on both sides. Royal warships were sent to the Firth of Forth in October to blockade Leith, while Scottish ships were impounded wherever they could be located. Although the royalists had some success in this project, vessels continued to dodge the blockade.¹¹² It soon became abundantly clear that weapons and munitions were making it into the capital in considerable quantities. At the end of November 1638, having found his ends thwarted in the Assembly, Hamilton had returned to Edinburgh where 'he fand the same not onlie in a grate sturre, bot the castell therof stronglie gaurded'. This stance was taken to its natural conclusion on 21 March, when a small force from the town's companies, led by Sir Alexander Leslie of Balgonie, took the citadel 'in halfe ane hour' without firing a single shot.¹¹³ The outlook was gloomy according to Sir John Coke, who was

¹⁰⁷ D Stevenson, 'Financing the cause of the Covenants, 1638-51', *SIIR*, li (1972), 94. *Baillie*, i, 213. *Wariston's Diary and other papers*, 55-6, 98.

¹⁰⁸ Guthrie, *History*, 55. Stevenson, 'Financing the cause of the Covenants', 98.

¹⁰⁹ Stevenson, *Scottish Revolution*, 128. *CSPD 1639*, 80.

¹¹⁰ Stevenson, 'Financing the cause', 89. ECA, Town Treasurer, vol.vi, anno 1638-39, 12. ECA, Baillies' Accounts, 1299-1318.

¹¹¹ The Ringleader supposedly 'publicly preached the king to be a Papist'. Could the writer have meant Henry Rollock? BL, Alphabet of Arms, Add.Ms.267,091, ff.15-30.

¹¹² In July 1639, Edinburgh petitioned the Danes to have a ship returned to its master. It had been laden with supplies for Scotland. Murdoch, *Britain, Denmark-Norway*, 99-101. Russell, *Fall of the British Monarchies*, 77. Fissel, *Bishops' Wars*, 23. *CSPD 1639*, 127-28, 139-40.

¹¹³ Balfour, *Annals*, 317, 321. *CSPD 1638-39*, 628. Guthrie, *History*, 52. *Baillie*, i, 195. Munitions intended for the troops who took the Castle had apparently come through the Danish-controlled Sound, Murdoch, *Britain, Denmark-Norway*, 105.

in company with those Scottish royalists, including Sir John Hay, who were attending the king at York. They had obviously given out that they would be able to build 'a great party' for Charles in Scotland, but Coke noted that as they had found 'no confidence of their stay at home', his Majesty's 'power and wisdom', rather than the machinations of private individuals, would bring the Scots to obedience.¹¹⁴ Meanwhile, Edinburgh town council concentrated on defensive measures. In a rare display of cooperation, the advocates, writers and senators of the College of Justice agreed to concur with the council in March 'for the commoun defence and preservatioun of the religioun and liberties of the Kingdome'. Regiments were mustered in the town that same week. On 15 May, the urgency of the situation prompted the council to elect sixteen men to meet twice daily, although military affairs were put into the hands of Colonel Ludovic Blair.¹¹⁵ As it turned out, the anticipated war turned out to be little more than a stand-off just outside Kelso in June 1639, but the Pacification which followed would have a profound impact on the capital.

The debates which began on 6 June and concluded in the Pacification of Berwick led to a series of verbal assurances. Subsequent disagreements about the nature of those assurances appear to have collapsed the peace process. There is a distinct impression on the Scottish side that the king had exploited both the Covenanters' genuine desire to reach a settlement and their worry about royalist activity in the north-east.¹¹⁶ Some of these promises clearly related to the relinquishing of Edinburgh Castle and the fortifications at Leith, which the Covenanters agreed to hand over to the king, to the disgust of the population of the capital. The marquis of Huntly's younger son, Viscount Aboyne, had been troubling the Covenanters in Aberdeenshire but, after the Pacification, he took himself to Berwick, via Edinburgh. In the wake of the conditions of the Pacification becoming public in the capital, Aboyne (apparently in keeping with his character), managed to provoke a crowd of women, who chased him down the High Street wielding their cooking knives. Unhappily, Traquair yet again seems to have been caught up in this mischief, although he came off better than his footman, who was hauled away and beaten up. Justice General William, Lord Elphinstone was also in the wrong place at the wrong time. He was kidnapped and held until 'a lusty dame' made him sign the Covenant, whereupon he was released unharmed and forced to repeat the exercise by the women in the street. Once again, 'some gentleman Covenanters' came to the rescue of these unpopular individuals. A barber and a 'wyfe at the Netherbow' were apprehended but do not seem to have been prosecuted, although the town council felt the diplomatic situation was sensitive enough to warrant sending 'some of the burgesses' to apologise at Berwick. The magistrates, apparently at Traquair's behest, were not amongst them.¹¹⁷

The necessity of placing Edinburgh Castle in royalist hands was articulated by its reluctant royal governor, Muster-Master General Patrick Ruthven, Lord Ettrick. His professed aim after his arrival in late June 1638

¹¹⁴ This picture was corroborated by another source. *CSPD 1638-39*, 628. *CSPD 1639*, 180.

¹¹⁵ A squabble broke out between college and council over the Annuity Tax. See Chapter Two for the history of this controversial tax. *Edin Recs 1626-41*, 214, 215, 220. Gordon, *Scots Affairs*, ii, 207, 237-38, 250.

¹¹⁶ Gordon, *Scots Affairs*, ii, 16. *CSPD 1639*, 630.

¹¹⁷ Sir James Hamilton and George Hay, 2nd earl of Kinnoull also seem to have been caught up in the fracas. *Baillie*, i, 219-20. Gordon, *Scots Affairs*, ii, 282, iii, 24, 27, 30. *CSPD 1639*, 371, 375.

was 'the dividing of Edinburgh from the rest of the kingdom'.¹¹⁸ The people of the capital evidently had different ideas because Ettrick was jeered and jostled by several hundred people on his way up the High Street, as was Hamilton a few days later.¹¹⁹ Ettrick busied himself with attempting to supply the castle, which had been stripped of virtually all its victual and ammunition, but it seems that even the soldiers put at his disposal, allegedly by Traquair, were as keen on the Covenant as their civilian brethren in the town.¹²⁰ Charles thought it was entirely reasonable for Ettrick to bombard the town into supplying him with victual 'at reasonable prices', but he seems to have been reluctant to do this and as a result found himself paying 'excessively' for his provisions. The town council were ordered by the king at the end of December 1639, and several times thereafter, to assist the governor but they were understandably reluctant to do so. Ettrick claimed that William Dick, re-elected provost for another year in October 1639, 'pretended' that the 'common people' were 'apt to mutiny' in order to justify his tardiness, although some supply appears to have made it into the castle at the beginning of February. His work continued to be hindered, however, and throughout the spring, Ettrick was beset by sabotage and desertions; when a part of the Castle wall which had only just been repaired promptly collapsed again, the governor suspected that the workmen were in connivance with the same townspeople who were impeding the delivery of supplies. In January 1640, Ettrick despondently told the king he had no friends but God and 'your Sacred Majesty' to rely upon. Charles continued to express his confidence in Ettrick's ability to 'go on cheerfully'.¹²¹

A council act of 4 April 1640, which implemented measures 'for opposing of all invasioun',¹²² indicates that the town's attitude towards the castle had been decisively informed by the imminency of the king's renewed attempts to subdue Scotland by force. The town council were in a difficult position. Its members did not want to disobey the king while there was still officially a truce in place, although this did not prevent them sending a disgruntled letter expressing their irritation that 'the tower of our defence under your Majesty is turned into a terror against us'.¹²³ More importantly, if they did not help Ettrick arm the castle, he had been given permission to bombard Edinburgh but, by acquiescing in his demands, they were effectively assisting Ettrick to do just that. Perhaps the council hoped that the breach between the Covenanters and the king could be repaired and the governor would have no need to attack the town. So although the council did enable Ettrick to supply the citadel, their efforts were sufficiently dilatory to warrant the governor's exasperation with Edinburgh's 'seditious burghers'. By the spring of 1640, even these efforts began to falter, and the council were clearly turning a blind eye to the sabotage campaign being waged by the capital's inhabitants.¹²⁴

¹¹⁸ CSPD 1639-40, 121, 483. *Ruthven Correspondence: Letters and Papers of Patrick Ruthven, Earl of Forth and Brentford, and of his family. AD 1615 - AD 1662*, ed. WD Macray (London, 1868), p.xvii.

¹¹⁹ CSPD 1639, 349-50, 355.

¹²⁰ CSPD 1639, 408-9.

¹²¹ CSPD 1639, 374. CSPD 1639-40, 121, 360, 440, 468, 470, 481, 544-45, 576-77, 583, 594-95. Gordon, *Scots Affairs*, iii, 87, 99. *Ruthven Correspondence*, 27, 28, 29-30, 39, 43-4, 45, 47. *Edin Recs 1626-41*, 231, 234, 236. Guthrie, *History*, 60.

¹²² *Edin Recs 1626-41*, 236.

¹²³ CSPD 1639-40, 469. It has been wrongly placed at CSPD 1638-39, 477-78. Gordon, *Scots Affairs*, iii, 99.

¹²⁴ On 11 March, Ettrick complained bitterly about his conditions, 'notwithstanding my often sending to the Provost about it'. CSPD 1639-40, 544-45. *Ruthven Correspondence*, 60, 61, 64.

After a winter of prevarication on what to do about the castle, the town council seem to have decided to take action in February 1640. Before 8 March, councillors and other members of the Estates had resolved to lay 'seidge' to the castle, whereupon the bailie Stephen Boyd was sent to ask Ettrick if they might 'raise a mound for securing a particular part of the town'. When this was denied, the council went right ahead with their plans, which Ettrick construed as an attempt 'to block me up, having already denied me anything by daily provision'. Soldiers were reputedly being levied not only to watch the town, but actively defend it.¹²⁵ Batteries were raised by the town in front of the castle itself, in the fields to the north-west and around the West Kirk, in Greyfriars churchyard and at a site just north of Trinity church. Houses on Castlehill were turned into defensive stations by filling them up with earth and horse-dung – there is no record of how the inhabitants felt about this. Most spectacular of all was the council's decision to erect an elaborate trench system, made of 'great high traverses of earth ... in maner of blynds' all the way up the High Street. These 'traverses' were intended to be 'canon prooffe' so that the people could go about their daily business unhindered by the inconvenience of being shot at.¹²⁶

The miniature civil war which broke out between the royalist-held castle of Edinburgh and the Covenanted burgh lasted from around the middle of April until 22 September 1640. Although Ettrick does seem to have been reluctant to fire upon the town, fear of an imminent bombardment was bound to raise tensions. Those who had the means to do so began to vacate Edinburgh around the time the defensive works began to go up. As some of these people tried to leave with their worldly possessions in tow, they were surrounded by 'a multitude of the cittizens' who tried to hinder their progress 'in a tumultuary way'. In the fracas, the advocate Sir Lewis Stewart¹²⁷ and David Carnegie, 1st earl of Southesk, who had been sent to negotiate with Ettrick, were seized and held in 'some of the magistratts houses'. A number of others who had not signed the Covenant were also apprehended, including the former Edinburgh minister, Mr James Fairlie, Mr Robert Burnet, advocate and brother of the famous Gilbert, Mr James Gordon, keeper of the signet, Mr James Farquharson, Hamilton's lawyer and Sir Thomas Thomson of Duddingston. They were all released after the intervention of the magistrates calmed the situation, although the price of their freedom was the addition of their signatures to the Covenant. As ever it was 'the unruly multitude'¹²⁸ who were blamed when the kidnapped gentlemen were persuaded to write letters to the king, which also exonerated the magistrates of Edinburgh.

Ettrick's campaign to 'disturbe the peace of the towne of Edinburgh' began in earnest during the middle weeks of April 1640. As cannonfire flew over the capital, the council decided on 4 May that the 'exigencie of the tyme' demanded that the 'hail nictboures' convene every Tuesday after sermon.¹²⁹ Over the course of the summer, various attempts were made by the Covenanters to penetrate the Castle's fortifications; it may have been badly supplied and garrisoned, but it was still one of the most formidable strongholds in Scotland.

¹²⁵ CSPD 1639-40, 528-29, 554, 555. Gordon, *Scots Affairs*, iii, 125-26.

¹²⁶ Gordon, *Scots Affairs*, iii, 127-28. CSPD 1639-40, 554, 576-77. CSPD 1640, 99-100.

¹²⁷ Stewart's daughter Jean was Wariston's beloved first wife. *Wariston's Diary*, pp.xiii-xiv.

¹²⁸ Gordon, *Scots Affairs*, iii, 126-27. *Edin Recs 1626-41*, 241.

¹²⁹ CSPD 1639-40, 61. *Edin Recs 1626-41*, 239.

A particularly ludicrous and desperate scheme to dig underneath the foundations, plant mines, and blow a passage into the Castle predictably failed. As the castle was positioned on top of a plug of volcanic basalt, it was hardly surprising that over twenty individuals were killed, none of whom were inside the Castle.¹³⁰ At the end of July, the town council were still resolute in their belief that the Castle could be starved into surrender, and they reserved 600 soldiers from the recently formed Edinburgh foot – the capital was the only burgh to supply its own regiment during the 1640s – ‘for bloking up of the castle’.¹³¹ Yet at the height of these hostilities, Charles suddenly (and uncharacteristically) became the focus of brief accord; when Ettrick was given sight of the king’s warrant for a parliament, by pulling it up the walls with a piece of string, wine was also conveyed to him so that Ettrick and the Covenanting nobles could drink a toast to the king’s health.¹³²

In the end, neither side actually won in Edinburgh, and the peaceful resolution of the situation was dictated by events elsewhere. The Scottish victory at Newburn on 28 August 1640 was decisive, not because it was a major battle, but because the very fact it was little more than a skirmish meant that the English force had been humiliated. Negotiations which began at Ripon, then transferred to Westminster, rendered the campaign in Edinburgh irrelevant – Ettrick could do a great deal of damage in Edinburgh but if an English army was not on its way to relieve him, the exercise was pointless. Just over two weeks after Newburn, articles of surrender were drawn up which enabled Ettrick to make an honourable retreat and preserve the safety of some 300 soldiers, their wives and children, their pastors, surgeons and workmen.¹³³ On 15 September, Ettrick marched out of the Castle ‘with colours flying’, protected all the way to Leith by the aforementioned 600 soldiers, otherwise the people of the ‘good town’ would have ‘torn them to pieces’. He was in Berwick by 22 September, and travelled on to York where he was reputedly found to be ‘full of scurvy’.¹³⁴

It is not clear how many people Ettrick managed to kill in the capital. Balfour thought that about 200 lives had been lost by September, but another source suggested nearly 1,000.¹³⁵ Lives were irreplaceable, but the strong bargaining position which the Scots found themselves in at York, particularly because some of their opposite numbers had already expressed sympathy for the Scottish cause,¹³⁶ encouraged the commissioners to press for financial remuneration. The batteries for the defence of the town, the ‘running trenches’ across the High Street, the fortifications at Leith, repair of the town walls and ‘satisfactione to the parties whose groundes, gardings and houses wer demolished’ amounted to £7,166 13s 4d sterling.¹³⁷ The guard for the

¹³⁰ Gordon, *Scots Affairs*, iii, 200. *CSPD 1640*, 190-91, 297, 361, 479.

¹³¹ Furgol, *Regimental History*, 50. *Edin Recs 1626-41*, 242.

¹³² *CSPD 1640*, 313.

¹³³ *CSPD 1639-40*, 544-45. *Ruthven Correspondence*, 64-6.

¹³⁴ Balfour, *Works*, ii, 402. *CSPD 1640*, 111, 135-36.

¹³⁵ Balfour, *Works*, ii, 402. *Ruthven Correspondence*, p.xxvi. Michael Ernley, Governor of Berwick, had been told of 80 deaths by June. *CSPD 1640*, 312.

¹³⁶ Robert Greville, Lord Brooke, Robert Devereux, earl of Essex and Francis Russell, earl of Bedford, were members of the royal commission. BL, Minutes of the Council at York, 1640-41, Harl.Ms.457, ff.1-2.

¹³⁷ It is not clear whether these sums are in £ Scots or sterling. The sums are relatively low, however, and are recorded in an English source, which suggests they are in sterling. BL, Negotiations of Scotch Commissioners at Westminster 1640-41, Stowe.Ms.187.

town cost a further £10,500 sterling, while the losses caused by the stoppage of trade was estimated at £50,000 sterling.¹³⁸ The total bill amounted to £514,128 sterling – an enormous £6,169,536 Scots. There is no direct evidence as to whether all this money actually ever found its way back to the people of Edinburgh; at least one woman called Janet McDull was paid £33 by the town council in 1642 for the loss of her crop on the burgh muir during this time.¹³⁹ As the English parliament never fully paid the ‘freendlie assistance’, approved on 22 January 1641, it seems unlikely that everyone whose property was damaged received compensation.¹⁴⁰

A further sum of money, amounting to £72 293 15s, was requested by the Scots at Westminster to cover the cost of the ‘generall regiments’. In 1639, Edinburgh town council did not officially provide men and its main role appears to have been as the collective financier of the regiments which were sent to the north of England. The College of Justice did provide its own regiment, perhaps to avoid being taxed for the provision of the one headed by Sir Alexander Gibson of Durie and Sir Thomas Hope of Kerse. It consisted of 270 musketeers and 160 pikemen, who acted as a ‘well appalled’ lifeguard to General Alexander Leslie, earl of Leven, between March and June 1639. A smaller force was reformed under Durie in July 1640, which became renowned for its frequenting of Newcastle’s brothels during the campaigns in the north of England. Kerse also led a reduced regiment of foot which was probably made up low-ranking Edinburgh lawyers. Both these bodies were disbanded in August 1641. In October 1640, the town of Edinburgh had raised its own regiment, under Durie; nothing is known about it apart from its extensive arrears. It has been estimated that casualties during the Bishops’ Wars were light, amounting to little more than 1,000 dead on both sides, and there is a good chance that a substantial proportion of these men returned alive to Edinburgh.¹⁴¹

The Bishops’ Wars were not, it seems, a catastrophe for the town of Edinburgh. There had been loss of life, the interruption of trade had clearly cost Edinburgh’s merchants a great deal of money, and many properties must have been damaged during the four-month bombardment. Crucially, however, Edinburgh’s political structures remained stable and the authority of the town council was not permanently damaged by the riots of 1637. During the summer of that year, while the town council was fundamentally out of tune with a large body of the population, many of whom were socially significant individuals, Edinburgh was extremely difficult to control. The role of the privy council was very important here; during the crisis of the 1620s, the intelligent, perceptive mediation provided by the senior body had saved the town from political disintegration. As with the lesser body, unity underpinned the ability to govern effectively. During the 1630s, the privy council’s authority was compromised by personal ambition. The bishop of Ross and the earl of Traquair were more interested in how the Prayer Book could advance their own positions than on working to match the king’s demands to the community’s needs. As a result, they did not attempt to unite the rest of the

¹³⁸ BL, Stowe.Ms.187, ff.31-2.

¹³⁹ ECA, Town Treasurer, vol.vi, anno 1641-42, f.31. The accounts for 1639-40 and 1640-41 are missing.

¹⁴⁰ Stevenson, ‘Financing the cause’, 98. BL, Stowe.Ms.187, f.33.

¹⁴¹ Fissel, *Bishops’ Wars*, 24-5, 28, 58. Fissel’s figures suggest no more than a few hundred Scots in total were killed during the Bishops’ Wars. C Carlton, *Going to the Wars: The Experience of the English Civil Wars, 1638-51* (London, 1992), 204. Furgol, *Regimental History*, 28, 50, 57-8. Baillie, i, 213. Wariston’s *Diary and other papers*, 36.

council behind their respective positions.¹⁴² On 23 July, the privy council was not exactly caught off-guard – nonconforming activity could barely be called clandestine during 1636-37 – but did fail to grasp the significance of what had happened. The riot was intended to show that the Prayer Book would not be accepted in Edinburgh, but if Charles continued to insist on its enforcement, the privy council was left without a policy. There was no negotiation possible on Charles's uncompromising position. This left the town council uncomfortably isolated. With a mob outside the council house and a king far away in London, it is little wonder that the town council opted to support the supplicants.

As John Walter has pointed out in relation to seventeenth-century food riots, public disorders did not necessarily indicate a rejection of the existing regime, and opposition to the Prayer Book conforms to this idea.¹⁴³ Once the town council agreed (under extreme duress) to support the supplication campaign, there were no further assaults on their authority. The persistent targets of popular anger were very particular people. One was the former conformist minister of Edinburgh, Thomas Sydserf, who may have thought that the bishopric of Galloway was due recompense for his sufferings during the 1620s. The other was Traquair, who was probably perceived to be the man who should have stood up to the bishops in the first place. More importantly, the town council realised that, in these uncertain times, unity had to be maintained at all costs. Hay's machinations during the second half of 1637 threatened to undermine the council by dividing it against itself, and it is telling that once he had been literally driven out of town, there were no more open expressions of dissent or defection amongst that same body of people.

The harmonious cooperation evident within the council once it had joined the supplication campaign was partly a response to an external threat – invasion – but there was another important component. Ironically, because the privy council had been removed, the possibility of competing loyalties was also removed, and this enabled the restoration of an acceptable hierarchy of power. By November 1637 at the latest, when the Tables formally came into being, the supplication movement was well-placed to fill the power vacuum. Moral authority was the bedrock of the legal right to enforce laws, and it is apparent that, as far as the crowds on the streets were concerned, the word of the earl of Rothes carried more weight than that of the king's councillors. People in Edinburgh seem readily to have accepted the Tables as a replacement for the privy council, although the aggressive subjugation of Aberdeen in 1639 shows that this was not automatically the case in other parts of Scotland.¹⁴⁴ The genuine popularity of the supplication campaign, and the sense that it was morally valid, even if this meant war with the king, is apparent in the level of support its leaders could rely on in Edinburgh. It is evident in many of the reports, hostile or otherwise, that this support was not just amongst the type of people who could always be relied on to enjoy a good riot. Nonconformity had infiltrated the highest levels of burgh society¹⁴⁵ and, if Wariston is to be believed, the town council had few difficulties

¹⁴² Lee, *Road to Revolution*, 185, 192, 196, 201.

¹⁴³ J Walter, 'Grain riots and popular attitudes to the law' in J Brewer and J Styles (eds), *An Ungovernable People: The English and their Law in the Seventeenth and Eighteenth Century* (London, 1980), 60.

¹⁴⁴ DesBrisay, '“The civill wars did overrun all”' in Dennison, Ditchburn and Lynch (eds), *Aberdeen*, i, 247-54.

¹⁴⁵ See Chapters Two and Five.

encouraging their friends to part with their cash. Of course there was pressure, and those who did not join the campaign had a hard time in the capital, but this should not diminish the fact that zeal for the cause was genuine at many levels of the burgh community.

With war looming from the spring of 1638, the Covenanting regime was obviously reliant on Edinburgh's vast material resources and its international mercantile networks. Just as crucial was Edinburgh's role as a secure base from which the regime could coordinate its efforts. In return, the town council was essentially left to its own devices. This was an important departure after a decade of increasing royal interference in Edinburgh's affairs, which reached its apogee with the king's placement of Hay as provost in September 1637. In 1648 the government, controlled by a minority of Covenanting radicals, would once again seek direct intervention in the town's business. Until then, Edinburgh would enjoy complete autonomy within its own jurisdictions, an enhanced political profile and the more ephemeral quality of believing itself to be a capital, not just the provincial seat of a rubber-stamping executive.¹⁴⁶

It is important to reiterate, however, that the Covenanting movement could have been smashed as quickly as it had come into being if the king's army had been victorious in June 1639. The very idea of the Covenant was not an expression of boldness, but of insecurity in the face of the king's wrath. Rothes, Balmerino, Wariston and their clerical friends were in a similar situation to the Lords of the Congregation in 1559, in that they were forced to justify a position of open opposition to the proper authority. After the signing of the Covenant, Hamilton was stating the obvious (not advocating a course of action) when he told the king that Scotland would not fall into obedience, 'except it be by force'.¹⁴⁷ Once king and Covenanters began to mobilise, the Scots attempted to bolster their position by convincing the English that God had brought the two countries together as Protestant sister-nations.¹⁴⁸ In Scotland, the Covenanters seem to have had considerable success convincing people that they were defending the country, not attacking the king – this contrasts with 1559, when a small group of men committed to Protestant reform confessed that it was hard to get people to rise up against the proper authority.¹⁴⁹ It obviously says something about the extent to which evangelical Protestantism had penetrated society across Lowland Scotland, but it also indicates a deep sense of alienation from the king and his Scottish government. The Covenanting regime managed to put in motion a propaganda juggernaut which ran over the top of doubters, prevaricators and outright opponents, enabling a truly radical programme of reformation which most people would not otherwise have embraced. Yet the fundamental theory behind the Covenant, the protection of religion, kingdom and king¹⁵⁰ was truly popular in Edinburgh, even if making sense of these ideas would prove impossibly difficult in practice.

¹⁴⁶ Edinburgh's political profile is discussed more fully in Chapter Seven.

¹⁴⁷ NAS, Hamilton to Laud, 4 Jun 1638, GD406/1/552. Scally, 'Counsel in crisis', 29.

¹⁴⁸ More work is needed on this subject. Russell, *Fall of the British Monarchies*, 43-4, 61-3, 69, 96-7. The culmination of this vision was the 1643 Solemn League and Covenant.

¹⁴⁹ *Calendar of State Papers relating to Scotland and Mary, Queen of Scots, 1547-1603* (13 vols, Edinburgh, 1898-1963), i, 240.

¹⁵⁰ *Scottish Historical Documents*, 199.

For Edinburgh's population, the Covenant seemed to promise a heady cocktail of religious assurance, a renewed sense of a cohesive burgh community and national self-expression. For the town council, it ensured that they would not be abandoned as soon as the king's men appeared over the Cheviots. As a corporate body, the town council supported the supplication campaign because they had no choice and it could be argued that the best was made of a bad situation. The failure of the royalists to make a convincing case for the loyalty of Edinburgh's political elite points to the importance of consent in local government – Hay's experience showed that the king's authority had distinct limits if there had been disregard for customary forms and traditional consultation processes. The Covenanting leadership recognised this, and although, as will be shown in the following chapter, Edinburgh burgesses were not at the heart of decision-making, the regime worked hard to ensure that leading local figures were consulted and that the town's interests were protected. Charles thought he really could 'write and it is done';¹⁵¹ Edinburgh expected to write and be acknowledged, and without this essential process of mediation, the town council were unable to support the king.

¹⁵¹ Lee, *Government by Pen*, p.vii.

Politics in Edinburgh, 1640-52

The 'humiliating' terms which the king was forced to accept at Ripon during the first weeks of October 1640 did not signify anything more to Charles than a temporary setback – his Scottish subjects were still 'rebels' in his eyes – but it was clearly a watershed for the Scots.¹ In Covenanting circles, the years since the Prayer Book riot had been marked by expediency and opportunism, as Scotland was pushed by necessity into resisting their king. Defence was the watchword of the campaigns known as the Bishops' Wars, as much because the Scots did not actually have any long-term agenda,² as for a politic need to gain and maintain support on both sides of the border. The negotiations which began at Ripon then transferred to Westminster changed all that, because now that the Scots were in a position to make demands, they had to have something to ask for. From this point until the Cromwellian invasion of 1651, the Scottish agenda remained both simple, despite the complexity of their actions, and consistent, although it certainly did not appear so to contemporary Englishmen. The vague 'eighth demand' summed up their desire for 'a stable and well-grounded Peace, for enjoying of our Religion and Liberties, against all fears of molestation and undoing'.³ This 'perfect amitie' could only be achieved through the creation of 'one religione' throughout the British Isles.⁴ Faced with a thorough programme for a total overhaul of their church, many Englishmen maintained that the export of Scottish discipline would 'rob us of ours' and make them 'greater slaves' than they had been under Charles.⁵

Edinburgh was actively involved in this enterprise and, as a consequence, political events in the town would be profoundly affected by that hopelessly, wonderfully ambitious attempt to impose 'the Scottishe way' of doing things on mighty England.⁶ The huge debt (in the most literal terms) which the Covenanting experiment owed to Edinburgh has never been fully explored; the capital had blown the Scottish powder-keg, but, after that, Edinburgh really escaped relatively lightly in comparison to those places all across the three kingdoms which found themselves repeatedly tramped over by numerous armies.⁷ This is particularly so during the 1640s, when the assumption, albeit largely well-founded, is that Edinburgh's political elite fell

¹ J Kenyon with J Ohlmeyer, 'The background to the civil wars in the Stuart kingdoms' in J Kenyon and J Ohlmeyer, *The Civil Wars: A Military History of England, Scotland, and Ireland 1638-1660* (Oxford, 1998), 31, 38. Russell, *Fall of the British Monarchies*, 207.

² John Morrill has argued that the Covenanters did not see their problem in British terms and that it was 1640 before they considered exporting their revolution. J Morrill, 'The Covenant in its British Context' in Morrill (ed.), *Scottish National Covenant*, 14-16, 20. This impression is supported by David Stevenson's work. Stevenson, *Scottish Revolution*, 212, 214, 220-21.

³ Stevenson, *Scottish Revolution*, 215.

⁴ BL, Negotiations of the Scotch Commissioners at Westminster 1640-41, Stowe.Ms.187, ff.41-2.

⁵ BL, Proceedings in parliament 1620-41, Add.Ms.28,011, f.47.

⁶ BL, Nicholas Papers, Eg.Ms.2,533, ff.160-62.

⁷ G DesBrisay, '“The civill wars did overrun all”: Aberdeen, 1630-1690' in Dennison, Ditchburn and Lynch (eds), *Aberdeen*, 247-61. C Carlton, *Going to the Wars: The Experience of the English Civil War, 1638-51* (London, 1992), chs. 3, 7, 8, 9, 11.

dutifully in line behind the Covenanting regime.⁸ Yet surely this in itself is a remarkable development, given the disintegration of the town's finances and the concomitant upsurge in taxation. Was Edinburgh, political elite and population alike, so committed to the word of the Covenant, which was in itself so vague as to be open to dispute from the very outset, that no hardship was too much to endure? Political activity in Edinburgh between the conclusion of the Bishops' Wars and the English invasion merits closer analysis, because as both James and Charles had been aware, if the Covenanting regime could not get Edinburgh to cooperate, the rest of Lowland Scotland was almost certainly a non-starter.

Although the capital was now so deeply embroiled in the revolution that the destruction of the regime would inevitably become Edinburgh's disaster, the government was not secure in the rest of Scotland. The north-east was still proving difficult to subdue,⁹ while doubts about the legitimacy of resistance against the monarch were beginning to coalesce in the person of James Graham, Marquis of Montrose, during the second half of 1640.¹⁰ A remarkable religious and constitutional revolution had been instigated in the wake of the Prayer Book crisis,¹¹ but it was critical that the regime did not, through the heady distractions present in England, neglect the necessity of securing its position within Scotland. The unique committee-based system of government, which came into being in 1640 to govern the country between full parliamentary sessions,¹² was heavily reliant on a small, dedicated core of personnel who could be relied on to safeguard the Covenanting agenda from dilution or usurpation by more conservative men. John Young has pointed out that the burgesses made up a loyal phalanx of the regime capable of providing a vital reserve of manpower.¹³ Nonetheless, throughout the 1640s, only a handful of the burgesses who sat on the Covenanting committees could be called prominent and they were predominantly drawn from Edinburgh.

During the 1640s, a total of twenty-two Edinburgh men participated in Covenanting government, and six of them were members of the political elite.¹⁴ It would not be credible to assume that all of these Edinburgh merchants were the principal voices heard in the meeting chambers. Archibald Sydsersf may have attended 96 per cent of the meetings held in February and March 1646, but it seems unlikely that he would have been conversing on equal terms with the marquis of Argyll or John Lindsay, 1st earl of Crawford-Lindsay. William Dick's presence may have been ubiquitous,¹⁵ but most of the information relates to his complex financial dealings. This in itself must have consumed so much of his energy that policy-making may have

⁸ Work on the contribution of Edinburgh's elite to Covenanting committees confirms this. Young, *Scottish Parliament*.

⁹ DesBrisay, "The civil wars did overrun all", 254-55.

¹⁰ Stevenson, *Scottish Revolution*, 205, 224.

¹¹ The best account of the parliaments and general assemblies of 1638-40 is Stevenson, *Scottish Revolution*, 114-22, 163-77, 190-98. See also Young, *Scottish Parliament*, chs.1 and 2.

¹² Stevenson, *Scottish Revolution*, 195.

¹³ Young, *Scottish Parliament*, 238. Recent research has confirmed that the burghs and shires were never part of the same estate, and suggests that increased taxation in the later 16th century intensified the identities of the separate estates, J Goodare, 'The estates in the Scottish parliament, 1286-1707', *Parliamentary History*, xv (1990), 11, 19-20.

¹⁴ Appendix, Table 8.

¹⁵ Young, *Scottish Parliament*, 75, 89, 115-16, 161, 215, 232, 265. *APS*, vol.vi, pt.i and vol.vi, pt.ii, see under Dick.

been gratefully left to others. As Chapter One described in more detail, most of these men had neither the time nor the money to involve themselves in high-level government for more than a year or two. John Binnie was on the commission for regulating the common burdens, the commission for the brotherly assistance, and two financial sub-committees between 1641 and 1643, but after that he disappears from view.¹⁶ Although these men were absolutely vital to a regime which had to find new, efficient ways of raising money, most of the roles fulfilled by the burgh estate related to financial committees.¹⁷ In reality, only two Edinburgh merchants can be identified as consistent contributors to high-level political decision-making. There may have been a 'thorough transformation of government within Scotland' but it was still pinned on a hierarchical political community dominated by a handful of the nobility.¹⁸

The only two Edinburgh merchants who sat regularly on the committee of estates, rather than just on financial committees, were John Smith and James Stewart.¹⁹ John Smith was already in the process of making a political career for himself when the Prayer Book crisis occurred. He had served at least six, and possibly seven times, on the town council before 1639, including twice as a bailie, but other than appearing as an ensign bearer during a wapinshawing in 1625,²⁰ he does not appear to have been a key figure. What probably guaranteed Smith's prominence during the 1640s were his religious credentials. Smith had publicly fallen out with the minister and future bishop of Edinburgh, William Forbes, in 1624, hinting at a sympathy for nonconformity. When the Prayer Book riots occurred, he grabbed the opportunity. In October 1637, after the second riot, Smith was campaigning for the withdrawal of the Prayer Book. While this may genuinely reflect Smith's religious feelings, as a town councillor he was probably well aware of the way the wind was blowing on the streets of the capital. In 1639, Smith was on a committee supplicating for a parliament, which also included James Cochrane, John Sinclair, Edward Edgar, William Gray and James Roughead.²¹ In the later 1640s, Smith's dual commitment to nonconformity and his career would express itself through a close association with the radical faction after September 1648.

James Stewart was a more obscure figure. Unlike most of the other members of the political elite, Stewart became a burgher and entered the guild in 1631 through his wife, a niece of Sir Thomas Hope of Craighall. Apart from reputedly acting, as captain of the town guard, to prevent popish peers entering the Tolbooth

¹⁶ Young, *Scottish Parliament*, 44-45, 53, 56, 59.

¹⁷ For example, John Binnie sat on the commission for regulating the common burdens, Edward Edgar, John Jossie, David Wilkie and John Smith consulted anent the excise, and Robert Lockhart and James Stewart sat on the committee for monies. Young, *Scottish Parliament*, 44-5, 53, 56, 59, 105, 127, 156, 157, 160, 169, 274, 294.

¹⁸ AI Macinnes, 'The Scottish Constitution 1638-51: The rise and fall of oligarchic centralism' in Morrill (ed.), *Scottish National Covenant*, 106.

¹⁹ A case could be made for Archibald Sydsarf, who seems to have allied himself with the interests of the Marquis of Argyll from 1644, although he remained active during the Engagement crisis. He does not rival either Stewart or Smith in terms of his political profile. Young, *Scottish Parliament*, 89, 107, 121, 152, 155, 161, 179, 205, 209, 308. Guthrie, *Memoirs*, 178-79.

²⁰ The problem with Smith is his name, as it is difficult to distinguish him from the other John Smiths who were merchant burghers in Edinburgh. A John Smith appears on the town council in 1626 but disappears again for four years. *Edin Recs 1604-26*, 269.

²¹ Richard Fleming, Richard Maxwell, Robert Meiklejohn and Thomas White also supplicated for a parliament in 1639. *Edin Recs 1626-41*, 197, 198, 222, 236.

during the king's visit of 1633, Stewart's political profile before the 1640s was limited. He had never sat on the town council prior to 1641, when he was also nominated to sit on a committee, made up of Edinburgh merchants, to consider trade with England. If it was Stewart's uncle, the Treasurer Depute and Justice-General, Sir James Carmichael who encouraged him to become involved in public affairs, Stewart may well have possessed the kind of social connections which put him in the right place at the right time.²² He is said to have been a 'good friend' of one of the Covenanting movement's most influential thinkers, Mr Alexander Henderson, who became a minister in the burgh in 1639.²³ A 'Mr James Stewart' is also mentioned in the papers of another Edinburgh merchant, John Clerk, who married William Gray's fourth daughter, Mary, in 1647. During the 1630s, Clerk had been acting for numerous Edinburgh merchants, including John Smith, John Byres, Peter Blackburn, William Dick and Dick's son, Lewis.²⁴ Although Stewart was not himself a major political figure, he may have been promoted by more influential people. At the very least, there is a suggestion that the expansion of a centralised government during the 1640s, which increasingly required a dedicated corpus of bureaucrats, presented new opportunities to men from less conventional backgrounds.

What is interesting here is not so much how Edinburgh figures contributed to the Covenanting regime, for this has been comprehensively analysed already,²⁵ but how the unprecedented political profile of these men impacted on local government. In general terms, the 1640s certainly opened up the political scene in Edinburgh, primarily because there was no longer a single dominant figure (the king) acting as the only viable channel of patronage. There were four different men who sat as provost in the ten elections between 1640 and 1652, two of whom were Smith and Stewart. As will be seen, their participation in the Covenanting regime correlated closely with their role on the town council. Archibald Tod was provost in the mid-1640s and attended the committee of estates in 1647, but he was almost exclusively an Edinburgh figure.²⁶ The surprising fourth man is Alexander Clerk, who replaced William Dick as provost in September 1640, yet he had been closely allied to defunct royal religious policy during the 1620s and 1630s. Why was he chosen?

By the time of his re-election in September 1640, Clerk was an old man,²⁷ with a network of political allegiances forged over almost four decades. Clerk was clearly one of the most experienced councillors in Edinburgh, with a history of attendance at parliaments and the Convention of Royal Burghs. Familiarity with the operation of the town council over many years would have been a sufficient reason to elect him, but during a period dominated by delicate negotiations with the king and careful cultivation of potential friends in

²² The trade committee came about as a result of the brief peace after the 2nd Bishops' War and the king's visit to Scotland that summer. *Edin Recs 1626-41*, 253. *The Coltness Collections*, ed. J Denniston (Maitland Club, 1842), 1, 14, 18, 19.

²³ Henderson died in 1646, before Stewart was made provost. 'Diary of Mr Robert Douglas with the army in England' in *Historical Fragments 1635-1664*, ed. J Maidment (Edinburgh, 1833), 78.

²⁴ Although the designation 'Mr' meant a graduate in Scotland, English and French merchants appear to have used the term without any particular precision. NAS, Account Book of John Clerk, GD18/2367, nos.4, 11, 23, 28, 29. NAS, Letter Book of John Clerk, GD18/2368, nos.17, 35, 40, 41.

²⁵ Young, *Scottish Parliament*, appendices, 332-37 and index. *The Government of Scotland under the Covenanters 1637-1651*, ed. D Stevenson (SHS, 1982), appendix 8, 193-98 and index. Young (ed), *Parliaments of Scotland*, index.

²⁶ Young, *Scottish Parliament*, 184, 188.

²⁷ Clerk became a burgher in 1602, suggesting he was in his sixties by 1640.

England, Clerk's experience was more relevant than ever before. By the autumn of 1640, the bombardment of Edinburgh had killed hundreds and supplying the Scottish army camped in the north of England was causing problems. The Scots were consequently keen to make a settlement.²⁸ By selecting Clerk as provost, the political elite at local and national level were making a conciliatory gesture towards the king, but they must also have been aware of the need to create a better working relationship with Charles if a permanent peace was to be secured. Covenanting loyalists were not sidelined, however, and Clerk's provostship was balanced by the presence of men who had supported the supplication campaign from the beginning, notably Dick, John Smith (who was a bailie), Thomas Paterson and James Cochrane.²⁹

The need for a safe pair of hands, as well as someone who was not obnoxious to the king, was realised when Charles visited Scotland for the second time in his life in August 1641. It must have been a humiliating 'homecoming'³⁰ for the king, where in between extensive bouts of praying and sermonising, Charles was forced to ratify the legislation enacted in the Scottish parliaments held since 1638.³¹ It was evident that Charles did not see this as his definitive statement on the matter, however, and his plotting while in Scotland made a mockery of the 'infinite paynes' he apparently took to 'pass fayre with this people'.³² He was also clearly intending to buy the favour of leading Covenanters by offering them pensions and titles – William Dick and John Smith, councillors again in 1641, were knighted – which succeeded in irritating the royalists.³³ Nonetheless, the king evidently remained the very epicentre of British politics and Edinburgh no doubt considered it prudent, as he was actually in town, to elect as provost someone who was well-regarded by their monarch.

Clerk's merits were not simply related to keeping the king happy, as he was re-elected in 1642. It is not at all clear, from a political viewpoint, why this should have been so. The regime's insecurity was manifested in divisions over how to proceed against 'Incendiaries' and 'Plotters', but this needs to be counter-balanced by the increasing consolidation of government committees in the hands of the radicals led by Balmerino, Argyll and Cassillis. Between the end of 1641 and the middle of 1643, Scottish politics was dominated by the outbreak of the Irish rebellion (October 1641) and the English Civil War (August 1642).³⁴ In this turbulent climate, the choice of the experienced Clerk seems less strange. Edinburgh was once again called upon to make large financial contributions for the deployment of troops in Ireland, putting great strain on the burgh's resources. At the same time, the ferocious debates over whether to support the king or parliament understandably generated an air of instability. Although Edinburgh may have preferred a moderate man to protect their interests in these difficult times, it is possible that Covenanting loyalists were consolidating their position on the council; the influential position of bailie was given to Edward Edgar and Archibald Sydsarf,

²⁸ Stevenson, *Scottish Revolution*, 209-10.

²⁹ See Chapter Seven for the earlier activities of these men. The nonconformist John Fleming was also on the council of 1640, see Appendix, Table 7.

³⁰ ECA, *Edin Recs 1626-41*, 247.

³¹ BL, Eg.Ms.2,533, ff.160-62, 199-200, 204-5.

³² Stevenson, *Scottish Revolution*, 234-39. BL, Eg.Ms.2,533, f.162.

³³ Stevenson, *Scottish Revolution*, 240-41. *Edin Recs 1626-41*, 249.

³⁴ Stevenson, *Scottish Revolution*, ch.8. Young, *Scottish Parliament*, 55, 61-2, 69.

two committed members of the Covenanting regime.³⁵ By the time elections came round again in September 1643, Clerk was dead. His passing marked the complete collapse of Caroline government in Scotland and the rise of a new claimant for the loyalty of the Scottish political elite – the English parliament.

The struggle between king and parliament in England had a profound impact on the power plays within the Covenanting regime, which in turn affected how the regime interacted with its leading burgh. A convention was summoned for June 1643 which did not seek royal assent but claimed to be able to determine any matter. This decision, secured by the faction around Argyll, was an essential precursor to the arrival, early in August 1643, of the English commissioners who would conclude the Solemn League and Covenant with the Covenanters.³⁶ With the prospect of involvement in the English civil war looming, it was imperative that Edinburgh elected a provost who would fully support the League. Argyll's successful bid to implement this policy manifested itself through the appointment of John Smith in September 1643. As a precursor to this, the town council was granted the right to act as a shire war committee in its own right in August. No other burgh was granted this privilege. Although the decision was a reflection of Edinburgh's unique possession of shrieval powers, it nonetheless represented an important concession which ensured that the burgh's magistrates would not be subordinated to local landed élites in the matter of raising men and money.³⁷

His zeal was not in doubt; Smith had been exempted from a royal pardon and declared a traitor in April 1639. By the summer of 1643, Smith had conspicuously aligned himself with Argyll, but he had also been one of the most prominent burgh representatives within the regime to date. In 1638 and again in 1640, Smith had been responsible for collecting voluntary contributions for the regime,³⁸ and if Scotland was back on the war-path, such a man would be required again. His political profile was impressive. As well as being one of only two burgesses on the commission sent to settle the Treaty of London in 1640-41,³⁹ Smith was also involved in the negotiations leading up to the signing of the Solemn League and Covenant in 1643. Elevation to the provostship said more about Smith's Covenanting credentials than his role as an Edinburgh burghess.

Smith's reign in Edinburgh was broken by events outwith his control. While the town was being devastated by plague,⁴⁰ much of the rest of Scotland was being devastated by the army headed by James Graham, 1st marquis of Montrose. The Covenanting regime was in disarray, with its armies stretched implausibly across

³⁵ *Edin Recs 1642-55*, 13. Appendix, Table 8.

³⁶ Stevenson, *Scottish Revolution*, 276-77. Young, *Scottish Parliament*, 62-3.

³⁷ Smith and James Denniston were nominated as two of the commissioners from the shire of Edinburgh to the committee of estates. A subsequent act of July 1644 does not specifically mention Edinburgh, although Denniston and Smith were once again named as commissioners. In May 1648, the town council was once again granted the right to act as a war committee in their own right because they were 'sheriff within themselves'. *APS*, vol.vi, pt.i, 51, 64, 200, vol.vi, pt.ii, 66.

³⁸ *Government under the Covenanters*, 196. Stevenson, *Scottish Revolution*, 283-85. Another Edinburgh merchant, David Jenkin, was also declared a traitor, *CSPD 1639*, 80.

³⁹ *Government under the Covenanters*, 196. The other burghess with Smith at the London negotiations was Hugh Kennedy of Ayr. BL, Harl.Ms.457, f.2. Young, *Scottish Parliament*, 67, 77. He was sending information back to Edinburgh in 1641, ECA, MacLeod Bundle, D0017, no.7.

⁴⁰ See Chapter Two and EP Dennison, G DesBrisay and HL Diack, 'Health in the two towns' in Dennison, Ditchburn and Lynch (eds), *Aberdeen*, i, 69-79.

three fronts and its leaders scattered. Edinburgh itself was isolated, while much of its population were either straggling back from the campaigns in the north of England, or elsewhere avoiding the plague. Smith came to the conclusion that complying with Montrose was not really so much a choice as a necessity, and when the Marquis requested that envoys be sent to discuss the release of his royalist supporters from Edinburgh's tolbooth prison, Smith did as he was bidden. On 27 August 1645, James Ellis, Gilbert Somerville and John Denholme were sent to Montrose 'with the prisoneris'.⁴¹ Unfortunately, when Montrose was finally beaten at Philiphaugh in September 1645, the magistrates had to justify their actions. Although the town gaoler seems to have borne the brunt of the investigations, the town council produced an act showing the helplessness of their position against 'so powerfull and merciles ane enemy'. This was especially so because, according to the council, they had been abandoned by the Covenanting forces 'to doe for themselffis'.⁴²

The political fall-out did not manifest itself until later in the year. Smith was the representative for the burgh when the committee of estates began investigations into the Montrose crisis in November 1645. On 1 December, Smith cleared Edinburgh's tarnished reputation and regained his voting rights,⁴³ but if Baillie's disgust at Smith's 'fault'⁴⁴ was a measure of wider opinion, then he was not a popular man. In September 1646, the imminency of the town council elections prompted intervention from the restored Covenanting regime. A letter was received by the council via the minister, Mr Mungo Law, intimating that the committee of estates wanted to ensure that no-one who had 'complied with the Rebels' and had not 'given satisfioun to the Kirk for the same' should be elected to the magistracy. As John Smith, then provost, was due to acknowledge his offence 'humble upon his knees' in his own seat in the East Kirk the following day, this was obviously a pointed reference to him.⁴⁵ Smith would never be provost of Edinburgh again, although his nomination as a bailie in 1646 suggests that the Edinburgh political elite were only going to take orders from their superiors up to a point. The machinations surrounding the elections of 1646 are elucidated in a letter sent by Archibald Primrose to Hamilton's brother, the earl of Lanark. It shows that Smith may have been the darling of the radical ministry, but he had alienated a much more important constituency:

There is much bussines here concerning the election of the Mag[istr]rats. Archibald Tod and Edward Edgar being on the list to be provest whererat some of the ministers espealie Mr Bennet and Law are heiche displeased, and seeme now most forward for S Jo: smith, and are both his and plaine in the pulpit. Bot for anie thing is yit knowne they will not prevaill, the toun both merchands and trades being throughlie resolved to away wth S Jo: smith. Notwithstanding all the confession made on his knees at sermon on Thursday last ...⁴⁶

It is interesting that when Smith had appeared before the commission of the general assembly, a number of his own peer group had been present at the hearing. Stewart was in attendance (although he bowed out on the day sentence was passed), as was one who would be associated with his provostship, Lawrence Henderson.

⁴¹ *Edin Recs 1641-55*, p.xiii, 73.

⁴² *Edin Recs 1641-55*, 73-6, 404-06.

⁴³ Young, *Scottish Parliament*, 141-42. *APS*, vol.vi, pt.1, 478.

⁴⁴ *Baillie*, ii, 345.

⁴⁵ *Commission*, i, 74.

⁴⁶ NAS, Primrose to Lanark, 30 Sep 1646, GD406/1/2033.

James Roughead was also there with Thomas Paterson, who cannot be definitively pinpointed as a member of the political elite.⁴⁷ As Edinburgh's elders were rarely at the commission of the general assembly in such numbers, there is a sense that leading members of the burgh elite had become disillusioned with Smith. As well as having the satisfaction of seeing a political rival humbled, there may have been a feeling that while he had been provost, his influence amongst the Covenanted leadership had not been utilised to protect the interests of the burgh. From the spring of 1644, the regime's inability to collect the loan and tax prompted them to consider imposing an excise. Robert Baillie, who may have known him while both were in London, complained that Smith was amongst those who 'debaited too much for their own ends upon the excyse'. If Smith was arguing against its imposition, it may have been felt that he was too close to its leading exponents to be very convincing. As he ended up as Treasurer of the Excise five years later, such scruples obviously went by the wayside.⁴⁸

The issue of the excise sparked a controversy which threatened to bring back mass demonstration as a political tool; this time, however, it would be used against the regime which had so skilfully manipulated it in the later 1630s. In January 1644, the predictably unimpressed 'citizens' of Edinburgh threatened to tear apart the instigator of this proposal, John Elphinstone, 2nd Lord Balmerino, if the excise went ahead. They disbanded only when the estates agreed to investigate the matter, which gave the regime a breathing space. It was apparently the ministry who ensured it was accepted and further disturbances were avoided.⁴⁹ Another mysterious 'tumultuous confluence' of the 'commoune people' took place in January 1645 at the opening of parliament, which may also be related to taxation. Was there more than a whiff of rebellion adding its aroma to Edinburgh's other distinctive smells? Perhaps the population of Edinburgh, ravaged by plague and suffering the usual interruptions in trade which accompany war, were baulking at the seemingly never-ending, perpetually escalating financial demands of the regime.⁵⁰ As provost, and as an individual intimately associated with the Covenanted leadership, it seems credible that Smith would be the chief target for a disgruntled population.

Archibald Tod could be seen as a more conventional representative of the Edinburgh political elite than either Smith or Stewart, his predecessor and successor respectively, although it is interesting that three of the four bailies elected in October 1646 were committed Covenanters.⁵¹ Tod had first been elected to the council in 1622, and had served numerous times as a bailie and as dean of guild. His competitor for the top job, Edward Edgar, might nonetheless have seemed a more natural choice. He, too, had a long career stretching behind him, but he seems to have been more closely allied to the Covenanted regime, having served on the committee of estates, acted as a conservator of the peace and sat on the committees for processes, monies and excise. This was a remit Tod did not possess. Edgar had wider political interests, too. As well as being

⁴⁷ Thomas Paterson seems to have attended most frequently. James Stewart was occasionally present. *Commission*, i, 73.

⁴⁸ *Government under the Covenanters*, 196-97. Baillie, ii, 261.

⁴⁹ Guthrie, *Memoirs*, 144-45. The committee for the excise sat in February 1644. *Government under the Covenanters*, 184.

⁵⁰ See Appendix, Figures 2 and 4 for the escalation of the town's financial burdens during the 1640s.

⁵¹ Edward Edgar, John Jossie and Archibald Syderf were all committed to the regime, Appendix, Table 8.

nominated to go with a number of leading Covenanters to speak with the king in July 1639,⁵² Edgar went on to act as a conduit of information from moderates operating within the English parliament. During the cessation of hostilities in 1646-47, Edgar seems to have been a part of the delicate web of negotiations going on in the British Isles to establish a permanent peace.⁵³ It was these connections which, while advantageous to Edgar in the wider political scene, actually told against him in Edinburgh. Without any firm associations, but a solid record of service, Tod was an ideal choice who might be better placed than Smith to avoid yet more unwelcome attention from the Covenanting regime. Yet again, however, events would intervene.

In January 1647, a Scottish political nation which had seen the country devastated by plague and was on the brink of financial ruin sent the king, who had surrendered to them in May 1646, back to the English.⁵⁴ In return, the English agreed to provide £400,000 sterling⁵⁵ for the payment of the Scots army during its occupation of the north of England. Edinburgh's commissioners played no particular part in this decision and spent the autumn trying to ensure that the burgh escaped punishment for communicating with Montrose (see above).⁵⁶ When council elections were held in September 1647, Edinburgh reflected the volatility of the political situation in Britain as a whole by electing the moderate Archibald Tod as their provost once again.⁵⁷ His main attraction, as indicated above, appears to have been his lack of ambition outwith the confines of Edinburgh politics. Although he attended the committee of estates in March 1647, he was not a member of parliament and did not contribute to the Covenanting regime in any other capacity. Perhaps some members of the political elite felt that Edinburgh was already heavily burdened and they wanted a provost who was more likely to put the town's interests ahead of the regime's – Tod was not one of the Edinburgh burgesses caught in Argyll's web of influence. As Argyll struggled to maintain his dominance of the political scene after the return of Hamilton from imprisonment in England, Argyll apparently attempted to have Tod removed from the provostship.⁵⁸ Tod's election may have been intended by the Edinburgh elite as a rebuff to the regime's most powerful figure.

The men who elected Tod in the autumn of 1647 cannot have known that by the following spring, the Scottish commissioners to the English parliament would be returning home and the country would be preparing for a war on behalf of the king. The Engagement was presented to the Scottish parliament on 26 December 1647, despite a 'Warning' by the commission for the general assembly against any 'division and

⁵² NAS, Breadalbane muniments, 16 Jul 1639, GD112/39/72/5.

⁵³ NAS, Letters from 'James Fenwick' to Edgar, February 1647, GD406/1/2207 and 2210.

⁵⁴ G Wishart, *The Memoirs of James, Marquis of Montrose 1639-1650*, eds AD Murdoch and HF Morland Simpson (London, 1893), 191. Young, *Scottish Parliament*, 162, 173-75. J Turner, *Memoirs 1632-70* (Bannatyne Club, 1829), 43.

⁵⁵ M Kishlansky, *A Monarchy Transformed: Britain 1603-1715* (London, 1996), 171. Stevenson, *Revolution and Counter-revolution in Scotland 1644-51* (London, 1977), 79-80.

⁵⁶ The Act of Classes of 8 January 1646 provided a political framework designed to exclude 'malignants'. Young, *Scottish Parliament*, 141-42.

⁵⁷ *Edin Recs 1642-55*, 133.

⁵⁸ NAS, Lanark to Hamilton, 26 May 1646, GD406/1/1966. John Young claims Archibald Sydserf was re-elected. This is an error. Sydserf was nominated as a councillor in 1647 and commissioner to the Engagement parliament in March 1648. The assertion that Argyll wanted Tod removed is presumably still correct (he

breach between the kingdoms'.⁵⁹ Tod led a town council which offered no protest against it, despite the virulent opposition of the town's ministers, who were organising nightly meetings in the Tailors' Hall in early March. These meetings culminated in a Declaration which was submitted to parliament on 6 March by the Edinburgh minister, James Hamilton, while the commission of the General Assembly mounted an investigation into reports that some of the town's clergy had been failing to preach against the Engagement.⁶⁰

Edinburgh's more radical ministers were supported in their efforts by three of Edinburgh's political elite, who presented a humble petition to parliament on this subject in April. John Smith, James Stewart and Laurence Henderson were conspicuous by their absence from the council chamber in 1647-48 – the only one of five elections, held between March 1646 and September 1649, when the latter two men were not elected.⁶¹ The town council must have realised that by acceding to the Engagement, it had made some powerful enemies, amongst the political elite and the ministry alike, but it was clearly unable to act against these people. It consequently concentrated on silencing those lower down the social scale; a personal insult against the duke of Hamilton, and two 'dispytfull and contimelious speeches' against the council may be related to its willingness to engage for the king.⁶²

There were other hints that the council was out of sympathy with the rest of the town. In May 1648, Edinburgh had called out all its male inhabitants aged between 16 and 60, 'to attend the calling of their names'. Tod turned up, but he was accompanied by only 1,333 other men from the town, and another 781 from South Leith, North Leith and Canongate. The captain of North Leith blamed the former plague outbreak and the prospect of a new one, but the conclusion that there were only 2,115 adult males in Edinburgh and its pendicles is startling.⁶³ Had war and plague really devastated the community to this extent, or were certain persons conveniently absent on the day of the muster? Were there people in the capital who believed they had given enough in the service of the Covenant, and were reluctant to give yet more for a king who was not, himself, Covenanted? What makes this development particularly striking is the enthusiasm with which Edinburgh had formed its own regiments during the earlier 1640s,⁶⁴ suggesting at least the possibility that ideological motivations were at work. On 8 May, the council conceded that it was 'ane impossibilitie' to produce the 1,200 men requested of them by the government. Four days later, they agreed to provide £40,000

supported the Engagement, Argyll led opposition to it) even if it pertains to the wrong man. Young, *Scottish Parliament*, 194. *Edin Recs 1642-55*, 132, 143.

⁵⁹ *Commission*, i, 148-52.

⁶⁰ *Edin Recs 1642-55*, 149, 150, 403-4. *APS*, vol.vi, pt.ii, 11-12. Stevenson, *Revolution and Counter-revolution*, 99. *Commission*, i, 384, 393. See Chapter Two.

⁶¹ *Edin Recs 1642-55*, 82, 103, 134, 171, 212. *Commission*, i, 452. Archibald Sydsenf was elected to the committee which considered parliament's response, *APS*, vol.vi, pt.ii, 14, 28.

⁶² *Edin Recs 1642-55*, 152, 153, 154-56. *ECA*, Minutes, vol. xvi, f.274.

⁶³ Edinburgh had petitioned parliament on the extent of their losses in 1647. *APS*, vol.vi, pt.i, 810-11. *ECA*, Moses Bundle 31, no.1278. A muster roll for Edinburgh in 1558 names 1,453 merchants, craftsmen and servants but it lacks the north-east quarter. Michael Lynch has estimated that the complete muster roll would have named somewhere in the region of 1,685 men. As the population had at least doubled between 1558 and 1648, this figure does seem extremely low. Lynch, *Edinburgh*, 9-10.

⁶⁴ EM Furgol, *A Regimental History of the Covenanting Armies* (Edinburgh, 1990), 28, 50, 57-8, 124-26, 127, 133-34.

instead of the levy,⁶⁵ although it does seem that attempts were made to raise a regiment of horse by the College of Justice in June.⁶⁶

Two sources confirm the idea that the levy, if not distinctly the Engagement itself, was highly unpopular. It had aroused enough opposition in Glasgow to warrant sending two colonels to suppress it, and by 2 June half of Glasgow's council had been incarcerated in the Edinburgh tolbooth.⁶⁷ In Edinburgh, the women, 'who carry a great Sway', were once again at the forefront. They swarmed onto the High Street and hurled abuse at members of the committee of estates going about their business. On 29 May, Tod himself came under attack 'so furiously, that he was forced to retire into house for shelter, and for some days after kept within, and durst not appear'. The duke of Hamilton received similar treatment when he spurned the relative safety of a carriage to walk to parliament.⁶⁸ As in 1644 and 1637, the population of Edinburgh had once again resorted to expressing dissatisfaction with their councillors in dramatic fashion.

The Engagement was a *débâcle* which resulted in the surrender and eventual execution of Hamilton, and enabled a radical faction⁶⁹ of Covenanters headed by Argyll to seize power on 5 September 1648, with the backing of Oliver Cromwell. In the initial stages of the *coup*, Edinburgh attempted to avoid becoming the front line in a battle between the rump of the Engager party and the Whiggamores from the west country. As Scotland teetered on the brink of a new civil war, Archibald Tod resisted both the former regime's request to garrison Edinburgh Castle and Lord Chancellor Loudoun's demand for a regiment, although the council had to concede to the latter demand on 9 September.⁷⁰ Meanwhile, James Stewart made himself useful to the radical faction as a go-between with the town of Edinburgh.⁷¹ The ruthlessness with which the embryonic regime subsequently purged the town council of former Engagers was unparalleled. Unlike the royal nominations of 1634 or 1637, the radical faction's disregard for Edinburgh's usual forms of election suggests that the exercise was as much about humiliation as political expediency. The council had evidently tried to go ahead with its elections undeterred, and Tod had been placed on the leet. Under extreme pressure, Tod, the four bailies (although, in an error, only three were named) and the deacon of the skinners, Robert McKean, 'removed themselves furth of the Counsell hows' to avoid 'any danger in thair bodies or estaites'.⁷² Their precarious position was underlined by the presence of Oliver Cromwell himself in the Canongate and, just to

⁶⁵ *Edin Recs 1642-55*, 147-49. Edinburgh had also been exempted from quartering troops. *APS*, vol.vi, pt.ii, 27-8, 66.

⁶⁶ There are no more details about the size of this regiment or whether it was actually raised. Furgol, *Regimental History*, 272.

⁶⁷ Young, *Scottish Parliament*, 206.

⁶⁸ Guthrie, *Memoirs*, 272-73. Quoting George Gillespie, Stevenson, *Revolution and Counter-revolution*, 99.

⁶⁹ Although called the Kirk Party by David Stevenson, Alan Macinnes claims this term 'obscures the basic continuity of the radical mainstream between 1638 and 1651'. John Young calls them the 'radical regime', but I have opted for 'radical faction' as it conveys the idea of a narrow support base and makes a distinction with earlier discussion of a regime which was essentially founded on a coalition of interests. Stevenson, *Revolution and Counter-Revolution*, ch.4. Macinnes, 'Scottish Constitution', 107. Young, *Scottish Parliament*, ch.9.

⁷⁰ *Edin Recs 1642-55*, 165-66.

⁷¹ Young, *Scottish Parliament*, 210, 215. *Edin Recs 1642-55*, 161-65, 167.

⁷² *Edin Recs 1642-55*, 170-72.

reinforce this, the town council were pushed to nominate William Dick as their old provost, plus four old bailies, to meet Cromwell on 6 October.⁷³ An admission by the council that there was 'some difference betuix the Committee of Estaites and the present Counsellors and Magistrattis' must have been euphemistic indeed.⁷⁴

The dispute over Edinburgh's elections took twelve days. There is little doubt that Stewart was the choice of the new regime, primarily because he had helped the clergy in their opposition to the Engagement in August.⁷⁵ He was probably not the choice of the political community.⁷⁶ He had sat on the council only three times when he was made provost, while the magistrates from the previous year found themselves completely ostracised from the council chamber. This was clearly a departure from the type of councils which had been sitting since 1638, when political moderates had continued to sit alongside their more radical colleagues. On the other hand, the significance of the election in terms of the social makeup of the council should not be exaggerated. Although Margeurite Wood points out that only four of the councillors sitting in 1648 had sat in 1647, this figure appears unusual only because the magistrates customarily took a seat as an ordinary councillor.⁷⁷ It also seems that the bailies of 1648 were no more or less experienced than the bailies of 1647. Nor do their social credentials appear to be noticeably different from those of magistrates in previous years.⁷⁸ Even the radicals were wise enough to know that foisting men with no social or political credibility onto the council would be more trouble than it was worth, and so suitable candidates (and with men like Roughead, there were always suitable candidates) had to be found from within the political elite.

The implications of the radical faction's interference in the council's elections went beyond the burgh itself. Although the town council willingly disclaimed the Engagement, and summoned 388 of the neighbours to do likewise just to prove that most of the people who counted agreed with them,⁷⁹ the burgh's political position had been seriously undermined. Others grabbed the opportunity to push their own agendas. A proposal to alter the distribution of the monthly maintenance in favour of the western shires, at the expense of the eastern shires, prompted the walk-out of half the parliament for a fortnight in August 1649. Edinburgh was specifically targeted by the Convention of Royal Burghs, which moved to raise Edinburgh's contribution of

⁷³ Obviously Tod was unable to act as old provost. *Edin Recs 1642-55*, 172.

⁷⁴ *Edin Recs 1642-55*, 171. ECA, Minutes, vol.xvii, ff.38, 50.

⁷⁵ *Commission*, ii, 8, 27.

⁷⁶ He had also irritated the College of Justice over the revival of the Annuity Tax. NLS, Adv.Ms.22.2.10, ff.164r, 166v.

⁷⁷ Assuming that all five magistrates took a council seat the following year, and that all the new magistrates had been councillors the previous year, this meant that seven seats were made available. If two of those were new councillors, this left only five places which members of the previous council could occupy. *Edin Recs 1642-55*, 174.

⁷⁸ It seems not uncommon in this period to have one experienced councillor as a bailie, with three others who would be less so. All the bailies in 1648 were burgesses and guild brethren. Although family relationships are hard to trace, the occurrence of the same surnames in an earlier generation of councillors suggests that the 1648 magistrates were not the social inferiors of their 1647 counterparts.

⁷⁹ This figure would account for about one-quarter of the freeman population during the 1630s, but may be much more than this depending on how many burgesses were killed by war or plague. MacMillan, 'Edinburgh Burgess Community', 33, 36. *Edin Recs 1642-55*, 175-78. ECA, Minutes, vol.xvii, f.61.

the burghs' share to 36 per cent.⁸⁰ James Stewart's lengthy objections to the new valuations were swept aside with eloquence by the commissioner for St Andrews, who maintained that Edinburgh 'hes had the greatest ease theis sextie yearis bygane to the heavie prejudice of the rest of the burrowis'.⁸¹ On the other hand, it is evident that Edinburgh as a community was too important to punish wholesale. In September 1648, the radical faction nominated six Edinburgh burgesses to be non-commissioned members of the committee of estates. There is no surprise in seeing William Dick, James Stewart or John Smith there, but it is interesting that James Roughead was also nominated.⁸² As ever, Roughead had managed to show that any regime, whatever its ideological leanings, could make use of him.

The radical faction needed Edinburgh's burgesses politically because their support base was so limited, but they also could not ignore their primary creditors. Considerable attention was given to the town's affairs in the parliamentary sessions of 1649, indicating that Edinburgh had been at least partially rehabilitated. As an act of March 1647 showed, William Dick, James Stewart and indeed, anyone else who was owed large sums by the estates, had a vested interest in upholding the legitimacy of the radical's faction's regime - otherwise they might never see their money again. The estates were also collectively indebted to the town, and the political security of Stewart and his ilk within Edinburgh itself was also partly dependent on their ability to get some of that money back. In 1644, Stewart and Smith had been on a committee to ascertain how some of the English parliament's 'brotherly assistance' might be used to assist Edinburgh, but as it does not appear in the town treasurer's accounts, it was probably used to pay off a few influential individuals. In March 1649 the estates acknowledged that they would have to find some 'effectuall meane' to pay back a bond in the town's name worth over £146,000 Scots. Consideration was also given to the repayment of debts pertaining to the college and the trustees of Heriot's Hospital but, with such large sums outstanding, the public purse was simply not deep enough to meet the claims.⁸³

By 1649, the enormous financial problems afflicting Scotland were probably motivating individuals as much as the powerful ideologies of king and Covenant. Stewart's unpopularity should be assessed in this light, too. Without a more detailed assessment of trade during the 1640s, it is difficult to gain anything more than an impression of how the political elite were affected by the dual catastrophes of war and plague. Tax valuations show that the average amount demanded went up dramatically between 1642 and 1647, reflecting the regime's increasing need for money to fund wars across three kingdoms. It is clear, however, that the interruption to trade occasioned by the plague outbreak of 1645, combined with the strains of war, did not affect all of Edinburgh's leading political figures in the same way. Of the nine cases where a comparison can be made, five members of the political élite saw their tax valuation decline during the 1640s. Edward Edgar's

⁸⁰ *RCRB*, iii, 332.

⁸¹ *APS*, vol.vi, pt.i, 491-92. *APS*, vol.vi, pt.ii, 530. Young, *Scottish Parliament*, 235. Stevenson, *Revolution and Counter-Revolution*, 154. D Stevenson, 'Financing the Cause of the Covenants, 1638-51' in *SIIR*, li (1972), 117. *RCRB*, iii, 332, 336-38.

⁸² The other two were Lawrence Henderson and David Wilkie, bailies. These were men who had not been named in the original commission for the establishment of interim committees after the closing of the previous parliamentary session. Young, *Scottish Parliament*, 215-17. *Edin Recs 1642-55*, 174.

⁸³ *APS*, vol.vi, pt.i, 238-44, 264-66, 811.

was the most dramatic fall. His stent had gone from just over 3.5 times the average in 1642 to just under one-third of the average in 1649. Edgar was closely associated with the Covenanting regime, although his colleague Peter Blackburn, who paid the same amount of tax in 1649 as Edgar, had no overt links with the government. On the other hand, John Binnie, William Dick and John Sinclair paid more tax in 1649 than in 1642, while George Suittie's rose dramatically between 1642 and 1647. Without more work on the business interests of these people, the information is difficult to interpret. Did these high tax valuations really reflect the capacity to pay? William Dick had assets in 1649 which enabled him to be valued at more than thirty times the average stent, but this meant nothing if Dick's tenants were unable to pay him their rent, or his clients owed him money for their goods.⁸⁴

At the highest political levels, events outwith the kingdom were dictating political developments within it. The exclusionary legislation embodied by the 1649 Act of Classes, although not as punitive as the 1646 version on which it was based, reveals a fragile government with a limited support base at all levels of society. With the judicial execution of Charles I, the radical faction found itself further isolated within Britain, facing the threat of 'Cromwellian imperialism' and a royalist uprising, while also conducting negotiations with Charles II.⁸⁵ The social tension which resulted is apparent in contemporary sources. 'Sin and filthines' were everywhere to be seen in Edinburgh, while God's anger manifested itself in an upsurge of witchcraft, malignancy and religious deviancy.⁸⁶ For the radical minority, it was the presence of Charles II in Scotland which was polluting their religious purity. Even after he had reluctantly signed the Covenants, there was an awareness that it had been done out of expediency. Amongst the population at large, however, their interpretation of the Covenants were probably not so strict – they were, after all, intended 'to maintaine the King's Majesty's Royal Person and Authority.'⁸⁷ Having failed in their duty towards one Charles, some may have optimistically hoped to serve another. The town council showed their 'humble respects and loyall affectiounes' by giving their king a gift of over £13,000 Scots and hosting a banquet in his honour.⁸⁸ Such was Charles's popularity when he was in Edinburgh during the summer of 1650, that bells were rung, bonfires lit, and people danced 'almost all that night throw the streitis' – little wonder that the anxious radical faction hustled him out of town as quickly as possible.⁸⁹

The political ramifications of a confused diplomatic situation are hard to trace for Edinburgh in 1649-50. Stewart was re-elected as provost in the autumn of 1649, and particular care was taken to ensure that the

⁸⁴ See Chapter Three, Table 3.2.

⁸⁵ The first Act of Classes was passed in 1646, to exclude Montrose's supporters from office. It was revised to match the new situation after September 1648. A royalist resurgence under Montrose was defeated at Carbisdale in April 1649. He was captured and executed, despite the efforts of Charles II, shortly thereafter. Cowan, *Montrose*, 288-94. Young, *Scottish Parliament*, 215, 221-22, 244.

⁸⁶ J Nicoll, *A Diary of Public Transactions and Other Occurrences 1650-67* (Bannatyne Club, 1836), 3-4.

⁸⁷ Alexander Jaffray, provost of Aberdeen, acknowledged this in later years. Referred to in Stevenson, *Revolution and Counter-revolution*, 170. *Scottish Historical Documents*, ed. G Donaldson (3rd edn, Glasgow, 1999), 198.

⁸⁸ ECA, Town Treasurer, vol.vi, 1649-50, ff.41-6, 47. *Edin Recs 1642-55*, 242-44.

⁸⁹ Stevenson, *Revolution and Counter-revolution*, 169-172. *Diary of Mr John Lamont of Newton 1649-71* (Maitland Club, 1830), 19. Nicol, *Diary*, 16.

correct procedures were observed.⁹⁰ Apart from the continued absence of the provost and bailies of 1647-48, the council was staffed largely by men who had been active throughout the 1640s, such as William Dick, George Suittie, John Binnie, James Roughead and Peter Blackburn.⁹¹ Stewart remained an active member of the radical faction while provost. He became collector-general of the hated excise until it was transferred to John Smith and Sir John Wauchope of Niddrie in March 1650.⁹² It was Stewart, too, who resolved 'with himself' to ask the committee of estates for a new imposition on wines, liquor and tobacco. The town council approved of the 'faithfull carieage and behaviour' of both Stewart and the other representative to the parliament, James Borthwick, but the wider population were unlikely to have been so appreciative of higher duties on these goods.⁹³ Only one voice expresses dissatisfaction with Stewart, however, and that person was not an Edinburgh inhabitant. James Turner (no friend of the Western Association) cattily remarked that the provost of Edinburgh was one of the 'leading men' who received some of the 'privately dispersed' money from the English parliament.⁹⁴

Any political divisions which might have existed in Edinburgh were rendered irrelevant after General David Leslie's purged godly army snatched defeat from the jaws of Cromwell's outnumbered force of exhausted, poorly supplied troops at Dunbar on 3 September 1650.⁹⁵ The fortification of the town and its port of Leith had been underway since the spring of 1649 at the insistence of the committee of estates, and by mid-1650 the problem was so pressing that 'all the inhabitants within the samen men and woemen that are able to worke' were ordered to assist.⁹⁶ A sense of panic pervades contemporary sources. General Monck's unfavourable opinion of the state of Edinburgh's defences must have been shared by many of the inhabitants, who 'removed thair best guidis' and fled over the Forth, to the irritation of the council. Houses were being demolished around the town's walls to prevent the English using them to shelter from the Scottish cannons. Edinburgh was also bearing the burden of supporting the army, despite the fact that 'all soirt of viveris, meit and drink, could hardlie be haid for money' in the town. Once Cromwell actually entered the town, skirmishing broke out between those still holding out in the Castle and the English, resulting in 'great numbers' being 'slayne'. Although the Castle held out until 19 December, the town itself gave little resistance. Even before Cromwell entered the burgh on 7 September, it had been 'left desolat'.⁹⁷

⁹⁰ *Edin Recs 1642-55*, 212.

⁹¹ The aging and notorious nonconformist, John Mein, was also elected to the council for the first time. *Edin Recs 1642-55*, 211.

⁹² Nicoll, *Diary*, 5.

⁹³ *Edin Recs 1642-55*, 193-94, 195.

⁹⁴ Turner, *Memoirs*, 51-2. Guthrie, *Memoirs*, 258, 272. Negotiations with Charles had been suspended by the English parliament in January and the army was publicly demanding a trial by April. That at least some of the promised £400,000 arrived in March 1648 suggests that the English intended to keep the Scots out of the picture. DL Smith, *A History of the Modern British Isles 1603-1707: The Double Crown* (Oxford, 1998), 135. *Government under the Covenanters*, 196-97.

⁹⁵ Macinnes, 'Scottish Constitution', 127. JD Grainger, *Cromwell Against the Scots 1650-52* (East Linton, 1997), 41-50.

⁹⁶ ECA, Minutes, vol. xvii, f.129. *Edin Recs 1642-55*, 196, 244.

⁹⁷ *Edin Recs 1642-55*, 244-45, 259, 260. Nicoll, *Diary*, 19, 23, 26-8, 35 (misnumbered as 33).

Members of the town council were not the first to leave the burgh, but they do seem to have departed with unseemly haste as soon as news of the defeat at Dunbar reached their ears. On 2 September, the council was as yet unaware that their last act would be the restoration of a merchant burgher, who had been stripped of his status for criticising the council around the time of the Engagement.⁹⁸ Over a year later, when Lieutenant-General John Lambert was deliberating on how Edinburgh would be governed, some issue was made about the town council's speedy exit prior to the occupation of the burgh. Stewart produced a letter dated 5 September 1650, which showed that the committee of estates had given permission for the provost to leave Edinburgh if there was any likelihood that he would 'come under the Enemies power'. When Stewart asked to return on 27 September to hold elections, the commission of the general assembly told him this would be 'unexpedient and dangerous' and he should 'attend upon a better tyme from the Lord'.⁹⁹ While Stewart could quite legitimately claim that he had acted at the behest of the country's leadership, in the belief that this was the best course of action, it is unlikely that the abandoned inhabitants felt the same way.

It is debatable whether Stewart could have done anything to prevent the destruction wrought on the town by hungry, mutinous English soldiers during the winter months of 1651. Despite considerable efforts by the English commanders to maintain discipline, houses were plundered, people maltreated in the streets and markets ransacked.¹⁰⁰ The town's churches, the goldsmiths' booths and the Tolbooth, where the council sat, were particular targets for looting and ransacking.¹⁰¹ It was May 1652 before the cloth which covered the town council's table was repaired, after it had been riven in two by English soldiers fighting with one another to take possession of it.¹⁰² There is some suggestion that the town council had tried to continue its business. A note in the treasurer's accounts stipulates that 'twa small coffers' were taken to the charter house to preserve them 'quhen there was none of the townes auditors to be found here', indicating that key members of the town council had abandoned Edinburgh as the English approached. It continues:

upone the hearing of the deffaite of our armie at dunbar, and th[e]r[e]after upone the returne of the Inglische airmie, and entering of this Cittie, the charterhous being brokin upe by them, the forsaid tua little coffers with the wholl money and peapers therinto was all takin away and so lost The goud townes pairt of the moneyes properllie belonging to them (besydis the comptars awin money there) extended to the sowme of fourteine hundreth threttie six pundis.¹⁰³

The town's misfortunes were compounded by the terrible sacking of Dundee at the end of August, where many Edinburgh inhabitants had fled with 'gold, silver, jewels and merchant wares'¹⁰⁴ in their possession. In comparison to the atrocities that occurred there, the capital escaped relatively lightly.

⁹⁸ *Edin Recs 1642-55*, 153-56, 173, 261.

⁹⁹ *Edin Recs 1642-55*, 263-64. *Commission*, iii, 70-1.

¹⁰⁰ Nicoll, *Diary*, 35 (misnumbered as 33).

¹⁰¹ ECA, *Town Treasurer*, vol.vii, anno 1650-51 and 1651-52.

¹⁰² ECA, *Town Treasurer*, vol.vii, anno 1651-52, f.13.

¹⁰³ ECA, *Town Treasurer's Accounts*, vol.vi, anno 1649-50, p.86.

¹⁰⁴ Nicoll, *Diary*, 62. Lynch (ed.), *Early Modern Town*, 6-7.

The English occupation destroyed the Covenanting regime, which to all intents and purposes ceased to exist when the rump leadership was almost literally caught napping at Alyth on 28 August. Meanwhile, the breaches which had been exposed within the church over whether to support Charles II, which were intensified by the English invasion, rendered the general assembly as good as impotent. At local level, the power vacuum generated by the collapse of the regime was rapidly filled by the English military. Their prime concern was the creation or reform of administrative structures enabling the collection of taxation – someone had to pay for the subjugation of the Scots, and the Scots themselves were the most obvious candidates. Edinburgh was assessed at £554 8s 10d sterling - approximately £6,648 Scots - a small increase on pre-invasion taxation.¹⁰⁵

In order to collect these sums efficiently, the English military command occupying Edinburgh entered into negotiations with its leading citizens to re-establish the town council. The process was fraught with difficulties.¹⁰⁶ An attempt to reconvene the council failed in November 1651, when Lambert nominated himself as governor in place of a provost, as well as the right to name two of the bailies and five of the council. It is clear that both the issue of the council's 'old rites and customs' and the oath of loyalty to the English regime had troubled some former councillors. Fearing that the English would simply lose patience and appoint whomsoever they thought fit persuaded most to agree to an election early in March, but disputes regarding how the election would be carried out arose, delaying the process yet further. A number of former councillors continued to express their dissent either by publicly refusing the oath, or by simply failing to attend. They were duly removed, but most thought that it was better to participate rather than have Englishmen running the Scottish capital's affairs.¹⁰⁷

It was at this point that resentment against Stewart publicly manifested itself, as a campaign to prevent him regaining the provostship gained momentum. Although he was evidently in town at the end of December 1651, Stewart was not amongst the small delegation sent to petition the English commissioners for the restoration of the council in January 1652. The council of 1649 was clearly being excluded, because two bailies from the year before, James Roughead and David Wilkie, were selected to go, but this would still not have disqualified Stewart. Instead, the council sent Archibald Tod.¹⁰⁸ Two schools of thought appear to have existed. Although Stewart had not shown unmitigated support for the radical clergy's rejection of an accommodation with Charles II, he was still considered a friend of the church. Their fervent campaigning on his behalf may have been something of a mixed blessing; the position taken up by this party, known as the Remonstrants, left them open to accusations of causing unnecessary 'faction and division'.¹⁰⁹

¹⁰⁵ FD Dow, *Cromwellian Scotland 1651-60* (Edinburgh, 1979), 24.

¹⁰⁶ SM Gillanders, 'The Scottish burghs during the Cromwellian occupation, 1651-1660' (PhD thesis, Edinburgh, 1999), ch.2.

¹⁰⁷ *Edin Recs 1641-55*, 270, 271. Nicoll, *Diary*, 87.

¹⁰⁸ *Edin Recs 1642-55*, 265-66.

¹⁰⁹ 'Memoirs of the civil war by James Burns' in J Maidment (ed), *Historical Fragments 1635-1664* (Edinburgh, 1833), 16, 19, 20, 23.

To Remonstrant eyes, Archibald Tod's acceptance of the Engagement made him a Malignant, but to a wider political world with less demanding religious expectations, he was undoubtedly preferable to Stewart. There is a fragment of a memoir which hints that, while Stewart was making himself amenable to the remnant of the Covenanting regime, Tod was more usefully employed in Edinburgh. Being one of the 'most wise' who did not flee the town, Tod was principal amongst those who convened 'some of their neighbours, and chose commissioners to treat with him [Tod] as to the safety of the town' at the end of 1650. This is confirmed by an act of April 1653, which ratified the actions of a committee set up when the town found themselves 'deserted of their Magistratts and miniesteris'. Tod's name comes first, followed by George Suittie, who had been dean of guild for seven consecutive years before the English invasion. Tod's burial monument also alludes to his efforts on behalf of the burgh during this period, by claiming that his primary care had always been 'his country and this city'. Tod may have been regarded as the hero of the day, remaining to give 'some publict face of government' when others had looked to their own interests.¹¹⁰

Between the first mention of a new election on 5 December 1651 and the election of 4 March 1652, there was considerable traffic on the road from Edinburgh to the English commissioners stationed at Dalkeith. One commissioner, John Denholm, made himself conveniently absent when requested to take on this duty, but returned shortly after to agitate against the process (no doubt this would have been rendered somewhat difficult if he himself had brought the commission for an election back from Dalkeith). At this point, Stewart was not attending council meetings, being otherwise occupied with the protestation which he presented on the day of the election.¹¹¹ Fearing that a new election might oust him, Stewart moved to have the English commissioners brought into the process. It was presumably a delaying tactic, aimed ultimately at gaining a nomination directly from them. In this he appears to have been supported by four others who had little or no history of council membership before 1648 or 1649.¹¹² Another protestation, which was rejected 'becaus not subscribed', was handed in by Alexander Brand and Robert Acheson. It claimed, 'in name of the nightbors' who administered the burgh in the council's absence, that they should have a say in the election.¹¹³ In the end, the old council replaced the voices of the dissenters in order to draw up leets for a new council, and an election took place.

Tod was elected provost, with William Dick acting as old provost in place of the dissenting James Stewart, but the full details of the election do not appear in the minute book for another forty-five days. Two things intervened. The council had to nominate a new clerk and, not surprisingly, one of Tod's pre-Engagement cronies, William Thomson, who had also been responsible for finally acquiring the commission for an

¹¹⁰ 'Collections by a private hand at Edinburgh from 1650 to 1661', in *Historical Fragments*, ed. Maidment, 29. *Edin Recs 1641-55*, 310. Brown, *Epitaphs and Monumental Inscriptions*, 107-8.

¹¹¹ 'Collections by a private hand', 41. *Edin Recs 1642-55*, 262, 265-68, 269, 270-72.

¹¹² His supporters were Robert Foulis, John Denholm, David Kennedy and James Lawson. *Edin Recs 1642-55*, 271.

¹¹³ Brand was the merchant mentioned above whose burgess-ship had been removed for speaking against the council around the time of the Engagement.

election, was put into this post.¹¹⁴ The protestations were not yet over, either. Although Stewart seems to have retired (temporarily) from the fray, two of the present council were still resisting. John Liddell had been treasurer in 1649 and was 'something unsatisfied' with the process, although his feelings on the matter had remained private until 7 April. A delegation sent to speak with Liddell clearly had no luck in persuading him otherwise. David Kennedy, who had been part of the Stewart campaign team, had still made it onto the council but was 'altogether refuseing' to take his seat.¹¹⁵ The election had been one of the most divisive in the town council's post-Reformation history, with seven official protesters and nine absentees meaning that nearly half the council had to be replaced. Nonetheless, attempts had been made to accommodate those who had objected. On 10 December, when the new councillors were nominated, three protesters were amongst them. One refused, one disappeared from the official records, but one, Andrew Bryson, took his seat.¹¹⁶ The intention was clearly the restoration of that fundamental tool of government, unity – even if it was palpably superficial.

An analysis of the council during the 1650s is beyond the scope of this work, but it is interesting to note what happened to Stewart and Tod. The latter remained provost until the next election. Due to the crisis precipitated by the earl of Glencairn's rising, it was not held until October 1655, despite a request by the bailies to be replaced or their private finances would be imperilled. Tod remained on the council until his death later that year, while his son-in-law became dean of guild.¹¹⁷ Stewart did not take either his manifest unpopularity or his electoral defeat to be an obstacle to his future political career, however. In the next election of 1658 Stewart, amid much intrigue, regained the post and, when he was re-elected in 1659, two fellow-protesters from the previous decade became bailies.¹¹⁸ The victory for Stewart was more that he simply out-lived Tod rather than defeated him, and he still had to contend with Tod's relatives – John Jossie and David Wilkie were related to him by marriage.

The Stewart-Tod rivalry was not purely about personalities. It embodied a deeper concern, about the independence of the burgh's political system and the best way of maintaining the burgh's interests. Central to these concerns was the election of the magistrates, particularly the provost, whose influence both within the council chamber and beyond was supposed to be used for the good of the wider community. If it was perceived that this was not the case, breaches within the political elite could emerge. Unity was imperative to good government in early modern thought,¹¹⁹ both within local bodies, and in their relations with those above and below them. Ideally, Edinburgh town council wanted the assistance, not the interference, of higher powers, which was exactly the state of affairs that prevailed during the early 1640s. Without the millstone of

¹¹⁴ Thompson had been removed in October 1648 in the aftermath of the Engagement. He took the blame as he had been the one to record its acceptance! *Edin Recs 1642-55*, 176, 177, 269-270, 272. 'Collections by a private hand', 41.

¹¹⁵ *Edin Recs 1641-55*, 213, 275. ECA, Minutes, vol.xvii, f.303-4.

¹¹⁶ The protestors were James Stewart, Robert Foullis, John Denholm, Andrew Bryson, James Lawson, David Kennedy and, after the election, John Liddell. The three protestors offered a place were Bryson, Kennedy and Lawson. ECA, Minutes, vol.xvii, f.291, 303-4.

¹¹⁷ *Edin Recs 1642-55*, 350, 385, 386.

¹¹⁸ The bailies were John Denholm and Robert Foulis. *Edin Recs 1642-55*, 119, 165.

¹¹⁹ Patterson, 'Conflict resolution', 3-8.

ideology around their necks, councillors were free to pursue the chief function of their office, the protection and enhancement of Edinburgh's economic and political primacy within Scotland.

The period from 1638 until 1646 saw a brief flowering of Edinburgh's political independence. Not all Scottish burghs had this experience. Aberdeen had to be stamped on repeatedly to conform to the Covenant in the first place, while Glasgow suffered greatly for its tolerance of Montrose. Many smaller burghs may have resented the increases in taxation, for no discernible reward, while also being forced continually to send representatives to interminable sittings of committees which seemed to want only money from them.¹²⁰ In Edinburgh, widespread support for the cause engendered almost unwavering political loyalty to the regime, which was happy to let Edinburgh get on with its own affairs provided the money kept coming in. Part of the town's problems in the 1620s and 1630s had been a palpable discord between a significant, but growing, minority of the population and the council. Once Edinburgh's name was officially appended to the Covenant, harmony was theoretically restored,¹²¹ and a mutually beneficial relationship naturally developed between the organs of national and local government.

There is no doubt that Edinburgh's 'charitie'¹²² was absolutely essential to the survival of the fragile Covenanting regime. Without it, the entire experiment would have imploded as soon as Charles mustered an army. Their investment had its rewards, by enhancing the status of Edinburgh itself and its leading citizens. For the first five years or so, before the outbreak of civil war within Scotland tested loyalties, Edinburgh possessed an unparalleled political profile. As well as providing revenue, Edinburgh also acted as the spiritual guiding light for the rest of the country, placed its valuable channels of communication with Dutch and English merchants at the disposal of the Covenanting regime, and contributed heavily to the bureaucracy of government by providing some of the best commercial and legal brains in Britain. The status which Edinburgh enjoyed in the early 1640s would have been difficult to imagine under the absentee Stewart monarchy.

War made this situation inherently unstable, as it did across the British archipelago.¹²³ As the regime struggled to maintain its influence within the monstrously complicated British political scene,¹²⁴ so its own vulnerability was made manifest. Civil war within Scotland forced difficult choices on troubled men, and suddenly the need to secure Edinburgh became a political issue again. Faction permeated the council as the

¹²⁰ Stevenson, *Scottish Revolution*, 196-97. Stevenson, 'Burghs', 179, 182, 185. Cowan, *Montrose*, 65, 69, 71-79. DesBrisay, '“The civill wars did overrun all”', 247, 249-53, 254-56, 256-60.

¹²¹ In practice, ministers were ejected from their livings and those who had not signed were hounded by the more zealous. The main source for this is David Mitchell's letter to the bishop of Raphoe, NLS, Denmilne Papers, Mss.33.1.1, vol.12. Nicoll also recorded how at least one man who had consistently refused to sign the Covenant was not allowed to be buried in the churchyard at his death, Nicoll, *Diary*, 8.

¹²² NAS, 13 Aug 1640, GD112/39/81/7.

¹²³ For an example of the royalist-parliamentarian factionalism afflicting English towns, see AM Johnson, 'Politics in Chester during the Civil Wars and Interregnum 1640-62' in P Clark and P Slack, *Crisis and Order in English Towns 1500-1700* (Frome, 1972), 204-9, 212-14.

¹²⁴ A good, concise overview of the complicated interaction of the three kingdoms is Kenyon with Ohlmeyer, 'The background to the civil wars' in Kenyon and Ohlmeyer (eds), *The Civil Wars*, 3-40.

ideological agenda of men like John Smith or James Stewart collided with the interests of the burgh as an economic entity. The intentionally vague concepts presented in the Covenant had initially united men who saw that their religion and their kingdom were under threat, but once the immediate military threat posed by England had waned, difficult questions began to receive an airing. Those who emphasised the need for a workable accommodation with the king, found themselves at odds with men who believed that God's word could never be compromised. This fundamental dichotomy was at the heart of the Covenanting movement's internal struggles right up to, and beyond, the English invasion. While there was certainly awareness of this issue at local level, not all debate was determined by it. Ideology was at work in Edinburgh, but the way in which Scotland's most powerful men related the capital to their own struggles was unlikely to be the determining factor in how the burgh community saw itself.

The fragments of information which have survived to tell us what was happening in the capital during the later 1640s suggest that the people with the most interest in shackling Edinburgh's political processes to their own cause were the radical clergy. John Smith and James Stewart were supported by the ministers because they believed that the civil magistrate was put on earth to support the godly, and that these men fulfilled that requirement. Their rigid agenda was probably not supported by the wider community, whose livelihoods were being destroyed by the regime's military commitments across the three kingdoms. Edward Edgar was completely committed to the Covenant but his proportion of the average stent had collapsed from well over three times the average in 1642, to just under half in 1649. It is worth re-emphasising that it was the *merchants and trades* who had resisted Smith's re-election in October 1646, while the clerics had supported it. The inference here is that Smith had become associated with a political faction, or perhaps a political ideology, which was perceived by his peers as being inimical to the basic duty of protecting Edinburgh's interests.

External interference in burgh politics reached its climax after the Engagment. It surpassed even Charles I's attempts to control the provostship, by specifically rejecting a particular person, rather than simply nominating another without overt criticism of the incumbent. Stewart was probably a little less repugnant than Hay because he was actually a merchant burgher, but it is abundantly apparent, from the ferocious scramble for power which occurred in 1652, that Edinburgh's political elite wanted to make a point. Given that the country was under military occupation, this insistence on respecting now meaningless privileges seems irrelevant. Yet the town council did still exist and it still dealt with all the aspects of urban life it had always passed judgement on; the only difference now was that it deferred to an English commander, instead of a committee or a king. Legitimacy, authority and status were still very much live issues, perhaps more so because of the indignity of military rule. In the election of 1652, the political elite were determined to prove to the community they governed that they were not mere pawns of the English. No doubt Lambert had absolutely no interest in who was provost as long as a big bag of money was handed to him every month, but for those who had survived the later 1640s, Tod's victory was also a victory for the ancient privileges and customs of the burgh. Ultimately, although nobody knew it at the time, those privileges and customs would

show a 'remarkable resilience',¹²⁵ surviving in a meaningful way for much longer than a failed Covenant, an English occupation, or even the Stewart dynasty itself.

¹²⁵ Stevenson, 'Burghs', 187.

Conclusion

Politics and Religion: Edinburgh in Context

In 1652, Lowland Scotland had been devastated by an occupying English army. Many of the burghs around the Forth had been ransacked, with significant buildings such as parish church and tolbooth particular targets. Soldiers, both Scots and English, were quartered on communities which were ill-equipped to sustain them. Corn and livestock had been confiscated or destroyed, thereby exacerbating the high food prices and shortages which afflicted much of the country from the late 1640s. On top of this, a crippling level of taxation was imposed in order to pay for the military regime. International trade probably made a partial recovery during the 1650s, but it is still likely that 'little of lasting economic benefit was achieved in the 1650s'. The English may have brought order and stability after several years of turmoil but it was, nonetheless, founded on the chaos of military subjugation.¹

Outside the House of Commons at Westminster stands a statue of Oliver Cromwell, commemorating the triumph of parliamentary constitutionalism over tyrannical monarchy. No such statue is ever likely to appear in Dublin or Edinburgh, where Cromwell's name is associated with ruthless conquest. Whatever one's position on Cromwell's role in English history, he was undoubtedly a man of profound religious belief whose vision of an elect nation justified, for him, the elimination of that man of blood, Charles Stewart. In Scotland and particularly in Ireland, Cromwell's pragmatism, not his idealism, was at work. During the 1550s, in 1603, and again in 1643, the security of Protestantism was seen by individuals on both sides of the border as God's master plan for the ceaselessly antagonistic Scots and English – 'Hath not the almighty providence severed me from the reste of the worlde, with a large sea, to make me one Islande? ... Why then wil you divide me in two?'.² Cromwell certainly made one island, but the Protestant vision was exclusively English and determinedly defensive. The security of Protestantism lay not in religious harmonisation throughout Britain, but in England lifting the drawbridge against potentially hostile neighbours.

¹ GR DesBrisay, 'Authority and discipline in Aberdeen, 1650-1700 (PhD thesis, St Andrews, 1989), 22-44, 41 (quotation). DesBrisay has modified the more optimistic view in TM Devine, 'The Cromwellian union and the Scottish burghs: The case of Aberdeen and Glasgow, 1652-60' in J Butt and JT Ward (eds), *Scottish Themes* (Edinburgh, 1976). Dow, *Cromwellian Scotland*, 24. Grainger, *Cromwell Against the Scots*, 33, 51. Lynch (ed), *Early Modern Town*, 6-8. AJS Gibson and TC Smout, *Prices, Food and Wages in Scotland, 1550-1780* (Cambridge, 1995), 52, 55, 62, 65, 175-77. RA Bensen, 'South-west Fife and the Scottish revolution: the presbytery of Dunfermline, 1633-52' (M.Litt thesis, Edinburgh, 1978), 203-4, 208-10, 229, 230. Gillanders, 'Scottish burghs', 34, 125-26, 129, 195-98, 201-10, 214-16, 263-64, 266-68. 'Collections from a private hand at Edinburgh, from 1650-61' in *Historical Fragments*, ed. Maidment, 29, 34. Nicoll, *Diary*, 23, 26-8, 35 (misnumbered as 33), 50, 58.

² James Henrisoun's *Exhortatioun* in RA Mason, 'The Scottish Reformation and the origins of Anglo-British imperialism' in RA Mason (ed), *Scots and Britons: Scottish Political Thought and the Union of 1603* (Cambridge, 1994), 173.

It is inevitable, given the complex intertwining of the Anglo-Scottish story in the post-Reformation century, that historians should focus on the Edinburgh-London axis. This is a natural consequence of the enduring nature of our peculiar union, which, for all its coughs and hiccups, is still in existence and demands attention for that very reason. It should not, however, be the whole story. The Scots were undoubtedly interested, by necessity of their smaller stature, in forging a relationship with England which could protect them from the threat posed to their sovereignty by predatory empire-builders.³ Scotland also had a long heritage of involvement in Continental affairs; in the early 1640s the Scots were looking to France, the Dutch Republic, Sweden and Denmark-Norway, as well as Ireland, in order to make sense of their place in the world.⁴ Such a situation is hardly surprising to historians of the medieval kingdom, when it was common to find Scotsmen hectoring papal officials, serving in French armies and attending European centres of learning.

Multiple monarchy, relations between centre and locality and religious evangelism have been key themes of this thesis – features which seventeenth-century Scotland shared with many other European countries. Nor is the situation of a small country living under the shadow of a much larger one especially unique, although the fact that two sovereign kingdoms should find themselves squeezed into the same island does lend the relationship a certain intensity. By the middle of the sixteenth century, the loss of England's last toehold in France, Calais and, later, the downfall of Mary Stewart, who held out the promise of uniting France, England, Scotland and Ireland under one crown, had forced English monarchs to reorientate their attentions towards the British Isles.⁵ This reorientation was embodied, not without considerable anxiety, in the union of 1603.⁶ It would be a simplification to state that this was where all the trouble started but, as Maurice Lee has observed, it is almost impossible to visualise how the wars of the three kingdoms could have occurred without this definitive development.⁷

Although this study did not begin in 1603, it has attempted to encompass the significance of Scotland's political and constitutional relationship with England after that date. Peter Donald and Conrad Russell have pointed to the difficulties of addressing British issues when the two privy councils remained entirely separate, although the jurisdictional and political minefield arising from the formation of a council for

³ RA Mason, 'Scotching the Brut: Politics, history and national myth in sixteenth-century Britain' in RA Mason (ed), *Scotland and England, 1286-1815* (Edinburgh, 1987), 60-84. AI Macinnes, 'Politically reactionary Britons? The promotion of Anglo-Scottish Union, 1603-1707' in SJ Connolly (ed), *Kingdoms United? Great Britain and Ireland since 1500, integration and diversity* (Dublin, 1999), 45, 48.

⁴ Some useful material on Scotland's international relationships would include JK Cameron, 'Some Scottish students and teachers at the university of Leiden in the late sixteenth and early seventeenth centuries' in GG Simpson (ed), *Scotland and the Low Countries, 1124-1994* (East Linton, 1996). T Riis, *'Should Auld Acquaintance be Forgot': Scotto-Danish relations c. 1450-1707* (2 vols, Odense, Denmark, 1988). TC Smout (ed), *Scotland and Europe 1200-1850* (Edinburgh, 1986). S Murdoch, 'Scotland, Scandinavia and the Bishops' Wars, 1638-40' in Macinnes and Ohlmeyer (eds), *Stuart Kingdoms*. D Stevenson, *Scottish Covenanters and Irish Confederates* (Belfast, 1981).

⁵ SG Ellis, *Ireland in the Age of the Tudors, 1447-1603* (Harlow, 1998), 13-14.

⁶ J Wormald, 'The creation of British multiple kingdoms or core and colonies?' in *Transactions of the Royal Historical Society*, 6th ser., ii (1992), 177, 187-88.

⁷ M Lee, 'Scotland, the union and the idea of a "General Crisis"', in Mason (ed), *Scots and Britons*, 41.

British affairs would have created real headaches. Closer union within a federal model was energetically pursued by the Covenanters after 1640, as a means of preserving their autonomy within a supra-national decision-making process.⁸ Scottish issues did become subjugated to English ones, but there is little evidence that James's system of governing Scotland was showing signs of being structurally unsound during his lifetime.⁹ Sharon Adams has made the pertinent point that James may have failed to consider the possibility of problems in the future,¹⁰ although if the system was working more or less to everyone's satisfaction this may be expecting a little too much of James's foresight.¹¹ He did give thought to how the kingdoms should relate to one another, but James's union was never fully articulated because it was always intended to be a gradual move towards 'the closest possible fusion', not simply the incorporation of Scotland in a greater England.¹² Once the project had stalled, James appears to have concentrated on ecclesiastical convergence instead and there were no further attempts to pursue closer political and institutional ties between the two countries.

Charles's reign seems to have been marked by a mounting sense of dissatisfaction with the post-1603 arrangement, primarily because it appeared to many in Scotland that their concerns were being subjugated to those of England. At least one pamphlet of the period complained that the king was not receiving 'rycht Informatioun' about his native kingdom. This was blamed on a combination of 'the absence of his M[ajesties] royall persone and court' coupled with 'the Neglect of parliaments, Conventions of Estates and of free assemblies of the kirk' and the corrupting influence of low-born individuals who were replacing the 'ancient nobilitie' as the king's counsel. It is significant that the pamphlet went on expressly to attach these concerns to the 'great danger and extremities of the reformed kirk' since the imposition of 'bishops and ceremonies'.¹³ Scotsmen were accustomed to plucking at the sleeves of forgetful monarchs and the political élite's fractious relationship with Charles reflected the desire to be heard, not a desire to turn him into a Scottish doge. It was only when legitimate protest had been exhausted that thoughts turned to establishing constitutional bulwarks against autocratic rule.¹⁴

Charles was not insensitive to Scottish concerns, but whereas James, to all intents and purposes, remained king of Scotland and of England, Charles developed an Anglicised version of Britishness which enjoined conformity to divine rule across the two countries.¹⁵ Unfortunately, the parlous state of royal revenue in the

⁸ Donald, *Uncounselled King*, 326. Russell, *Fall of the British Monarchies*, 30. See also Stevenson, *Scottish Revolution*, 215, 220-21. Hughes, *English Civil War*, 53. Goodare, *Government of Scotland*, ch.6.

⁹ Stevenson, *Scottish Revolution*, 16. Lee, *Government by Pen*, 114, 219. Lee, *Road to Revolution*, 238. More work on the fiscal dimension of James's regime might show otherwise, see n.28.

¹⁰ Adams, 'regional road to revolution', 47, 53, 63-4.

¹¹ Lee, *Government by Pen*, 219.

¹² Galloway, *Union*, 110-14, 165-66. D Hirst, *England in Conflict, 1603-1660: Kingdom, Community, Commonwealth* (London and New York), 79-80, 86-7. Wormald, 'British multiple kingdoms', 188, 193.

¹³ NLS, *Dangers to the Repub[lic]*, Wod.Qu.CV, ff.101, 102, 103, 104.

¹⁴ R Mason, 'The aristocracy', 7.

¹⁵ AD Nicholls argues for continuity between the reigns of James and Charles regarding 'inter-kingdom cooperation'. He states that Charles had no British vision in economic affairs, remaining 'king of each' rather than 'king of all', although this attitude was informed by the entrenched interests of individuals and

early seventeenth century meant that Charles did not have the resources to support an endeavour which, in keeping with his Continental peers, essentially aimed at consolidating monarchical power throughout the king's domains. This issue was particularly pertinent in those kingdoms where the absence of the monarch meant that bureaucratic structures had to be able to operate effectively on their own.¹⁶ If James and Charles really were to sit in London and govern Scotland with their pens, they needed experienced personnel *in situ*, with the scope to interpret the king's will in a flexible manner. In this sense Scotland was fortunate in that the privy council, with its wide powers, possessed the capability to run daily government itself.¹⁷

The question this raises is the extent to which James and Charles were willing to devolve decision-making to the Scottish privy council. Kevin Sharpe has pointed out that style rather than policy *per se* distinguished the government of the two kings in an English context.¹⁸ There is some truth in this for Scotland, too, particularly in ecclesiastical policy. Much of what Charles did was heavily influenced by his father's example, and although he displayed leniency over enforcement of the Perth Articles, it seems clear that Charles was playing a long game on this issue in order to pursue a more vigorous campaign for ecclesiastical congruity. Unfortunately, Charles was less able a politician than James. He did not see the value of requesting advice from a broad cross-section of political opinion and rapidly created a Scottish privy council which was no longer intended to provide this vital function. James had been willing, up to a point, to entertain different views, but Charles almost saw debate as something subversive; contrast James's request for Patrick Galloway's opinion on the Perth Articles in 1617 with Charles's chilly rejection of a petition by the Edinburgh ministers on the same matter in 1626.

Dissatisfaction amongst the Scottish political nation, which embraced a wider group than just the peerage, does not mean that Scotland was 'virtually all country'.¹⁹ Loyalty to the Crown existed beyond the Prayer Book crisis, suggesting that as elsewhere in Britain, Scottish politics was about who had access to power and how they used it.²⁰ Unlike elsewhere in Britain, the presence of the privy council raised the possibility that an alternative sphere of influence could develop which was related to, but not entirely dependent on, the Court. Maurice Lee's work and the evidence presented in Chapter Four suggests that a competent, effective privy council, exercising a considerable degree of autonomy, governed Scotland before 1625.

groups in both countries. See *The Jacobean Union: A Reconsideration of British Civil Policies under the Early Stuarts* (Westport, Connecticut, 1999), 25, 145, 189.

¹⁶ Donald, *Uncounselled King*, 15. Lee, *Road to Revolution*, 240-41. Russell, *Fall of the British Monarchies*, ch.2. Goodare, *Government of Scotland*, ch.6. A Hughes, *The Causes of the English Civil War* (Basingstoke, 2nd edn., 1998), 12, 14. J Scott, *England's Troubles: 17th Century English Political Instability in its European Context* (Cambridge, 2000), 71.

¹⁷ Goodare, *Government of Scotland*, ch.6. Goodare, 'Scotland's parliament in its British context' in Dickinson and Lynch (eds), *Challenge to Westminster*, 25.

¹⁸ Sharpe, *Personal Rule*, p.xvi. See also Lee, *Road to Revolution*, 4, 8, 10, 20, 29.

¹⁹ Stevenson, *Scottish Revolution*, 323.

²⁰ Brown, *Kingdom or Province?*, 106. Brown, 'Courtiers and cavaliers' in Morrill (ed.), *Scottish National Covenant*, 157-58, 178-79. Goodare, 'Scottish politics in the reign of James VI', 54. Donald, *Uncounselled King*, 5. See also J Morrill, *The Revolt of the Provinces: The People of England and the Tragedies of War, 1630-48* (London, 2nd edn, 1999), 26-34. B Manning, 'The aristocracy and the downfall of Charles I' in Manning (ed), *Politics, Religion and the English Civil War*, 42.

Even if there was a 'slowing down'²¹ in the pace of government, as the Jacobean administration relaxed into its role, this was not necessarily a bad thing; dynamic government could, as Charles would find, create more problems than it purported to solve.²² After James's death, it would appear that Charles I immediately began a conscious campaign to close down networks not solely reliant on royal patronage.²³ There were clearly parallels at local level, too, for both Edinburgh and Aberdeen experienced increased royal interference in their politic affairs after 1625.

This ability to alienate political opinion is evident as much in England as in Scotland. Just as Charles treated the Scottish estates as a cash-cow rather than a consultative body – although he was learning from James's example in this respect – so the English parliament attempted to have this very issue addressed in April 1640. While there was no Scottish equivalent to ship money or the Forced Loan, the tax burden did feature in the 1633 petition. Patronage was under scrutiny in England through its association with the widely unpopular figure of George Villiers, duke of Buckingham. In Scotland, too, patronage was increasingly perceived to be concentrated within a circle of Anglicised courtiers. Resistance to royal religious policy had taken on a different character north and south of the border, but mounting concern in both countries over Protestant setbacks in the Thirty Years' War, combined with the influence of the anti-Calvinist William Laud, meant that the Scots readily made common cause with the English parliamentarians who engineered his downfall.²⁴ By 1640, Charles's ability to unite disparate interest groups within and between his kingdoms had formed a formidable opposition bloc, which was committed enough to take up arms against their king.²⁵

Does this mean that Charles alone 'brought about his own ruin'?²⁶ This view has been put forward by Maurice Lee, but in recent years scholars have rightly pointed to a number of areas where James left his son a difficult legacy.²⁷ It is possible that the later years of James's reign witnessed the beginnings of a fundamental structural breakdown in Scotland, resulting from the insupportable strains of foreign wars,

²¹ Brown, *Kingdom or Province?*, 94.

²² Brown, *Kingdom or Province?*, 101. Donald, *Uncounselled King*, 320-22. See also Russell, *Causes of the English Civil War*, 43 and Goodare, 'The Scottish Parliament of 1621', 39-40.

²³ Lee, *Government by Pen*, 114-15. Lee, *Road to Revolution*, ch.1. John Young also sees James's effective government being undermined by Charles, Young, *Scottish Parliament*, p.ix.

²⁴ An anonymous journal by an Edinburgh inhabitant indicates considerable awareness of European events, NLS, Wod.Qu.IX. For Protestant fears generally, see Scott, *England's Troubles*, 92-101 and K Fincham and P Lake, 'The ecclesiastical policies of James I and Charles I' in K Fincham (ed), *The Early Stuart Church, 1603-42* (London, 1993), 33-5. For Laud's perception that the Scots were involved in his downfall, see Laud, *Works*, iii, 230, 300, 301-75.

²⁵ Brown, *Kingdom or Province?*, 100. Adams, 'regional road to revolution', 27. Donald, *Uncounselled King*, 38. Morrill, *Revolt of the Provinces*, 46-7, 49. Russell, *British Monarchies*, 8, 14, 22, 27. Russell, *English Civil Wars*, 35, 51-2, 109. Hughes, *English Civil Wars*, 32-3, 50.

²⁶ Lee, *Great Britain's Solomon*, 301. Lee, *Road to Revolution*, 244.

²⁷ Goodare, 'Scottish politics', 48-50. Brown, *Kingdom or Province?*, 94-8. These works do not deny that Lee and Wormald are right to see James as essentially a successful king, but they do point to areas where James was having problems. Lee, *Great Britain's Solomon*, p.xi. Wormald, *Court, Kirk and Community*, 158.

religious tension and economic stagnation on a weak bureaucracy;²⁸ the impact of the on-going Stewart fiscal predicament²⁹ and the impact of James's troubled foreign policy³⁰ clearly need the kind of detailed work which goes beyond the scope of this thesis. Here, the focus was on domestic political structures. After 1618, they came under great strain as James's ecclesiastical policies, namely the Perth Articles, created a widespread, popular opposition movement which took the capital as its centre of operations. Nonetheless, until James's death, his Scottish servants do seem to have been able, with difficulty, to contain the problem. Despite the difficulties arising from James's determination to have the Perth Articles enforced, town and privy council seem to have maintained a positive working relationship until the end of the king's life.

From the outset of Charles's reign, the relationship between the town council, privy council and king was undermined by reforms to the senior body. The privy council was staffed, at the king's direction, by men who were inexperienced, unfamiliar with Edinburgh politics and, particularly in ecclesiastical policy, no longer adopting their vital mediating role. The situation was aggravated by the promotion of bishops onto the privy council, which intensified faction and reduced the possibility that nonconformity would be tolerated, as it had been in the 1620s. If James's ecclesiastical policies explain why there was opposition, Charles's innovations show why their campaign eventually succeeded. The king's reforms of both secular and ecclesiastical structures enabled the nonconformists to ally their interests with a marginalised political nation, at the same time as the privy council was becoming increasingly less responsive to their demands.

Edinburgh's role in the wars of the three kingdoms has generally been seen in terms of providing a venue for the Prayer Book riot,³¹ but Chapters Four and Five show that the capital's distinctive status and culture also provide its context. Edinburgh's well-informed, sophisticated nonconformists have rightly received attention,³² but these individuals have tended to be seen as an isolated group, rather than as part of a self-conscious urban community. Unlike London, where a puritan minority had to engineer a *coup* in order to have their religious agenda addressed,³³ Chapter Five shows that Edinburgh town councillors were extremely good at accommodating variance in religious practice in order to preserve unity amongst the governing elite. After the inception of the Perth Articles, James's scrutiny of the capital made this position increasingly untenable, by creating public disputes amongst the town's leading figures and generating a political crisis in local government. The attack on the fundamental concept of unity, amongst councillors, ministers, kirk session members and in the wider community, was regarded with horror even by those who

²⁸ Consideration is given to these ideas in the Introduction. See also J Scott's discussion of 'dysfunctional fragility', *England's Troubles*, 46-7, 62-4.

²⁹ Goodare, 'Thomas Foulis and the Scottish fiscal crisis of the 1590s', 170-93. Goodare, *State and Society*, ch.4, especially 104-8, 129-32.

³⁰ WB Patterson, *James VI and I and the Reunion of Christendom* (Cambridge, 1997). Murdoch, *Britain, Denmark-Norway*.

³¹ Stevenson, *Scottish Revolution*, 58-64.

³² Stevenson, 'Conventicles in the Kirk', 101-11.

³³ Pearl, *London*, 235-36. Brenner, *Merchants and Revolution*, 316-18, 343, 356.

might have been willing to kneel themselves. There was no royal policy which could ever be important enough to justify dismembering the body politic.³⁴

King James's Five Articles, even if he had not enforced them so rigorously, would stand as a blunder of the first order. Although Maurice Lee thought that James had 'read the signs aright' over the Articles and consequently dropped his plans for the canons and liturgy, Julian Goodare is categorical that the Articles themselves went 'well beyond the limits of the possible'.³⁵ A number of works exist showing that James did not pull back from enforcing the Perth Articles,³⁶ as both Lee and Russell have stated, but it is worth restating that James's religious policies played an important role in destabilising Scottish politics. For all Charles's shortcomings, it is James who should carry the blame for creating a situation where many people in Lowland Scotland found themselves in opposition to royal religious policy. This does not exonerate Charles from making poor decisions, but James clearly bequeathed his son a troubled legacy which would have taken considerable political acumen to resolve.

If nonconformity had been confined to Edinburgh it would have been problematic enough for the government, but the capital had undoubtedly become the focus for a dissenting community which spread throughout Lowland Scotland. Edinburgh was a natural meeting point for those living further afield. It was a cosmopolitan, literate society with its own, thriving print culture (covering official and unofficial publications), as well as strong links with continental centres.³⁷ Furthermore, the compact, integrated urban community readily gave rise to close associations between like-minded folks. Resistance to the Perth Articles in Scotland was consequently expressed through social networks emanating out from the capital, bringing brought together men and women, rich and poor, urban and rural. While the organisational heart of resistance was probably made up of the godly, the agenda had broad appeal across many social groups, giving a cohesiveness to their activities which was much less pronounced south of the border.³⁸ Edinburgh

³⁴ For tension between governing elites and the wider populace, see K Wrightson, 'Two concepts of order: justices, constables and jurymen in 17th century England' and J Walter, 'Grain riots and popular attitudes to the law' in Brewer and Styles (eds), *An Ungovernable People*. Archer, 'Politics and Government' in Clark (ed), *Cambridge Urban History*, ii, 235, 246.

³⁵ Goodare, 'Scottish politics', 52. Lee, *Great Britain's Solomon*, 179, 181.

³⁶ Goodare, 'Scottish politics', 52. MacDonald, *Jacobean Kirk*, 169-70. A thorough account is Mackay, 'Five Articles of Perth', abstract, 108, 250. Lee states that James was defied over the Articles, thereby showing up the limits of effective government. Lee, *Government by Pen*, 178, 185, 188. Russell maintains that James wanted subscription, not enforcement, purely as a means of preventing criticism of the English church. Russell, *English Civil War*, 49. David Stevenson blames Charles because he believed the Perth Articles were not enforced, but Charles's policies were clearly a continuation of his father's work. Stevenson, *Scottish Revolution*, 24.

³⁷ Mann, *Scottish Book Trade*, 8, 24-5, 27, 30-1, 59-60, 69-70, 80-4, 86-7, 88-9, 91, 193-97, graph 8, 215, graph 10, 220, 221, 222-23, 224-25.

³⁸ Active resistance to anti-Calvinism does not seem to have been coordinated between the English localities, although the debates provoked by Richard Montagu's work helped to generate a parliamentary grouping associated with the protection of Calvinist doctrine and worship. Tyacke, *Anti-Calvinists*, 125-62. The type of people who constituted the 'godly' has been looked at in terms of 'class consciousness' amongst the middling sort, for example, B Manning, 'Religions and politics: The godly people' in Manning (ed), *Politics, Religion*, 82, 123. Chapter Five shows that even if this can be sustained, the Perth Articles were so unpopular in Scotland that opposition encompassed a broad cross-section of society, including nobility, gentry, lawyers and members of Edinburgh's political élite.

was, nonetheless, the capital, making activity there more obvious to the authorities than it would have been anywhere else. It evidently irked James far beyond the levels of his finite patience that despite the fact nonconformists were known about in London, they had seemingly escaped the attentions of the Scottish privy council.

What to call these people has given rise to a historically contentious and seemingly never-ending debate.³⁹ In this thesis the term nonconformist seemed most appropriate, because it reflected opposition to royal religious policy in general after 1617, and encompassed those who were not necessarily antagonistic to the episcopate on theological grounds. For this reason, the term presbyterian was not accurate enough, although there was clear continuity between those who favoured that form of church government and opposition to the Perth Articles. The principle problem with the term puritan was that people who resisted the Perth Articles and the Prayer Book were not necessarily the classic godly types, whose ecstatic religious experiences (often followed by periods of deep depression) set them apart from the rest of their congregations. Nonconformity thus incorporated a wider body of people, who might have been willing to acquiesce in the restoration of episcopacy, but were convinced that there was no place for kneeling and Prayer Books in the purest reformed church.

It is also worth considering the possibility that at least some of the features of puritanism in England would have been considered part of the religious mainstream in Scotland. Intensive bible-study, fasting, regular recourse to *ex tempore* sermonising and a strict observance of the sabbath have been noted as puritan activities in England, but they were recognised features of the religious week throughout much of Lowland Scotland.⁴⁰ The *First Book of Discipline* and early seventeenth century church courts specifically endorsed, family exercises, fasting and, in what seems to be the most notable departure from English practice at popular level, observance of the sabbath.⁴¹ As Collinson noted, the huge open-air field conventicles which occurred in Scotland during the 1620s and 1630s (and were subsequently exported to Ulster by self-exiled preachers), were not matched south of the border.⁴² Scottish puritans, exhibiting the same outward professions of zeal as their southern neighbours, can be identified, but the distance between mainstream religious activity and puritanism does seem to have been narrower in Scotland than it was in England. This has led Margot Todd to see a 'yawning chasm' between the Scottish and English religious experience;⁴³ as

³⁹ For a summary, which goes on to emphasise 'a unique and dynamic culture' as the key to describing puritanism, see C Durston and J Eales, 'Introduction: The Puritan Ethos, 1560-1700' in C Durston and J Eales (eds), *The Culture of English Puritanism, 1560-1700* (London, 1996), 1-9.

⁴⁰ J Coffey, *Politics, Religion and the British Revolutions: The Mind of Samuel Rutherford* (Cambridge, 1997), 17. Durston and Eales, 'Introduction' and P Collinson, 'Elizabethan and Jacobean puritanism as forms of popular religious culture' in Durston and Eales (eds), *Culture of English Puritanism*, 13-15, 47-54.

⁴¹ *The First Book of Discipline*, ed. JK Cameron (Edinburgh, 1972), 185-87. Mullan, *Scottish Puritanism*, 124, 128. BUK, iii, 966, 996, 1052. *Selections from the Minutes of the Synod of Fife, 1611-1687* (Abbotsford Club, 1837), 17, 18, 20, 23, 42, 95, 98. *Selections from the Registers of the Presbytery of Lanark, 1623-1709*, (Abbotsford Club, 1839), 4. Collinson, 'Elizabethan and Jacobean Puritanism', 37-8.

⁴² Collinson, 'Elizabethan and Jacobean puritanism', 54.

⁴³ G Donaldson, *The Faith of the Scots* (London, 1990), 83-4, 87. LE Schmidt, *Holy Fairs*, 21-9. Mullan, *Scottish Puritanism*, chs.1 and 3. Yeoman, 'Heartwork', chs.1 and 4. Todd, *Culture of Protestantism*, 1, 6, 86, 93-5, 388-89, quotation at 407. Todd also sees a puritan culture in Scotland, 410-11.

Scots had been told, *ad nauseam*, by their preachers, it was these features were marked out the purest kirk in Christendom from its corrupt neighbours.

There is no doubt that the Perth Articles changed the religious landscape in Scotland. Only the most hardline presbyterians had remained actively opposed to episcopacy between 1610 and 1617, but it was an increasingly futile stance which had no popular following. The debate on episcopacy did not directly affect worship and many kirk sessions carried on virtually regardless.⁴⁴ In contrast, the Perth Articles profoundly affected the normal features of religious life which had become entrenched in Lowland Scotland in the previous half-century. Private meetings were now subversive and schismatic, as the unpalatable requirements of the Articles made them a substitute for church worship, rather than an augmentation of it. Kirk sessions gave dissent a public face, when the attempts of conformist ministers and members of the political elite to enforce the Articles came into conflict with the active godly laity who were the bedrock of session membership. The political ramifications were particularly damaging in Edinburgh, where the intense government scrutiny provoked a crisis in relations between the secular and spiritual authorities. Despite the best efforts of the Crown, it was somehow proving impossible for privy councillors to spot notorious suspended ministers loitering in the capital, and for town councillors to identify, from amongst their very own neighbours, who was harbouring them. Such were the practical limits of James's pen when the local authorities had developed a studied indifference to his policies.

So was there a 'religious revolution' in Charles's northern kingdom?⁴⁵ In England, the 'opportunism of the few' was responsible for taking the constitutional crisis surrounding the militia question as the excuse to overturn Laud's unpopular 'English popery' in 1640-41.⁴⁶ In Scotland, the Crown's programme of religious harmonisation with the English church, which was Anglicanisation to the inhabitants of Edinburgh whatever the intentions of the monarch,⁴⁷ fuelled the revolt of 1637. It is certainly the case that the events of 23 July were engineered by men and women based in the capital, who had resisted the Perth Articles and were absolutely determined that the Prayer Book would never be used in Scotland. Moreover, there were

⁴⁴ Foster, *Church before the Covenants*, 60, 83. The very fact that Calderwood criticised the episcopate for their rhetorical flourishes indicates how central preaching remained to the Scottish religious experience. Mullan, *Puritanism*, 128, quoting David Calderwood. William Forbes's preaching as bishop of Edinburgh upset his parishioners there, Row, *Historie*, 370. Alan MacDonald points to non-attendance at presbyteries as a result of the episcopal presence, but a bishop would rarely, if ever, have attended a kirk session. On the other hand, MacDonald's evidence pertains to a handful of presbyteries and does not suggest that absenteeism was so common that any presbytery was unable to function. MacDonald, *Jacobean Kirk*, 150-52.

⁴⁵ Stevenson, *Scottish Revolution*, 299. For an attack on the notion that puritans were revolutionaries in an English context, see B Coward, 'Was there an English Revolution in the middle of the seventeenth century?' in C Jones, M Newitt and S Roberts, *Politics and People in Revolutionary England* (Oxford, 1986), 14, 29.

⁴⁶ J Morrill, 'The impact of Puritanism' in J Morrill (ed.), *The Impact of the English Civil War* (London, 1991), 52.

⁴⁷ Kenneth Fincham and Peter Lake have used the helpful term 'congruence' to describe Jacobean ecclesiastical policy in Britain, see Fincham and Lake, 'The ecclesiastical policies' in Fincham, *Early Stuart Church*, 49. Sharon Adams is right to point out that Scots were less concerned with the intention than the net effect. Adams, 'regional road to revolution', 29. This is also the view stated in MacDonald, *Jacobean Kirk*, 186.

men in Scotland who knew that the Prayer Book would never be accepted in the capital because of this legacy of dissenting activity, but Charles chose not to consult these people. He relied instead on the ambitious bishop of Ross and the slippery Traquair, who omitted to contradict the king's assumption that, as the Prayer Book was acceptable in England, the Scots had nothing to complain about.⁴⁸ By 1637, the privy council were racked by internal divisions, so that despite some knowledge of what was coming, they were ill-prepared to deal with the consequences. In this sense, 1637 was a crisis 'of government rather than religion', because a good government would have realised that the Prayer Book was an impossibility in Scotland.⁴⁹ It is likely that without a galvanising antipathy towards the Book, the radicals would never have found the cause which ultimately enabled them to propel the moderate majority into accepting a presbyterian revolution.⁵⁰

23 July was indisputably an Edinburgh affair, where opposition had been 'nourished' for many years beforehand by the same type of articulate, literate merchants who had been agitating in London.⁵¹ There was almost no noble involvement at this early stage, hinting at the potential for social radicalism from within the privy kirk.⁵² Prominent figures in the failed petitioning campaigns of 1630 and 1633, notably John, Lord Balmerino, probably did know what was going on – Traquair's convenient absence on the day suggests he, too, knew of a specific campaign against the Book – but those with any social position were reluctant to nail their colours to the mast before Charles had revealed his.⁵³ It was the king's stubborn inflexibility which destroyed any possibility of a compromise, thereby enabling a minority of gifted theologians, accompanied by a laity just as well-versed in their Scripture, to effect a bewilderingly speedy and efficient revolution. Chapter Six showed that the Edinburgh presbytery was at the forefront of the campaign to reassert the primacy of the General Assembly in spiritual affairs and purge the kirk of impurity.⁵⁴ Through years of opposition to Crown policy, the radicals had schooled themselves in management techniques which would have impressed James VI, leaving the opposition with little opportunity to mount a coherent counter-campaign. Those who were most likely to do so, the episcopate, were intimidated and discredited.

Although the Glasgow General Assembly was a masterpiece of manipulation, the popularity of the religious settlement it effected does need to be stressed.⁵⁵ The presbyterian church polity was not

⁴⁸ Kevin Sharpe claims that Charles had no reason to suppose the Book would not be accepted. Sharpe, *Personal Rule*, 787. Maurice Lee maintains that Charles's Scottish servants generally, and Traquair particularly, purposely did not tell him about potential problems, Lee, *Road to Revolution*, 192, 201, 207. The 'Large Declaration' of 1639, quoted in Russell, *Fall of the British Monarchies*, 50. Laud also underestimated the extent of opposition to the idea of a Prayer Book in Scotland, Laud, *Works*, vi, 318-506.

⁴⁹ Lee, *Road to Revolution*, 4, 241.

⁵⁰ Donald, *Uncounselled King*, 79.

⁵¹ Pearl, *London*, 160.

⁵² AH Williamson, *Scottish National Consciousness and the Reign of James VI* (Edinburgh, 1979), 69-70, 72. Makey, *Church of the Covenant*, 166-67, 175, 177, 179.

⁵³ Stevenson, *Scottish Revolution*, 58, 63. *Works of William Laud*, vi, 495.

⁵⁴ For a discussion of the issue of the royal supremacy in ecclesiastical affairs, which James successfully reasserted by 1612, see Goodare, 182-212.

⁵⁵ This is the assumption made by David Stevenson, *Revolution and Counter-Revolution*, 226.

inherently objectionable to the local political elite, who were as worried by a powerful episcopate as the prospect of subversive ministers. As indicated in Chapter Three, the presbyterian church courts were often a welcome ally in the struggle against social disorder, particularly in urban centres.⁵⁶ It is surely significant that, unlike in England, where the puritan agenda was squeezed by a variety of different religious positions during the 1640s, there was little *religious* opposition to the Covenanting movement. Even the Aberdeen Doctors were Calvinists, whose rejection of the Covenant was primarily based on their inability to accept that God was happy about subjects bonding against kings.⁵⁷ It was probably no accident that Montrose raised his rebellion in 'conservative'⁵⁸ Aberdeenshire but nobody was using the restoration of bishops or some variation on the beauty of holiness to gain support.⁵⁹ 'The strength of Episcopalian adherence'⁶⁰ in the north-east can sometimes be exaggerated, creating a simplistic demarcation between presbyterians and episcopalians.⁶¹ Aberdeen probably housed 'more anti-Covenanters than Covenanters', and part of this was expressly based on concerns about overturning the episcopate, but the strength of the minority who did sign up for the Covenanting programme is evident in the vicious factionalism which marked out Aberdeen's experience from that of many other Scottish burghs during the 1640s.⁶²

If Edinburgh was, in many respects, unrepresentative of the rest of the kingdom because of its size and stature, it was perfectly representative of Lowland religious opinion (far more so than Aberdeen). This was partly because, as has been suggested in Chapter Five, Edinburgh was as much the natural leader in religious opinion (if not necessarily in theological debate) as it was in economic affairs. The capital's guiding influence was not questioned until the autumn of 1648, when a radical group based in the south-west seized power in the wake of the Engagement débâcle, intending to complete the work which had begun in 1637, but had stalled due to the pressures of war. For the first time since the riot of 1637, Edinburgh town council, which had supported the Engagement, found itself openly divided from the community it governed. Nonetheless, there was no real breach in Edinburgh or in the country at large regarding religious practice, although there was more than a suspicion that the clergy had become a little puffed up with their own power. The irreparable breach between Remonstrants and Resolutioners was also less about religious forms than the vexed question of how obedience to the monarch could be squared with protection of the true, reformed faith. John Morrill has pointed to a resilient 'folk Anglicanism'⁶³ in the English localities which made a puritan Reformation difficult to put into effect. There appears to have been no such conflict between the religious aims of the Covenanting regime and much of Lowland Scotland

⁵⁶ Goodare, *State and Society*, 172-73.

⁵⁷ Mullan, *Scottish Puritanism*, 210-11, 224

⁵⁸ M Lynch, G DesBrisay with MGH Pittock, 'The Faith of the People' in Dennison, Ditchburn and Lynch (eds), *Aberdeen*, i, 300.

⁵⁹ For hints at Montrose's thinking, see D Stevenson, 'The "Letter on Sovereign Power" and the influence of Jean Bodin on political thought in Scotland', *SIIR*, lxi (1982).

⁶⁰ Lynch, *et al*, 'Faith of the people', 300.

⁶¹ Donaldson, 'Scotland's conservative north'. MacDonald, *Jacobean Kirk*, 98-9.

⁶² Interestingly, Aberdeen was also one of the few places in Scotland which showed any interest in the Quaker movement during the 1650s. DesBrisay, 'The civill warrs did overrun all', 240, 246-61, 262-63.

⁶³ Morrill, 'Impact of Puritanism', 57. D Underdown, *A Freeborn People: Politics and the Nation in Seventeenth-Century England* (Oxford, 1996), 56.

(although this was clearly not the case in the north and west).⁶⁴ On the contrary, a resilient 'folk Calvinism'⁶⁵ in the Scottish localities may have created the stoney ground onto which fell the seeds of Stewart reform.

If the term puritan has presented problems, using the word revolution has had its controversies also. Laurence Stone has eruditely discussed how a theoretical definition can frequently run into the brick wall of reality; there is always the danger that in the quest for the right term, the historical circumstances which fuelled the inquiry in the first place become irrelevant.⁶⁶ While Allan Macinnes's definition of revolution has the attraction of simplicity,⁶⁷ Stone's attempt to distinguish between preconditions and precipitants does generate fruitful inquiry in the Scottish context.⁶⁸ The closest adherent to this kind of investigation is Walter Makey's *Church of the Covenant*. He explicitly saw a downward transfer of wealth, which resulted from feuing during a time of Europe-wide inflation, as the hidden propellant of the upheavals of the 1640s.⁶⁹ Fortunately, historians have moved away from the caricatured portrait of seventeenth-century Scotland drawn by Hugh Trevor-Roper (robustly refuted by David Stevenson),⁷⁰ and Makey's work fits into a wider attempt to show that late medieval and early modern Scottish society was not just made up of over-mighty magnates who oppressed their tenants.⁷¹ Maurice Lee has also identified a number of long-term factors within a critique of the 'general crisis' theory, notably the shattering of Christendom and the disintegration of medieval society in the face of the 'omnicompetent, centralized, bureaucratic state'.⁷² Lee

⁶⁴ This statement may not stand up to the thorough work on seventeenth century ecclesiastical records which still needs to be done. For the 'lengthy and, at time, bloody civil war' in the north and west, see J Kenyon with J Ohlmeyer, 'The background to the civil wars in the Stuart Kingdoms' in Kenyon and Ohlmeyer (eds), *The Civil Wars*, 37-8.

⁶⁵ This term is by no means perfect and what follows certainly needs refined. A convenient equivalent to Anglicanism, denoting loyalty to the church as an institution, is hard to find in a Scottish context. 'Folk Calvinism' is intended to signify a widely-held (albeit superficial) belief that God had decided who was saved and who was not, and that nothing a person did on earth could change that. Arising out of this was the belief that there was no need, and no scriptural warranty, for outward ceremonial. By the seventeenth century, the idea that the lack of ceremonial in Scottish worship, particularly in comparison to England, meant that it was truly reformed, was deeply ingrained in Lowland Scotland. Kneeling, Prayer Books, surplices, Christmas communion and adornments such as organs were corruptions. For some, the best form of polity for protecting the purity of the Scottish church was a presbyterian one, but if the episcopate did not tamper with the essentials (and did not compete with the nobility for political prominence), the laity in general may have been largely unconcerned by their presence.

⁶⁶ L Stone, *Causes of the English Revolution 1529-1642* (New York, 3rd edn, 2002), 4, 22. See also Coward, 'Was there an English Revolution' for the attempt to find out what exactly was revolutionary about England in the 1640s.

⁶⁷ AI Macinnes, 'The Scottish constitution, 1638-51: The rise and fall of oligarchic centralism' in Morrill (ed.), *Scottish National Covenant*, 106.

⁶⁸ Hobsbawm observed the problematic nature of trying to separate pre-conditions and precipitants. This thesis does not advance that particular debate, but seeks instead to acknowledge the existence of underlying pre-conditions which create the context in which specific events can develop into precipitants. EJ Hobsbawm, 'Revolution' in R Porter and M Teich (eds), *Revolutions in History* (Cambridge, 1986), 15.

⁶⁹ Makey, *The Church of the Covenant*, 4.

⁷⁰ D Stevenson, 'Professor Trevor-Roper and the Scottish Revolution' in *History Today*, xxx (1980), 1-4.

⁷¹ JM Brown (ed), *Scottish Society in the Fifteenth Century* (London, 1977), 1-3. See also RA Houston and ID Whyte (eds), *Scottish Society 1500-1800* (Cambridge, 1989), ID Whyte's invaluable overview, *Scotland before the Industrial Revolution: An Economic and Social History c.1050-c.1750* (New York, 1995) and TC Smout's classic *A History of the Scottish People 1560-1830* (London, 1969).

⁷² Lee, 'General Crisis', 42-5.

comes to the conclusion that no 'general crisis' existed in seventeenth-century Europe, but the themes he raises are certainly worth exploring for seventeenth-century Scotland, if only because 'the powder keg had much in it besides fear of popery'.⁷³

In the aftermath of 23 July, it is tempting to imagine a parallel universe where the privy council immediately discharged the Prayer Book, Charles for once acted out of character and accepted this decision, and a brilliantly managed general assembly and parliament overturned the Perth Articles but upheld the authority of the episcopate. The presbyterian faction would, once again, have been driven into the wilderness and everyone would have reminisced in years to come about the amusing sight of the bishop of Galloway racing up the High Street from a gaggle of angry women, surplice billowing as he went. Of course the very fact that these things did not happen, paving the way for a better-organised riot with more determined aims on 18 October, indicates why there was a problem in the first place. If the subject of the riot had been religion, it was occasioned by Charles's complete disregard for the norms of political discourse in Scotland. Far from the estates simply acting as a rubber stamp for the executive,⁷⁴ the political community, given expression when sitting as the estates, considered itself to be the guardian of the commonweal. Their role was to advise the king, and act as a bulwark against tyranny.⁷⁵ If Charles did not take the advice of his political community, then he was, *ergo*, acting in a tyrannous manner.

It is possible to speculate, if not conclusively pin down, what these developments meant to the politically active in Edinburgh. They were not going to the expense and inconvenience of erecting a Parliament House just to give everybody a bit more space, although that was a consideration.⁷⁶ The building symbolised Edinburgh's status as a capital, its active participation within the Scottish political community and the focus it provided as an unofficial meeting point for nobles, gentry, ministers and lawyers from all over the country. As indicated in Chapter Five, Edinburgh became home to bi-annual or annual general assemblies between 1560 and the early 1590s. After 1595, however, there was not another assembly in Edinburgh until 1617, when the king attended in person. There would only be two more – Perth and Glasgow – before ministers convened again in Edinburgh for the 1639 Assembly.⁷⁷ The estates met more regularly than the assembly did after 1603, mainly because James did not see the secular body as inherently inimical to his authority. All of the eight parliaments and five conventions which actually carried out any business between 1604 and 1633 convened in Edinburgh.⁷⁸

⁷³ Lee, 'General Crisis', 51.

⁷⁴ Rait saw the estates as weak, RS Rait, *The Parliaments of Scotland* (Glasgow, 1924), 62. New research is overturning this view. John Young's work shows the vibrancy of the Estates during the 1640s, JR Young, 'The Scottish parliament and the covenanting revolution: The emergence of a Scottish commons in Young (ed), *Celtic Dimensions*. Goodare, 'Scotland's parliament', 23-4. MacDonald, 'Deliberative Processes in Parliament', 23-51.

⁷⁵ RA Mason, *Kingship and the Commonweal: Political Thought in Renaissance and Reformation Scotland* (East Linton, 1998), 1-2. Brown (ed), *Scottish Society*, 45-6. Mason, 'aristocracy, episcopacy and the revolution of 1638', 15-16.

⁷⁶ MacDonald, 'Deliberative processes', 39-40. *Edin Recs 1626-41*, 103.

⁷⁷ *BUK*, part iii, appendix, xlvii-xlviii.

⁷⁸ These figures discount continuations, where nothing was done (the convention of 1630 sat amid a number of continuations) and the convention of 1621, which preceded the parliament of the same years.

It is evident that even before 1603, a relative decline in parliaments, conventions and particularly general assemblies had set in, but the trend intensified in the later years of James's reign. In 1621, James VI tried to hold a convention, rather than call a full parliament, in the hope that it would be more amenable to granting him a subsidy (and less determined to debate the Perth Articles). This was flatly rejected in 1621, as was James's attempt to circumvent burghal resistance by getting Edinburgh to make decisions alone, without consulting the Convention of Royal Burghs.⁷⁹ Charles continued this theme. The next two meetings were conventions, not parliaments, and after 1633 there were fears that if the king could get a subsidy for an indefinite period, he could dispense with the estates altogether.⁸⁰ If parliament was the political nation's 'comprehensive point of contact',⁸¹ then Edinburgh, as the home of parliament, possessed a unique relationship with the wider political nation. The possibility that conventions and parliaments might become unnecessary posed a threat to the capital's sense of its own distinctive identity.

Edinburgh's political status set it apart from other Scottish towns, but as an economic unit it clearly shared the concerns of other trading centres. David Stevenson has pointed to a 'distinct burgh interest' in the Covenanted movement, boosted by a century of political co-operation in the Convention of Royal Burghs.⁸² Swingeing tax increases, necessitating more intrusive methods of assessment, impacted heavily on urban communities. This was occurring at the same time as international trade seems to have been contracting, as a result of Anglocentric policies,⁸³ and as a result of Britain's involvement in war with France and Spain. A Europe-wide shortage of coin had prompted the government to impose restrictions on the use of Scottish money to purchase goods abroad, yet Charles's favourites were monopolising the lucrative patents in the more innovative sectors of the Scottish economy.⁸⁴ The possibility of economic contraction is perhaps evident in stent rolls, where the number of people paying tax decreased in the mid-1630s despite the unprecedented sums required.⁸⁵ More work is clearly needed, particularly because the way that the economy was changing in the early seventeenth century affected different sectors of the urban population in different ways. In effect, a subsistence economy was co-existing with an increasingly sophisticated monetary economy based on credit. Did this generate tension in an urban society, where

The 1630 convention was held at Holyrood, which was technically in the Canongate but has been included as Edinburgh here. *APS*, vols.iii, iv.

⁷⁹ *APS*, iii, 590.

⁸⁰ Row, *Historie*, 365-66. NLS, Wod.Qu.CV, ff.102-4. The English political community was having the same debate, Hughes, *English Civil War*, 28-9. The 'struggle for power' between monarchs and representative assemblies has a European dimension, HG Koenigsberger, 'Dominium Regale or Dominium Politicum et Regale: Monarchies and Parliaments in Early Modern Europe' in *Politicians and Virtuosi: Essays on Early Modern History* (London, 1986), 3-23.

⁸¹ KM Brown, 'Scottish identity in the seventeenth century', in B Bradshaw and P Roberts (eds), *British Consciousness and Identity: The Making of Britain, 1533-1707* (Cambridge, 1998), 250.

⁸² D Stevenson, 'The burghs and the Scottish revolution' in Lynch (ed.), *Early Modern Town*, 167. Lynch, 'Introduction' in *Early Modern Town*, 17. Macinnes, *Covenanting Movement*, 12. Archer, 'Politics and government', 750-52.

⁸³ Macinnes, *Covenanting Movement*, 108-12, 116-18.

⁸⁴ Macinnes, *Covenanting Movement*, 34-6, 42, 106, 120-21.

⁸⁵ Brown, 'Edinburgh merchant elite', 414.

commerce could sit uneasily with godliness?⁸⁶ As starvation racked Scotland during the early 1620s, was there grumbling against those we would call 'fat cats' making excessive profits from lending money and renting out property?⁸⁷ While the rich were apparently getting richer, the middle ranks of burgh society may have found that prosperity was increasingly tenuous during the 1620s and 1630s.

If there was tension, it is hard to discern, partly because the sources which could tell us – the council records – were not intended to tell us. Edinburgh was not the only European centre to be worried about the inexorable growth of the poor, but as long as they did not overwhelm the burgh's resources (and it would seem, even in the early 1620s, that they did not),⁸⁸ they were of little political relevance. Having successfully co-opted a 'craft aristocracy' into the political elite during the 1580s,⁸⁹ the traditional merchant oligarchy of Edinburgh, like that of other early modern urban centres, had resisted threats to their wealth and power.⁹⁰ Their new concern was with an ambitious 'middling sort',⁹¹ who had their eyes on access to the elite social networks underpinning the burgh hierarchy. Inclusion as 'foot soldiers'⁹² within the burgh bureaucracy may have heightened the political awareness of the urban middling sort while also denying them real influence. While the political elite delivered stability and prosperity it would be impossible to challenge them, but there is a strong probability that both were demonstrably under threat during the later 1630s. High taxes, the declining ability of the town's common good to match council expenditure and a contracting economy had combined with an intrusive royal regime less mindful of Edinburgh's privileges than Edinburgh believed should be the case.⁹³ Interestingly, this situation was paralleled in English towns,⁹⁴ hinting that as in religion, Charles was developing policies which were insensitive to local variations. Given the similarity of their experiences, it is hardly surprising, therefore, that during the early 1640s, Edinburgh and London, sister-capitals, made common cause with one another.⁹⁵

It was not all bad news for Edinburgh, however. There is no doubt that the burghs were meeting unprecedented levels of taxation during the 1620s and 1630s, that innovative means of expanding taxation were being sought by the Crown, and that as the 1621 parliament showed, many burghs were unhappy about this.⁹⁶ Yet Edinburgh's tax bill, relative to the burgh's trade, meant that Edinburgh was probably

⁸⁶ Marshall, *Presbyteries and Profits*, 69.

⁸⁷ Underdown, *A Freeborn People*, 47. David Stevenson's rebuttal of Hugh Trevor-Roper's stereotypically backward Scotland has been supported by works which reveal a thriving, if fragile, commercial and industrial sector in the early seventeenth century. D Stevenson, 'Professor Trevor-Roper and the Scottish Revolution', 1-11. Brown, 'Edinburgh merchant elite', chs.4 and 5. Lythe, *Economy of Scotland*, ch.2. Whyte, *Scotland before the Industrial Revolution*, ch.15. Turnbull, *Scottish Glass Industry*, chs.2-5.

⁸⁸ The author is intending to publish on this subject in due course. ECA, Kirk Treasurer's Accounts, SL154/1.

⁸⁹ Lynch, *Edinburgh*, 5.

⁹⁰ JT Evans, *Seventeenth-Century Norwich* (Oxford, 1979) 2, 5.

⁹¹ See the discussion of this term and how it fits into the bigger socio-political picture in Chapter One. A more rigorous analysis of social structure in early modern Scotland is badly needed.

⁹² See Chapters One and Two.

⁹³ Appendix, Figures 1-4 show the council's borrowing and its relationship with income and expenditure.

⁹⁴ Evans, *Norwich*, 79-94. P Clark, 'The Ramoth-Gilead of the Good', 181-84.

⁹⁵ Pearl, *London*, 172, and ch.3. Scott, *England's Troubles*, 148.

⁹⁶ Goodare, 'The Scottish parliament of 1621', appendix.

paying proportionately less than other burghs – in 1649, many clearly thought that the capital could afford to pay more. Perhaps more crucially, Edinburgh had also managed to negotiate special deals with the Crown, which enabled them to keep the process of assessment in-house. The town council had successfully protected the private individual from having his business made public, while also ensuring that bureaucrats, whose loyalty would be to the Exchequer, not the burgh, were kept at bay. The contraction of traditional Scottish trading routes must have caused concern, but town councillors may have felt that the root of this was the privy council's failure adequately to advise the king. To those living in Scotland, Charles was a distant figure and it seems credible that blame was not attached, at least initially, to him personally. It was the feeble, emasculated privy council, with its surfeit of episcopal members, who were neglecting their traditional role as mediators for the community at large.

Perhaps of more significance to the political élite was the spiralling cost of the prestigious building projects which began in the mid-1630s. As shown in Chapter Five, the Parliament House project may have been very expensive, but it was uncontroversial and when completed, would symbolically confirm Edinburgh's prized status as the king's head burgh. Building churches was another matter. While both church and town council, to differing degrees, wanted to ensure that there was sufficient provision for Edinburgh's expanding congregations, there was a cost issue. The solution, common to the bigger burghs in Scotland, was the division of the parish church into separate areas of worship, with their own minister and, after 1625 in Edinburgh, their own kirk session. When Charles personally demanded that St Giles' should be raised to a cathedral,⁹⁷ the partitions had to be removed and all but the High Church (north-west) congregation were evicted. Not only was the erection of the bishopric highly contentious, spawning a vigorous campaign against it, but the town council now also had to find the money for two new churches plus the repairs to St Giles'. There are parallels with Charles's project to dignify St Paul's in London at around the same time,⁹⁸ but the Scottish version was undoubtedly more controversial. The association with unpopular ecclesiastical reforms made it difficult for the town council to raise a voluntary subscription, leaving them with an enormous financial liability at a time when the town council was struggling to keep its expenses under control.⁹⁹

These factors helped to alienate Edinburgh's political élite from the Caroline regime, but this does not mean that they were willing to countenance rebellion. On the contrary, it is apparent that the initial protest against the Prayer Book was intended as just that, a protest, which posed a threat to the existing political order only when the government failed to withdraw the Book.¹⁰⁰ The town council's actions during 1637-38 were largely motivated by the need to prevent popular violence running beyond their control while also protecting the burgh from royal retribution. Once it was revealed that the king's policy was unworkable, self-preservation halted the prevarication apparent during the autumn of 1637, and the oligarchy closed ranks behind the only viable political power in the country, the supplicating leadership. This enabled the

⁹⁷ *Edin Recs 1626-41*, p.xiii.

⁹⁸ Howarth, *Images of Rule*, 58-66.

⁹⁹ See Appendix, Figures 2 and 4.

¹⁰⁰ This fits with Hobsbawm's classification of the role of riot in rebellions, Hobsbawm, 'Revolution', 14.

restitution of the urban socio-political hierarchy headed by the town's merchant élite. Until the Engagement crisis of 1648 fractured the unity of the Covenanting movement, Edinburgh's loyalty to the regime was unwavering. At least in part, this was the product of fortuitous circumstances. Unlike Aberdeen or Glasgow, and many towns in England, Edinburgh was not subject to military occupation and its fidelity was only fleetingly tested by the approach of Montrose's forces in 1644.¹⁰¹ Does this suggest that Edinburgh's support of the regime, which imposed high taxes and presided over the contraction of international trade, was simply based on the fact that there was no alternative to the Covenanting juggernaut?

There were also positive reasons behind Edinburgh's loyalty. As shown in Chapter Seven, 'oligarchic centralism'¹⁰² proved to possess all the benefits of immediacy which Charles's regime had lacked, while also respecting the town council's elevated status in a way that the king had not. Edinburgh's merchant élite participated in the business of government to an unprecedented degree after 1638; this was less about being at the heart of the decision-making process, than having access to the people who were. Merchants wanted to be left alone to make money. Their inclusion within the Covenanting machine enabled them to influence the decisions which affected the economic well-being of the burgh. The capital's proportion of burgh taxation remained low considering its continued dominance of the Scottish economy, at least until Edinburgh's weakened political position after September 1648 enabled the other burghs to raise the capital's contribution. It seems likely, too, that the purchase of weapons and munitions was virtually dominated by men from the capital with foreign contacts, although the understandable absence of a paper trail makes this difficult to prove conclusively. Edinburgh merchants probably also supplied the Covenanting armies with shoes, tents, wagons and all the other miscellanea that follows in the baggage train. Most importantly, however, Edinburgh merchants were the regime's primary source of credit, and as the government was paying interest, their lenders were expecting to make a profit. After the marquis of Argyll and the treasurers to the armies, Edinburgh merchants were next on the list for payment out of the English brotherly assistance. There may have been men who sold guns and loaned money during the early 1640s, then escaped from the credit web before it collapsed. William Dick was ruined, but it is probably telling that James Stewart,¹⁰³ Edward Edgar and John Jossie were able to remain politically active into the 1660s. As Chapters One and Three demonstrate, those who served repeatedly as magistrates needed to have money in order to take on the burdens of office.

There were also good political reasons for Edinburgh's support of the Covenanting regime. Upheavals in London during the early 1640s were enabled by the competition between more radical elements in common council and the aldermanic bench, while common hall also provided a focus for the interests of the City parliamentary MPs.¹⁰⁴ In Edinburgh, parliamentary representatives were nominated by a town council

¹⁰¹ Carlton, *Going to the Wars*, chs.7 and 11.

¹⁰² Macinnes, *Covenanting Movement*, 183.

¹⁰³ Stewart, in particular, seems to have survived the 1640s financially despite a huge debt of £379,543 by the end of 1648. Stevenson, 'Financing the cause of the Covenanters', 114.

¹⁰⁴ Brenner, *Merchants and Revolutionaries*, ch.7.

which had firm control over its subsidiary committees. The Covenanting regime recognised the importance of political unity at local level and unlike in London, where the creation of a militia committee posed a serious challenge to the established political structures, the town council acted as a war committee in their own right.¹⁰⁵ In contrast with English provincial towns such as York, Edinburgh during the 1640s did not experience the interference of local landed élites in its affairs.¹⁰⁶ The relationship between the Covenanting regime and the Edinburgh élite was consequently a complementary one. It was beneficial for town council and Covenanting regime alike to prevent the development of rival political interests in the capital.

Perhaps most significantly of all, however, the Covenanting movement enabled the restoration of religious harmony and the renewal of cooperation between secular and religious bodies in the burgh. During the 1620s and 1630s, an influential, nonconforming sub-culture, which involved members of the town council and the legal profession, had shattered the idea of a single burgh community symbolically united through worship. That distinctive Edinburgh culture did not disappear when nonconformity became mainstream after 1638, as the persistence of conventicling during the 1640s suggests, nor was the elimination of the episcopate achieved without opposition. Nonetheless, two important things had happened in Edinburgh by the middle of 1638. The eradication of unpopular religious practices, which do seem to have been offensive to a broad cross-section of the burgh community, meant that the godly society had been restored in the capital. This in turn had important political repercussions for the town's élite. The religious agenda of the Covenanting regime was in accord with the beliefs and practices of the church-going population, which meant that the town council was no longer being squeezed by the incompatible demands of the government and the burgh community. While there may well have been a Covenant for every occasion, the basic vision of an independent Scottish church, protected from Popish impurities by the natural guardians of the commonweal, had positive attractions for political élites and the godly alike.

The Engagement, like the Perth Articles, brought the godly into opposition with more pragmatic elements in the town. In a reversal of the situation during the 1620s, it was Edinburgh's ministers who were the radicals, engineering opposition to the Engagement, while the political moderates on the town council supported it. Although there are dangers in assuming that popular opinion was any more homogenous than that of its social superiors, it does seem to be the case that it was the ministers who were more in tune with a wider body of opinion in the town.¹⁰⁷ It was, perhaps, hardly surprising that many in Edinburgh were vehemently opposed to the Engagement. The town's inhabitants had made an enormous financial and political investment in a revolution which had guaranteed their religious practices, re-established their status as a capital and restored the unity of their community. What possible advantage was there to

¹⁰⁵ Brenner, *Merchants and Revolutionaries*, 428, 451-55. *APS*, vol.vi, pt.i, 51, 64, 200, vol.vi, pt.ii, 66.

¹⁰⁶ In the absence of presbytery records for Edinburgh, it is difficult to know the nature of the town council's relationship with the influential Edinburgh presbytery. For York, see P Withington, 'Views from the bridge: Revolution and restoration in seventeenth-century York', *Past and Present*, clxx (2001), 133-39.

¹⁰⁷ For a brief overview of works on popular opinion in seventeenth century politics, see Withington, 'Views from the bridge', 122-25. Underdown, *Freeborn People*, 45-50.

Edinburgh in raising another (expensive) army to save a king who would jeopardise everything which had been achieved over the previous decade?

The Covenanting experiment ended for Edinburgh's inhabitants when their burgh was occupied by the English, but the 1640s cast a long shadow over the burgh's development. Lives were undoubtedly destroyed by disease and war. The prosperity of the burgh must have been seriously affected by the contraction of trade and the depletion of reserves of liquid capital which had sustained moneylending and property speculation. On the other hand, Edinburgh as a political entity endured, stoically as it seems, the pressures of war and the ignominy of English occupation. Remarkably, its constitutional structure and social make-up remained almost entirely unaffected, in marked contrast to London.¹⁰⁸ Although the Covenants were consigned to the dustbin of history by nervous political leaders, its impact on the shaping of a Protestant national identity amongst the burgeoning professional classes of the capital was arguably a deep and lasting one. More tenuously, the 1640s may also have entrenched Edinburgh's sense of itself as a capital of a sovereign nation. The Covenanting regime had owed its existence to the country's leading urban centre, which gave it a home with access to the finest lawyers and the richest merchants. Edinburgh was confirmed in its status as the watchtower of the church and as the home of a legal establishment now increasingly being seen as distinctively Scottish.¹⁰⁹ Edinburgh's sense of its own uniqueness must have been intensified by a realisation that, regardless of who wielded power in England, they were fundamentally uninterested in closer cooperation with Scotland.¹¹⁰

For historians, the Covenanting era is a vital moment in the transition between medieval kingdom and early modern state. It proved that the apparatus of government could function without the presence of the monarch, paving the way for the development of a constitutional monarchy which worked with, rather than dominated, bureaucratic institutions. The connection between locality and centre was intensified through the modernisation of Scotland's antiquated tax regime. Constitutionally, the Covenanting committee structure was, in anybody's terms, a revolution. It brought to a natural conclusion the idea posited by Knox, that it was the responsibility of the lesser magistrates to assume power if the Prince had become incapable. It was no social revolution, however, and David Stevenson's work has been confirmed in this respect.¹¹¹ The complete absence of violence or disorder in the localities before 1644, with the notable exception of the north-east, suggests that the maintenance of the accepted social hierarchy was crucial both to the legitimisation of the movement's aims – this was not government by the 'promiscuous and vulgar multitude'¹¹² – and to the speed with which the movement was able to exercise authority.¹¹³

¹⁰⁸ Pearl, *London*, 224, 225, 230, 235, 237.

¹⁰⁹ For the impact of London-based state-building, see MJ Braddick, *State Formation in Early Modern England, c.1550-1700* (Cambridge, 2000), 355-69.

¹¹⁰ The Scots' attempts to stabilise their relationship with England was an instrumental component in the collapse of the Covenanting regime, Stevenson, *Revolution and Counter-Revolution*, 215-20.

¹¹¹ Stevenson, *Scottish Revolution*, 304-5.

¹¹² *RPCS*, 2nd ser., vol.vi, 541.

¹¹³ Adams, 'regional road to revolution', 59, 62, 134, 200. In general, JS Morrill and JD Walter claim there was no breakdown of order in England, see 'Order and disorder in the English Revolution' in A Fletcher and J Stevenson (eds), *Order and Disorder in Early Modern England* (Cambridge, 1985), 137, 150-53.

In Lowland Scotland, a regime which could have become intrusive and domineering, while it was also taxing the kingdom in a distastefully efficient way,¹¹⁴ was still able to engender loyalty – the same regime was far less successful at establishing itself in the north and west.¹¹⁵ The contrast between the regime's agenda and the prevailing cultural and religious influences in these areas made it difficult for the Covenanters to do as they had done in Lowland areas, and co-opt the traditional local élite into the regime. Edinburgh provides an excellent example of how this was achieved, so that instead of being threatened by the creation of novel bureaucratic and military structures, local communities actually supported and participated in them. In Edinburgh, the merchant oligarchy retained control of the town council throughout the 1640s, and even the purge of 1648 did not fundamentally alter its composition. The type of man who had been the burgh's representative at parliaments and conventions also attended the committees. There were attempts to influence who would be provost of Edinburgh but crucially, Argyll never tried to circumvent the town's established customs, as Charles I had done, by imposing his own candidate. This was in marked contrast to the situation in England, where the imposition of competing bureaucracies after 1642 generated a 'march towards chaos' in local administration.¹¹⁶

The local dimension remains essential. Edinburgh's inhabitants were engaged in debates about the nature of the religious settlement in Scotland and their relationship with the English church. They were aware of the campaigns of 1630 and 1633, which sought to find some means of bringing the king's attention to a growing sense amongst the political nation that they were alienated from the executive. Nonetheless, local politics was primarily driven by local concerns and Edinburgh was a particularly self-aware community,¹¹⁷ provosts who forgot that their most basic function was the protection of Edinburgh's interests rapidly became very unpopular. As a consequence, issues were given different emphases depending on who was talking about them. Historians can construct theoretical models, identify over-arching themes and discuss ideological frameworks, but people do not usually see their lives in those terms. For most, the reality in Edinburgh was that the differences between royal and Covenanting regimes had little direct bearing on their everyday activities; to a certain extent, this even remained the case after 1651. It was the town council which gave order to their existence, because it permeated every corner of burgh life, to an extent that even the church was unable to match. If this thesis has one unifying thread of continuity, therefore, it is the remarkable stability of Edinburgh government. In 1660, Edinburgh town council disavowed the Covenant; there would be no elect nation, and the capital abandoned the idea of being the new Jerusalem. Never again would a religious ideology threaten to disrupt the burgh's ability to protect its own 'particular',¹¹⁸ which was, after all, what Edinburgh was best at.

¹¹⁴ See Appendix, Figure 5 for the rise in taxation in Edinburgh during the 1640s.

¹¹⁵ The civil wars in Scotland are outlined in E Furgol, 'The civil wars in Scotland' in Kenyon and Ohlmeyer, *Civil Wars*, 51-3, 55-9, 60-2. The Highland perspective on the 1640s is given in AI MacInnes, *Clanship, Commerce and the House of Stuart, 1603-1788* (East Linton, 1998), ch.4 and D Stevenson, *Highland Warrior: Alisdair MacColla and the Civil War* (Edinburgh, 1994), ch.1.

¹¹⁶ Morrill, *Revolt of the Provinces*, 90-111.

¹¹⁷ Hughes, *English Civil War*, 19. Morrill, *Revolt of the Provinces*, 25.

¹¹⁸ M Lynch, *Edinburgh*, 7, quoting David Calderwood.

Table 1: The office-holders of Edinburgh, 1616-1652

<i>Election Year</i>	<i>Provost</i>	<i>Bailies</i>		<i>Dean of Guild</i>	<i>Treasurer</i>
1616	William Nisbet	Archibald Addison James Nisbet	John Fairlie Joseph Marjoribanks	David Aikenhead	John Byres
1617	William Nisbet	James Ainslie David Richardson	James Dalzell Alexander Pearson	David Aikenhead	William Rae
1618	William Nisbet	John Byres David Mitchelson	Alexander Clerk George Foulis	David Aikenhead	William Dick
1619	Alexander Clerk	James Cochrane Nicol Uddard	Alexander Ker Mungo McCall	David Aikenhead	Peter Sommerville
1620	David Aikenhead	William Dick John McNacht	Robert Dougall John Fairlie / Henry Morrison	John Byres	Peter Sommerville
1621	David Aikenhead	James Ellis Andrew Simpson	Joseph Marjoribanks David Richardson	John Byres	Alexander Speir
1622	William Nisbet	Gilbert Acheson John Sinclair	James Ainslie James Inglis	John Byres	Alexander Speir
1623	Alexander Clerk	Mungo McCall Peter Somerville	David Mitchelson William Rig, ygr	John Byres	George Suittie
1624	Alexander Clerk	William Dick Archibald Tod	John McNacht Andrew Purvis	John Byres	George Suittie
1625	David Aikenhead	Andrew Ainslie Nicol Uddard	Patrick Ellis William Reid	John Byres	George Suittie
1626	David Aikenhead	Gilbert Acheson David Richardson	Peter Blackburn William Brown	John McNacht	John McNacht
1627	David Aikenhead	Thomas Charteris Gilbert Williamson	Alexander Speir George Suittie	John McNacht	James Rae
1628	David Aikenhead	Edward Farquhar Archibald Tod	Alexander Herior John Sinclair	John McNacht	David McCall
1629	David Aikenhead	James Ainslie William Reid	James Cochrane Edward Edgar	Joseph Marjoribanks	David McCall
1630	Alexander Clerk	Gilbert Acheson Nicol Uddard	John Rind Andrew Simpson	Joseph Marjoribanks	William Gray
1631	Alexander Clerk	Robert Acheson John Smith	Thomas Charteris William Dick	Joseph Marjoribanks	William Gray
1632	Alexander Clerk	George Baillie John Sinclair	William Gray James Murray, elder	Nicol Uddard / Joseph Marjoribanks	James Loch
1633	David Aikenhead	Edward Farquhar William Reid	Robert Fleming David McCall	William Dick	James Loch
1634	David Aikenhead	Alexander Denniston Archibald Tod	Edward Edgar Alexander Speir	John Sinclair	David McCall
1635	David Aikenhead	Stephen Boyd Gilbert Williamson	John Rind George Suittie	John Sinclair	Charles Hamilton
1636	David Aikenhead	Andrew Ainslie John Smith	James Cochrane Charles Hamilton	John Sinclair	James Roughead
1637	John Hay	Robert Fleming William Wilkie	William Gray John Trotter	John Sinclair	James Roughead

Election Year	Provost	Bailies		Dean of Guild	Treasurer
1638	William Dick	Robert Acheson John Kniblo	Thomas Charteris Edwrad Edgar	James Cochrane	John Fleming
1639	William Dick	John Binnie George Suittie	Stephen Boyd James Roughead	James Cochrane	John Fleming
1640	Alexander Clerk	Patrick Baxter John Smith	James Murray, elder William Reid	Peter Blackburn	William Trotter
1641	Alexander Clerk	John Fleming John Trotter	William Gray John Pearson	Archibald Tod	William Trotter
1642	Alexander Clerk	Edward Edgar Archibald Sydserf	Robert Fleming John Kniblo	Archibald Tod	Thomas Moodie
1643	John Smith	John Binnie Robert Masterton	Thomas Charteris James Ellis	George Suittie	John Fairholm
1644	John Smith	Robert Acheson George Walker	John Inglis Andrew Simpson	George Suittie	John Fairholm
1646	John Smith	Laurence Henderson James Stewart	John Pearson James Roughead	George Suittie	John Jossie
1646*	Archibald Tod	Edward Edgar Archibald Sydserf	John Fairholm John Jossie	George Suittie	Patrick Thomson
1647	Archibald Tod	Robert Fleming Robert Sandilands	Hugh Hamilton Robert Masterton	George Suittie	Thomas Leishman
1648	James Stewart	John Denhom David Wilkie	Laurence Henderson James Roughead	George Suittie	John Hilston
1649†	James Stewart	John Binnie Patrick Thomson	Robert Foulis Robert Lockhart	George Suittie	John Liddell
1652	Archibald Tod	Thomas Calderwood John Marjoribanks	James Ellis John Jossie	James Roughead	Andrew Bryson

* The 1645 election was delayed on account of the plague until March 1646. Elections resumed their normal pattern that October.

† Between 1649 and 1652 there was no official treasurer, but John Forrester kept a basic account for those years.

Sources: *Edin Recs 1604-26, 1626-41, 1642-55*. ECA, Town Treasurer's Accounts, vols.iv-vii.

Table 2: Sample of the first appearance of town councillors on committees

Sample comprising the first 20 per cent of all surnames in alphabetic order.

Town council membership of the constabulary was below 20 per cent so all names were sampled.

The cut-off date for analysis of the committees was 1616. Town councillors sitting before that date were eradicated from the sample.

AUDIT COMMITTEE: 20 percent sample – 35 names

Name	Occupation	First date on town council	First date on audit committee
Acheson Robert	mt	1623	1625
Adair William	cordiner	1617	1619
Anderson Robert	flesher	1631	1634
Binnie John	mt	1634	1636
Blackburn Peter	mt	1617	1620
Boyd Stephen	mt	1627	1636
Brown James	cordiner	1625	1631
Brown Thomas	locksmith	1627	1626
Brown William	mt	1622	1634
Carnegie William	skinner	1616	1618
Charters Thomas	mt	1622	1616
Cleghorn Thomas	goldsmith	1618	1618
Cochrane James	mt	1616	1616
Cockburn Laurence	surgeon	1622	1625
Coltherd John	tailor	1618	1622
Denniston Alexander	mt	1624	1626
Dickson John	flesher	1617	1625
Douglas David	surgeon	1635	1622
Duncan Thomas	hammerman	1621	1617
Edgar Edward	mt	1625	1618
Ellis James	mt	1620	1619
Farquhar Edward	mt	1618	1626
Fleming John	mt	1623	1622
Fleming Thomas	baxter	1625	1638
Gibson Walter	tailor	1632	1616
Guthrie James	skinner	1622	1636
Halyburton Robert	mt	1618	1621
Henderson Nicol	flesher	1623	1618
Heriot Alexander	mt	1619	1620
Hunter John	tailor	1628	1617
Hunter Robert	baxter	1623	1631
Huntly George	tailor	1622	1625
Hutcheson William	skinner	1634	1626
Inglis John	mt	1638	1618
Inglis James	mt	1622	1618

CORRECTION HOUSE COMMITTEE: 20 percent sample – 23 names

Name	Occupation	First date on town council	First date on committee
Acheson Robert	mt	1623	1633
Alison James	mt	1634	1636
Baillie George	mt	1630	1634
Barns James	mt	1642	1639
Baxter Patrick	mt	1635	1633
Binnie John	mt	1634	1635
Boyd Stephen	mt	1627	1633
Calderwood Thomas	mt	1644	1647
Carnegie William	skinner	1616	1633
Davidson Robert	mt	1643	1639
Douglas David	surgeon	1635	1642
Edgar Edward	mt	1625	1633
Edgar John	mt	1642	1646
Finnie John	tailor	1633	1639
Foulis Robert	mt	1646	1640
Fullerton John	mt	1631	1636
Gibson Michael	tailor	1642	1641
Gibson Walter	tailor	1632	1636
Graham Patrick	skinner	1644	1640
Halyburton Andrew	hammerman	1639	1641
Halyburton Thomas	cordiner	1644	1647
Hamilton Charles	mt	1628	1633
Henderson Laurence	mt	1638	1636

EXTENT COMMITTEE: 20 percent sample – 45 names

Name	Occupation	First date on town council	First date on committee
Acheson Robert	mt	1623	1623
Adair William	cordiner	1617	1621
Ainslie Andrew	mt	1625	1634
Anderson Robert	flesher	1631	1635
Binnie John	mt	1634	1633
Blackburn Peter	mt	1617	1631
Blythman William	flesher	1643	1634
Boyd Stephen	mt	1627	1630
Brown James	cordiner	1625	1623
Brown William	mt	1622	1623
Charters Thomas	mt	1622	1633
Cleghorn Thomas	goldsmith	1618	1621
Cochrane James	mt	1616	1621
Cockburn Laurence	surgeon	1622	1623
Coltherd John	tailor	1618	1621
Denniston Alexander	mt	1624	1624
Dickson John	flesher	1617	1621
Douglas David	surgeon	1635	1636
Edgar Edward	mt	1625	1645
Ellis James	mt	1620	1639
Farquhar Edward	mt	1618	1627
Fleming Thomas	mason	1625	1639
Gibson Walter	tailor	1632	1634
Guthrie James	skinner	1622	1621
Halyburton Robert	mt	1618	1630

Name	Occupation	Town Council	Extent
Henderson Nicol	flesher	1623	1626
Heriot Alexander	mt	1619	1627
Hunter John	tailor	1628	1624
Hunter Robert	baxter	1623	1623
Huntly George	tailor	1622	1639
Maxwell Richard	sadler	1632	1632
McCall David	mt	1624	1639
Mitchelson David	mt	1618	1623
Monteith Alexander	mt	1628	1621
Murray James elder	mt	1627	1639
Nisbet David	baxter	1636	1632
Paterson Thomas	tailor	1630	1632
Peacock Thomas	cordiner	1626	1624
Pringle John	surgeon	1622	1630
Reid Alexander	goldsmith	1625	1624
Rind John	mt	1626	1634
Scott Andrew	surgeon	1616	1626
Skirling Robert	flesher	1625	1632
Smith Alexander	flesher	1649	1650
Smith John	mt	1626	1633

GUILD COUNCIL: 20 percent sample – 15 names

Name	Occupation	First date on town council	First date on committee
Binnie John	mt	1634	1646
Blackburn Peter	mt	1617	1628
Brown James	cordiner'	1625	1643
Brown William	mt	1621	1628
Carnegie William	skinner	1616	1618
Charters Thomas	mt	1622	1630
Cleghorn Thomas	goldsmith	1618	1622
Cochrane James	mt	1616	1621
Cockburn Laurence	surgeon	1621	1625
Coltherd John	tailor	1618	1620
Douglas David	surgeon	1635	1636
Edgar Edward	mt	1625	1635
Ellis James	mt	1620	1646
Farquhar Edward	mt	1618	1630
Gibson Walter	tailor	1632	1634

KIRK COUNCIL: 20 percent sample – 23 names

Name	Occupation	First date on town council	First date on committee
Acheson Robert	mt	1623	1639
Binnie John	mt	1634	1641
Blackburn Peter	mt	1617	1642
Boyd Stephen	mt	1627	1636
Brown James	cordiner'	1625	1644
Carnegie William	skinner	1616	1620
Charters Thomas	mt	1622	1631
Cochrane James	mt	1616	1618
Cockburn Laurence	surgeon	1621	1628
Coltherd John	tailor	1618	1618

Name	Occupation	Town council	Kirk council
Douglas David	surgeon	1635	1637
Edgar Edward	mt	1625	1636
Ellis James	mt	1620	1644
Farquhar Edward	mt	1618	1634
Fleming John	mt	1623	1638
Guthrie James	skinner	1622	1623
Inglis John	mt	1638	1646
Inglis James	mt	1622	1623
Kirkwood Gilbert	goldsmith	1619	1623
Maxwell Richard	sadler	1632	1633
McCall David	mt	1624	1628
Meiklejohn Robert	skinner	1630	1632
Mitchelson David	mt	1618	1619

CONSTABLES: 11.5 percent sample – 88 names

Name	Occupation	First date on town council	First date on committee
Aitkin Patrick	cordiner	1633	1630
Alison James	mt	1634	1624
Baillie George	-	1630	1618
Baillie James	-	1648	1628
Baillie John	baxter	1646	1622
Baillie Robert	mt	1631	1624
Barns James	mt	1642	1627
Baxter Patrick	mt	1635	1619
Binnie James	baxter	1642	1631
Binnie John	mt	1634	1626
Blythman William	flesher	1643	1636
Brown John	surgeon	1624	1633
Brown Thomas	locksmith	1627	1619
Bryson Andrew	mt	1652	1638
Butcher John	flesher	1637	1629
Calderwood Thomas	mt	1644	1632
Cleghorn Alexander	wright	1631	1630
Cleghorn Thomas	goldsmith	1618	1616
Cranston James	cordiner	1642	1632
Crawford George	cordiner	1631	1621
Dalrymple Andrew	wright	1638	1624
Denniston James	wright	1622	1620
Dick John	webster	1626	1623
Edgar Edward	mt	1625	1617
Edgar John	mt	1642	1627
Fenton James	mt	1641	1630
Finnie John	tailor	1633	1628
Frank John	wright	1626	1625
Fullerton John	mt	1631	1633
Gibson Michael	tailor	1642	1623
Gibson Walter	tailor	1627	1624
Graham Patrick	skinner	1644	1628
Guthrie James	skinner	1620	1618
Halyburton Andrew	blacksmith	1642	1623
Halyburton Thomas	cordiner	1644	1637
Hamilton John	-	1631	1619
Henderson Nicol	flesher	1623	1622
Hunter John	webster	1628	1643

Name	Occupation	Town council	Constable
Hunter Robert	tailor	1623	1625
Inglis Thomas	pewterer	1637	1623
Ker James	skinner	1652	1642
Ker John	mt	1630	1617
Lawson James	webster	1648	1642
Limpetlaw Robert	skinner	1636	1626
Livingstone John	mt	1643	1627
Loch James	mt	1629	1644
Logie George	wright	1618	1616
Maxwell Richard	sadler	1632	1624
McCall David	mt	1624	1619
McKean Robert	skinner	1640	1635
Meiklejohn Robert	-	1630	1619
Mitchell David	mt	1634	1638
Monteith James	pewterer	1646	1636
Morison John	mt	1637	1627
Murray David	-	1630	1636
Murray Robert	mt	1649	1621
Nairn James	-	1625	1618
Nicoll James	mt	1617	1629
Nisbet David	baxter	1636	1624
Paterson Thomas	tailor	1630	1620
Paterson Thomas	mason	1623	1625
Peacock Thomas	cordiner	1626	1619
Pearson John	mt	1639	1616
Rig James	surgeon	1633	1629
Robertson Daniel	-	1631	1629
Robertson Robert	cordiner	1640	1634
Robertson Ronald	webster	1623	1618
Scott John	goldsmith	1637	1628
Skirling Robert	flesher	1625	1627
Slater William	webster	1633	1628
Smith John	mt	1626	1626
Sommerville Gilbert	tailor	1637	1630
Sommerville Peter	skinner	1617	1632
Steil Robert	baxter	1640	1618
Stenhope Thomas	baxter	1628	1625
Storie Thomas	walker	1647	1643
Suittie George ygr	mt	1652	1641
Thomson John	tailor	1646	1636
Tinto James	baxter	1621	1619
Trotter Patrick	tailor	1635	1625
Trotter William	smith	1636	1619
Turner John	-	1642	1632
Vass John	walker	1626	1634
White Thomas	armourer	1625	1616
Wilkie John	webster	1635	1631
Wilson James	skinner	1639	1631
Wright Archibald	webster	1631	1637

Sources: *Edin Recs 1604-26, 1626-41, 1641-55*. ECA, Town Council Minutes, vols.xii-xvii.

Table 3: Consultations with the neighbours, 1638-52

Date of consultation with the neighbours	Number of neighbours present
24 March 1638	21
1 January 1639	42
4 March 1640	9
15 December 1643	unnamed
13 November 1644	44
4 December 1644	54
14 March 1645	30
21 July 1647	unnamed
4 September 1648	14
8 September 1648	19
20 October 1648	388
27 October 1648	19
10 July 1650	56
October 1650	unnamed
17 December 1651	41
10 February 1652	unnamed

Source: ECA, Town Council Minutes, vols.xv-xvii.

**Table 4: Debts incurred by the town council
during 1649-50**

28 September 1649

Creditor	Details	Amount merks	£ Scots	new debt?
John Fairholm	owed as treasurer 1645		2,924	
Malcolm Leishman	legator to d. Marie Lyll, 1649	3,000		
Edward Little	to William Acheson, paid to Robert Acheson, 1649		1,000	
The Ministers	loaned during seige of castle, 1640	5,000		
Lady Yester	an old debt reaffirmed 1649	5,000		
Henry Lyll of Linton Bridges	legator to d. Marie Lyll, 1649	2,000		
Margarter Mowat	daughter of Roger Mowat, advocate to Marie Lyll, 1649		333	
John Binnie	owed as kirk treasurer, March 1649	6,000		
Masters of Hospital	in place of legacy by Thomas Dodds to the Hospital	1,000		
John Halyburton	loaned as treasurer to session for Leith fortifications	9,000		
John Fairholm	part of £12,000 debt to Heriot's trustees, 1643	5,000		
Archibald Hutcheson	assignee to Marie Lyll's legators		886	
Andrew Hamilton	keeper of Register of Sasines, Jun 1649 (part of Heriot's trusteeship)	5,000		
John Halyburton	for Dame Elizabeth Wilson and Heriot's trustees	6,000		yes
John Halyburton	for Heriot's trustees	2,000		
James Ellis	to pay off town's debt to his father, 1640	4,000		
Andrew Stein of Auchtertoul	to pay Majors Affleck and Weir	4,000		yes
Sir John Wauchope of Niddrie	for the Leith fortifications	4,000		yes
Margaret Douglas	daughter of James Douglas of Morton Mains, for the fortifications of Leith		3,000	yes
[blank]	to pay 3 Irish companies	2,000		yes
Mr Alexander Guthrie	to pay William Simson, his creditor	6,500		yes
[blank]	augmentation of clergymen's stipends, 1648-49		3,000	
£ Scots merks		69,500	11,143	
TOTAL £ Scots			57,476	

ECA, Minutes, vol.xvi, f.188-89.

Sums of money borrowed by the good town for relief of old bands, 1648-49

Creditor	Details	Amount £ Scots
Sir James McGill of Cranston-Riddell	in the name of the Lords of Session	23,666 13 4
William Sommerville	bailie of Hilton, with Magdalene Herring for paying the heirs of Andrew Hill	2,666 13 4
George Suittie	dean of guild, with Edward Little	4,333 6 8
Mr William Rutherford	writer	10,666 13 4
Isobel McLelland	relict of Mr John McLelland, minister at Kirkcudbright	2,000 0 0
William Trotter's heirs	former town councillor	10,000 0 0
TOTAL		53,333 6 8

ECA, Town Treasurer's Accounts, vol.vi, 21.

Money borrowed from the neighbours for the 'urgent and necessarie affaires', 1648-49.

Creditor	Amount £ Scots	Creditor	Amount £ Scots
Mr John Anderson, advocate	2,000 0 0	Laurence Henderson	666 13 4
Margaret Johnstone, r. George Baillie	2,666 13 4	John Lauder	666 13 4
Sir James Stewart, provost	666 13 4	Robert Murray	666 13 4
Robert Foulis, bailie	666 13 4	Andrew Ramsay	666 13 4
Robert Lockhart, bailie	666 13 4	James Ellis	666 13 4
James Roughead, merchant	666 13 4	William Rid	666 13 4
Sir William Dick	1,333 6 8	Archibald Ker	666 13 4
John Halyburton, elder	333 6 8	Thomas Calderwood	666 13 4
George Rid, elder	333 6 8	Samuel Lockhart	666 13 4
James Gray	333 6 8	Archibald Sydserf	666 13 4
Walter Young	333 6 8	Andrew Bryson	666 13 4
Alexander Clerk	333 6 8	Alexander Lockhart	666 13 4
George Rid, younger	333 6 8	David McGill	666 13 4
Thomas Begg	333 6 8	Thomas Leishman	666 13 4
Alexander Brand	333 6 8	James Philp, writer	666 13 4
William Johnstone	333 6 8	James Alison	666 13 4
James Colquhoun	333 6 8	Robert Brown	666 13 4
William Mitchelson	333 6 8	John Bonar	666 13 4
John McMorrان	333 6 8	William Mure	666 13 4
James Brown, cordiner	333 6 8	Thomas Spence	666 13 4
James Cairniecastle	333 6 8	Patrick Hepburn, apothecary	666 13 4
Thomas Paterson	333 6 8	Robert Acheson	333 6 8
TOTAL:			30,800 0 0

ECA, Town Treasurer's Accounts, vol.vi, 22-4.

Table 5: The ministers of Edinburgh, 1617-41

Parishes 1625:	north-west	High Kirk, choir of St Giles*
	north-east	Holy Trinity
	south-east	New or East Kirk
	south-west	Greyfriars†
Parishes 1641:	north-west	East Kirk, west side of St Giles
	north	High Kirk, choir of St Giles
	north-east	Holy Trinity
	south-east	Tron
	south	Mid-kirk, St Giles
	south-west	Greyfriars

Minister	Admission	Departure	Details
St Giles: no defined parish			
Patrick Galloway	Jun 1607	d. Feb 1626	High Commission; signs Protestation 1617
Thomas Sydserf	May 1611	tr. 1625	Signs Protestations 1617; tr. to Trinity
William Struthers	Apr 1614	tr. 1625	tr. to High Kirk
John Guthrie	Jun 1621	tr. 1623	Bishop of Moray
William Forbes	Mar 1622	tr. 1625	tr. to East Kirk
High Kirk: first charge			
John Hall	Feb 1610	dem. Mar 1619	High Commission; signs Protestation 1617, d. 1627
William Struthers	Jan 1626	tr. Jan 1634	Signs Protestation 1617; Dean, d. Nov 1634
Thomas Sydserf	Jan 1634	tr. Jul 1634	Dean of Edinburgh; Bishop of Brechin
James Hannay	Mar 1635	dep. Jan 1639	Dean of Edinburgh; Reads Prayer Book; d. c. 1661
Alexander Henderson	Jan 1639	d. Aug 1646	Opposes Perth Articles; moderator 1638 Assembly
George Gillespie	Sep 1647	d. Dec 1648	Attends Westminster Assembly
Robert Douglas	Dec 1648	tr. 1662	tr. to Greyfriars; Protestor; dep. 1662; Pencaitland
High Kirk: second charge			
Peter Hewat <i>no second</i>	Feb 1610 1617-22	dep. Jul 1617	writes Protestation; stipend paid until 1619; d. 1645
John Maxwell <i>no second</i>	Jul 1622 1625-28	tr. 1625	tr. to Trinity
Alexander Thomson	Jul 1628	dep. Jan 1639	Reads Prayer Book; d. 1661
Robert Douglas	Aug 1639	tr. Dec 1641	tr. to Tolbooth
Henry Rollock	Dec 1641	d. Jun 1649	
David Dickson	Apr 1650	dep. 1662	Chair of Divinity; Resolutioner; d. Dec 1662

Trinity: first charge			
Walter Balcanquhal <i>no first</i>	Apr 1598 1617-26	d. Aug 1617	condemns 1610 assembly, ceases preaching 1616
Thomas Sydserf <i>no first</i>	Jan 1626 1634-39	tr. Jan 1634	Dean of Edinburgh
William Colville <i>no first</i>	Jan 1639 1641-44	tr. Dec 1641	imprisoned England to 1640; tr. to Tron
Robert Laurie	Mar 1644	tr. 1648	tr. to High Kirk
Hugh McKail	Oct 1649	d. 1665/6	

Trinity: second charge			
<i>no second</i>	1612-25		
John Maxwell <i>no second</i>	Nov 1625 1626-28	tr. 1625	tr. to East Kirk
Henry Rollock	Jan 1628	tr. 1635?	tr. to first charge?
James Elliot <i>no second</i>	Dec 1635 1639-41	susp. Jan 1639	investigated, declared capable; England? d. 1652 admission of new minister begins Jan 1639
William Bennet	Oct 1641	d. Mar 1647	
John Smith	Mar 1648	dep. Aug 1662	Resolutioner; captured at Alyth; d. Dec 1667

East Kirk: first charge			
<i>no first</i>	1601-26		
William Forbes	Jan 1626	dem. Aug 1626	returns to Aberdeen
John Maxwell <i>no first</i>	Aug 1626 1630-34	tr. Apr 1630	Bishop of Ross
David Mitchell <i>no first</i>	1634 1638-41	dep. Dec 1638	Bishop of Aberdeen 1662, d.?
Andrew Ramsay	Dec 1641	dep. Jul 1648	Engager; d. Dec 1659
Thomas Garvin	Dec 1649	dep. 1662	d. 1669

East Kirk: second charge			
<i>no second</i>	1610-28		
David Mitchell	Apr 1628	tr. 1634	tr. to first charge
David Fletcher <i>no second</i>	May 1635 1639-47	dep. Jan 1639	Melrose, 1641; Bishop of Argyll, 1662
James Hamilton	Nov 1647	dep. 1662	Captured at Alyth; d. at Inveresk, 1666

Greyfriars: first charge			
Andrew Ramsay	Apr 1614	tr. Dec 1641	College rector, 1620-36; tr. to East Kirk
George Gillespie <i>no first</i>	Sep 1642 1648	tr. Sep 1647	tr. to High Kirk
Robert Traill	Mar 1649	dep. 1662	with Montrose at d.; preaches to Charles II, d. 1678

Greyfriars: second charge			
<i>no second</i>	1599-1620		
Patrick Sands	Dec 1620	dem. Aug 1622	Also College principal; d. 1635
Robert Boyd <i>no second?</i>	Oct 1622 1624-30	dem. Jan 1623	Also College principal; Paisley 1626
James Fairlie <i>no second</i>	Nov 1630 1637-44	tr. Jul 1637	Bishop of Argyll; Lasswade 1644
Mungo Law	Mar 1644	d. Feb 1660	Captured at Alyth

Tolbooth: first charge			
Robert Douglas	Dec 1641	tr. Dec 1648	tr. to High Kirk
George Hutchison	Apr 1649	dep. Aug 1662	Attends Argyll at his d.; Irvine, 1669
Tolbooth: second charge			
<i>no second</i>	1642-43		
John Oswald	Dec 1643	tr. 1648	tr. to Prestonpans; d. 1653
<i>no second</i>	1648-63		
Tron: first charge			
William Colville	Dec 1641	dep. Jul 1649	Engager; Utrecht to 1652; College principal, 1662; d. 1675
Robert Laurie	Jul 1648	tr. 1662	tr. to High Kirk
Tron: second charge			
<i>no second</i>	1641-50		
John Stirling	Apr 1650	tr. Sep 1655	Protestor; tr. to Lady Yester's
<i>no second</i>	1655-63		

Sources: *Fasti*, vol.i. *Edin Recs 1604-26*, 290. *Edin Recs 1626-41*, 253-54.

* The High Kirk is described as being located in the choir of St Giles, which 'was known as the New Kirk, the East Kirk, or the Little Kirk, while the East Kirk to the west was also called the Great Kirk'. The northwest parish occupied the choir while the 'South East Quarter became the East Kirk Parish, and its congregation still met in the East Kirk'. *Fasti*, vol.i, 48. In the town council records, the south-east quarter met in 'the new or eist Kirk', *Edin Recs 1604-26*, 290. The latter source is assumed to be the correct one.

† The building of Greyfriars Kirk was a protracted process. Prior to the church finally being opened in 1620, the congregation of the southwest quarter was in the upper New Tolbooth, which was partly incorporated into the south-west corner of St Giles. *Edin Recs 1589-1603*, 221. *Fasti*, i, 37.

d.	died
dem.	demitted charge
dep.	deprived
tr.	transferred

Table 6: Communion tickets purchased by the dean of guild

This information is difficult to interpret. Thomas Weir, a pewterer, was commissioned throughout this period to make the tickets. The dean of guild began recording this information only in 1611. He did not always state how many were made. It is possible to work this out, however, because the cost of 100 tickets was consistently 10 shillings.

The records do not always show if there was more than one communion held during the dean of guild's office, and there is no satisfactory way of explaining why the number of tickets commissioned varies so greatly. The number of tickets is also very low; a 1592 census counted 8,003 'persones of discretion' for a collection, and although this figure has problems, it should have risen in line with population increase. A population of 20,000 should mean there were about 12,000 adult communicants. Lynch, *Edinburgh*, 10-11.

A single reference from December 1613 hints states that 3,600 tickets were commissioned 'quhilk wantit to make out the number of 8,000'. This could suggest that tickets were re-used at successive communions. A more convincing explanation is that family groups were given a single ticket, thereby explaining the low numbers, if not the fluctuations.

Examinations of communicants appear to have been held in the autumn, although there is not sufficient information to know whether this qualified someone for communion for successive communions that year.

It is not clear how this information relates to the assertion, made primarily by David Calderwood but corroborated by other sources, that hundreds, possibly thousands, of people left the burgh to take communion at other churches after the passing of the Perth Articles. There is no discernable jump in the number of communion tickets being produced after the signing of the Covenant, which seems curious. Note that after Christmas 1618, the burgh stopped attempting to hold Christmas communion. Its brief revival in 1635 and 1636 was probably at the instigation of the king.

<i>YEAR</i>	<i>DETAILS</i>		<i>TICKETS</i>			
1610-11	Mar 1611		1,600			
1611-12	May 1612 (probably over 2 days)		2,700			
1612-13	[Nov 1612]		3,200			
1613-14	Dec 1613	Apr 1614	3,600 (see text)	2,200		
1614-15	2 days in Feb 1615	Jul 1615	2,300	2,550		
1615-16	24, 31 Mar and 7 Apr 1616		3,200			
1616-17	3 days, Nov-Dec 1616	3 days, Apr 1617	800	2,300		
1617-18	3 days, Nov 1617	3 days, Apr 1618	3,000	900		
1618-19	3 days, Mar-Apr 1619		3,100			
1619-20	3 days, Apr 1620		7,600			
1620-21	no date		6,100			
1621-22	no date		8,000			
1622-23	3 days, Apr 1623		7,880			
1623-24	3 days, Mar-Apr 1624		7,040			
1624-25	3 days, Apr 1625		5,240			
1625-26	2 days?, Apr 1626		5,440			
1626-27	2 days? Apr 1627		5,300			
1627-28	1 day? Mar 1628		4,250			
1628-29	2 days, Feb 1619	Aug 1629	4,100	4,400		
1629-30	Feb 1630	Aug 1630	4,000	4,800		
1630-31	no date		4,400			
1631-32	2 days, Pasche 1632	2 days, Lammas 1632	5,200	5,160		
1632-33	Martinmas 1632	Pasche 1633	5,480	5,480		
1633-34	Oct 1633	Mar 1634	Sep 1634	4,990	5,560	4,540

<i>TIMES OF YEAR</i>	<i>NUMBER OF TICKETS FOR EACH PARISH</i>				<i>TOTAL</i>
	north-west	north-east	south-east	south-west	
Pasche 1635	1,200	900	1,500	1,600	5,200
Aug 1635	900	800	1,600	1,400	4,700
Nov-Dec 1635	1,400	1,500	700	1,600	5,200
Pasche 1636	1,400	1,200	300	1,200	4,100
Lammas 1636	no details listed				
Dec 1636	1,200	600	1,400	1,200	4,400
Pasche 1637	1,100	1,000	1,000	1,200	4,300
Mar 1638*	1,600	600	1,200	1,150	4,550
Jul 1638*	500	no information	no information	1,000	1,500
Oct 1638	no information				
Apr 1639	no information				
1639-40	'communion in the four kirk on the 2 sabbath days'				

<i>YEAR</i>	<i>DETAILS</i>	<i>TICKETS</i>
1646-47	no mention of communion	-
1647-48	see below	-
1648-49	no dates	5,400
1651-52	no mention of communion	

<i>parish</i>	north	northwest	south	south-east	south-west	<i>TOTAL</i>
1647-48	800	400	100	300	800	2,400

* listed as 1637, but must be 1638

Source: ECA, Dean of Guild Accounts, 1568-26, 1626-1720.

Table 7: Lay nonconformists in Edinburgh, 1617-25

Dr Arnot

Name removed from kirk session leet, December 1621, Calderwood, 518. No proof that he is related to Rachel Arnot, Wariston's grandmother, but a possibility.

William Bigge

Possibly William Biggar, merchant and litster (dyer), constable in 1621 and deacon of the north-east parish, 1620. ECA, SL154/3/1. *Edinburgh Burgesses*, 56. Challenges Mr Wm Struthers on his doctrine in March 1619, Calderwood, vii, 358.

Nicholas [sic] Balfour

Daughter of the former Edinburgh schoolmaster, Mr James Balfour. Renowned for holding conventicles in her house; it is not clear how she managed to escape censure. Calderwood, 449. Livingstone, 'Memorable characteristics', 346.

James Cathkin

Merchant and stationer, brother of Edward, with history of non-conforming activity, McKerrow, *Printers and Booksellers*, 63, 64, 190, 170. Leeted for eldership of north-west parish, 1618, ECA, SL154/3/1. Openly absent from communion, Christmas 1618, Calderwood, *History*, vii, 348. Rejects order of the church, April 1620, Calderwood, 444, and censured, *RPCS*, 1st ser., vol.xii, 249. Name removed from kirk session leet, December 1621, Calderwood, 518. Protests against irregular election of minister, November 1623, Calderwood, 580. Interrogated personally by James VI in London, 'A relation of James Cathkin his imprisonment and examination about printing the nullity of Perth Assemblie', *Bannatyne Miscellany*, i (Edinburgh, 1827), 197-215, where he also mentioned his partner, Andrew Hart and Hart's brother, Samuel, 209, 213.

(John Cunningham, 7th earl of Glencairn)

Descendant of the 4th earl of Glencairn, a stalwart of the Reformation, and the 6th earl, a Ruthven Raider in 1582. Strictly speaking has no connection with Edinburgh. Refuses to kneel at communion, June 1617, Calderwood, 247. *Scots Peerage*, iv, 240, 243, 246.

John Dickson

Merchant and flesher, *Edinburgh Burgesses*, 149. Deacon of the fleshers, *Edin Recs 1604-26*, 168, 182, 226, 237. Protests against irregular election of minister, November 1623 and criticises new minister, William Forbes, Calderwood, 581-82, 596. Censured by privy council, April 1624. Calderwood, 581, 601-3. *RPCS*, 1st ser., vol.xiii, 490.

John Erskine, 7th lord and 2nd earl of Mar

Lord High Treasurer, 1616 and childhood friend of James VI, *Scots Peerage*, v, 615-20. Included here because as a senior privy councillor he would often have been in Edinburgh, and therefore worshipped in the High Kirk. Refuses to kneel at communion, June 1617, Calderwood, 247.

John Fleming

Merchant and town councillor, elder brother of Bartle. *Edinburgh Burgesses*, 184. *Edin Recs 1604-26*, 245. Deacon of north-west parish, 1617, ECA, SL154/3/1. Refuses to wait on communion tables and calls the new form 'corruption', March 1621, Calderwood, 456. Avoids censure by privy council, April 1624, Calderwood, 581, 601-3. Livingstone, 346.

Bartholomew Fleming (Bartilmo, Bartle)

Merchant burgess of Edinburgh, younger brother of John. *Edinburgh Burgesses*, 184. Daughter Janet marries Richard Dickson, nonconforming minister of St Cuthbert's, D Mullan, *Scottish Puritanism, 1590-1638* (Oxford, 2000), 148. Asks if 'men will serve contrare to their conscience?' Calderwood, 362. Livingstone, 'Memorable characteristics', 338. Deacon of south-west parish, 1619, ECA, SL154/3/1.

Mr Thomas Gray

Advocate and burges, *Edinburgh Burgesses*, 219. Criticises minsters' doctrine, April 1622, Calderwood, 544.

(James, 2nd marquis of Hamilton)

Refuses to kneel 1617, Calderwood, 247. King's Commissioner to the parliament of 1621, helped to secure the ratification of the Perth Articles. Intercessor for Edinburgh with the king, Calderwood, 247, 249. *Scots Peerage*, iv, 374.

John Hamilton

Apothecary. Name scrubbed from kirk session leet, December 1621, Calderwood, 518. Protests against irregular election of minister, November 1623, Calderwood, 581. Censured by privy council, Calderwood, 581, 601-3, 616. *RPCS*, 1st ser., vol.xiii, 490. Livingstone, 'Memorable characteristics', 344, 346.

Barbara Hamilton

Wife of John Mein, sister-in-law of Robert Blair, Richard Dickson and Bartholomew Fleming, aunt of John Livingstone's wife, Janet. Credited with leading riot on 23 July 1637. D Stevenson, 'Conventicles in the Kirk, 1619-1637: The Emergence of a Radical Party', *RSCHS*, xviii (1972-74), 105. D Mullan, *Scottish Puritanism, 1590-1638* (Oxford, 2000), 148.

Laurence Henderson

Merchant burges and bailie, *Edinburgh Burgesses*, 245. *Edin Recs 1626-41*, 209. *Edin Recs 1642-55*, 82, 103, 174, 213. Deacon of south-east parish, 1618, ECA, SL154/3/1. Protests against irregular election of minister, November 1623, Calderwood, 581.

John Inglis

Burgess, *Edinburgh Burgesses*, 269. Deacon of skinners, *Edin Recs 1604-26*, 45, 54, 182, 197. Kirk session member, north-west parish, 1621, 1636. ECA, SL154/3/1. States that 'men cannot serve contrarie to their mynd', Calderwood, 362.

Thomas Inglis

Burgess skinner, *RPCS*, 1st ser., vol.xii, 249. Deacon of south-west parish, 1630? SL154/3/1. Rejects forms of worship and sentenced to banishment, April 1620, Calderwood, 444. *RPCS*, 1st ser., vol.xii, 249.

Dr [John] Jollie

Doctor of medicine and graduate of Edinburgh's college in 1601, *Edinburgh Graduates*, 18. To investigate the establishment of a College of Physicians in 1630, *RPCS*, 2nd ser., vol.iv, 69. A 'worthy servant of God and notable friend' of Archibald Johnstone of Wariston, also a friend of John Livingstone. Dies in April 1638 after signing Covenant. *Wariston's Diary*, 326, 346. Treats James Cathkin before his death, *The Bannatyne Miscellany* ed. D Laing (3 vols, Bannatyne Club, 1836), ii, 251, 254. Name removed from kirk session leet, December 1621, Calderwood, 518.

George Keith

Unknown. Takes communion seated at Easter 1621, Calderwood, 460.

Dr Kincaid

Most likely a class-mate of Dr John Jollie, Alexander Kincaid, also doctor of medicine. *Edinburgh Graduates*, 18. (Less likely to be Mr George Kincaid, doctor of physic, on leet for rectorship of college 1647, *Edin Recs 1641-55*, 140.) Name removed from kirk session leet in December 1621, Calderwood, 518. Involved in money-lending; dies, leaving a net estate worth over £20,000, in 1649, H Dingwall, *Physicians, Surgeons and Apothecaries: Medicine in Seventeenth-Century Edinburgh* (East Linton, 1995), 27, 32.

Adam Lawtie

Apothecary, mentioned in Livingstone, 346. Livingstone is either confusing him with John Lawtie, burges apothecary, who leaves a legacy to the college, *Edin Recs 1604-26*, 234, or with Adam Lawtie, burges, writer to the signet, *Edinburgh Burgesses*, 304.

James Lawson.

Tailor, mentioned in Livingstone, 346. Possibly a burgess who began as a skinner, *Edinburgh Burgesses*, 303. May have been confined after James Cathkin was interviewed, suggesting a link to Richard Lawson, 'A relation of James Cathkin', 213-14.

Richard Lawson

Merchant burgess, *Edinburgh Burgesses*, 303 and bookseller, McKerrow, *Printers and Booksellers*, 63, 64, 190, 170. Openly absent from communion, Christmas 1618, Calderwood, 348. On leet for eldership of north-east parish, 1618, SL154/3/1. Rejects forms of worship and sentenced to banishment, April 1620, Calderwood, 444. *RPCS*, 1st ser., vol.xii, 249. Name scrubbed from kirk session leet, December 1621, Calderwood, 518.

(Robert Lockhart)

Merchant burgess of Edinburgh. Livingstone, 346. As he did not become a burgess until 1643, he was clearly not a non-conformist in the 1620s. *Edinburgh Burgesses*, 316. *Edin Recs 1641-55*, 174, 213.

Thomas MacAllum

Possibly Thomas McAulay, burgess, writer to the signet, *Edinburgh Burgesses*, 322. Called a clerk by Calderwood, criticises minister' doctrine, Calderwood, 596-99.

John Mein

Merchant burgess, *Edinburgh Burgesses*, 345. Father of Mr John Mein, minister of Anwoth, *Edinburgh Burgesses*, 346. *Edin Recs*, 1642-55, 132. Openly absent from communion, Christmas 1618 and challenges ministers on doctrine. Calderwood, 348, 358, 361, 378. As deacon, refuses to serve at communion tables, Calderwood, 362. SL154/3/1, anno 1619. Rejects form of worship and sentenced to banishment, April 1620, Calderwood, 444. *RPCS*, 1st ser., vol.xii, 249. Protests against irregular election of minister, November 1623, and censured by privy council, April 1624, Calderwood, 581, 601-3, 616. *RPCS*, 1st ser., vol.xiii, 490. Livingstone, 'Memorable characteristics', 344. Deacon of south-east parish, 1643, ECA, SL154/3/1. Councillor, 1649, *Edin Recs 1642-55*, 213.

Robert Meiklejohn

Skinner, burgess, *Edinburgh Burgesses*, 345. Town councillor, *Edin Recs 1626-41*, 81, 114, 132, 209, 223. *Edin Recs 1642-55*, 13, 35, 104, 133. Rejects forms of worship and sentenced to banishment, April 1620, Calderwood, 444, *RPCS*, 1st ser., vol.xii, 249. Commissioner for the burgh, 1630s, *Edin Recs 1626-41*, 132, 137, 141, 222, 242. *Edin Recs 1642-55*, 18, 22, 23, 29, 31, 127, 129. Participant in Covenanting government, *Edin Recs 1642-55*, 40, 46.

Joseph Millar

Advocate, Convening to judge doctrine in 1624, and avoids censure by privy council in April, Calderwood, (mistakenly called an apothecary), 581, 600-3. Possibly a graduate of the town's college, 1619, *Edinburgh Graduates*, 33.

Charles Mowat

Attends conventicles at Nicolas Balfour's house, Livingstone, 346.

James Nairn

Merchant burgess, dead by 1660, *Edinburgh Burgesses*, 375. Called an ignorant recusant by Mr. Wm Forbes, March 1624, Calderwood, 599. Councillor 1625, *Edin Recs 1604-26*, 280.

William Nisbet

Merchant burgess of Edinburgh, *Edinburgh Burgesses*, 383. Councillor, 7, 15, 45, 54, 119, 132, 197, 245, 256. Elected provost, 1616-18, 1622, *Edin Recs 1604-26*, 136, 147, 167, 182. Knighted Sir William, of the Dean, 1617, *Edin Recs 1604-26*, 167. Absent from communion, March 1619, Calderwood, 359. As Provost, claimed it was not the business of the town council 'to informe the people concerning maters of religion', Calderwood, 391. Refuses to subscribe oath of obedience to Articles, 1624, Calderwood, 628. Dies 1639, Geddie, 'The Dean Group', 96-7.

William Rig

Merchant and bailie, rejects forms of worship, April 1620, Calderwood, 444, and censured, *RPCS*, 1st ser., vol.xii, 249. Refuses to vote in election of new minister, October 1620, Calderwood, 448. Censured by privy council, April 1624, Calderwood, 581, 601-3, 611, 617, 624. Imprisoned in Blackness, Livingstone, 'Memorable characteristics', 342. *RPCS*, 1st ser., vol.xiii, 490, 522. Suppresses work of William Forbes, Gordon, *Scots Affairs*, iii, 239-41. Leaves legacy to college, *Edin Recs 1642-55*, 136, 189, 203, 219.

Dr [George?] Sibbet [Sibbald]

Doctor of medicine, asked to investigate the establishment of a College of Physicians in 1630, *RPCS*, 2nd ser., vol.iv, 69. Name scrubbed from kirk session leet, December 1621, Calderwood, 518.

John Smith

Merchant burgess of Edinburgh, town councillor, *Edin Recs 1626-41*, 14, 114, 196, 209, 223, 251. *Edin Recs 1641-55*, 1, 13, 103. Bailie, *Edin Recs 1626-41*, 97, 182, 244. Provost, *Edin Recs 1642-55*, 35, 53, 82. Commissioner for burgh (against Prayer Book), *Edin Recs 1626-41*, 197, 203, 214, 222, 230. *Edin Recs 1642-55*, 29, 31, 44, 46, 61, 71, 78. Knighted as Sir John, of Grotall, 1641, *Edin Recs 1641-55*, 1. For extensive participation in Covenanting regime, see Chapter Nine. His minister tells him in kirk session that he 'should not speak, but be catechized', Calderwood, 599.

William Simson

Merchant burgess, *Edinburgh Burgesses*, 482. Convenes to judge doctrine and censured by privy council, Calderwood, 581, 601-3. Called a vintner when censured, *RPCS*, 1st ser., vol.xiii, 503, 522. Possibly on interim committee, 1651-52, *Edin Recs 1642-55*, 310.

Sir James Skene, Lord Curriehill

Lord of Session and Privy Councillor, refuses to kneel in 1619 but may have been at the behest of his wife, Janet Johnstone, Archibald Johnstone of Wariston's aunt. Calderwood, 383. *RPCS*, 1st ser, vol.xi, pp.lxxiii-iv, 595-96, 598-99.

Beatrix Weddell

Spouse of Thomas Addinston; he was leeted for the eldership of north-west parish, 1618, SL154/3/1. She has communion bread taken from her at Easter 1620, Calderwood, 438.

James Weill

Merchant burgess, *Edinburgh Burgesses*, 517. Refuses to kneel or observe holy days, April 1622, Calderwood, 544.

Primary sources: *Roll of Edinburgh Burgesses and Guild-Brethren, 1406-1700*, ed. CBB Watson (SRS, 1929). *Edin Recs 1604-26, 1626-41, 1642-55*. *RPCS*, 1st series. Calderwood, *History*, vol.vii. J Livingstone, 'Memorable characteristics and remarkable passages of divine providence', in *Select Biographies*, ed. WK Tweedie (2 vols, Wodrow Society, 1845), vol.i. *The Scots Peerage*, ed. J Balfour Paul (8 vols, Edinburgh, 1904-14). RB McKerrow (ed.), *A Dictionary of Printers and Booksellers 1557-1640* (London, 1910). *A Catalogue of the Graduates of the University of Edinburgh*, ed. (Edinburgh, 1858). *The Bannatyne Miscellany*, i (Edinburgh, 1827).

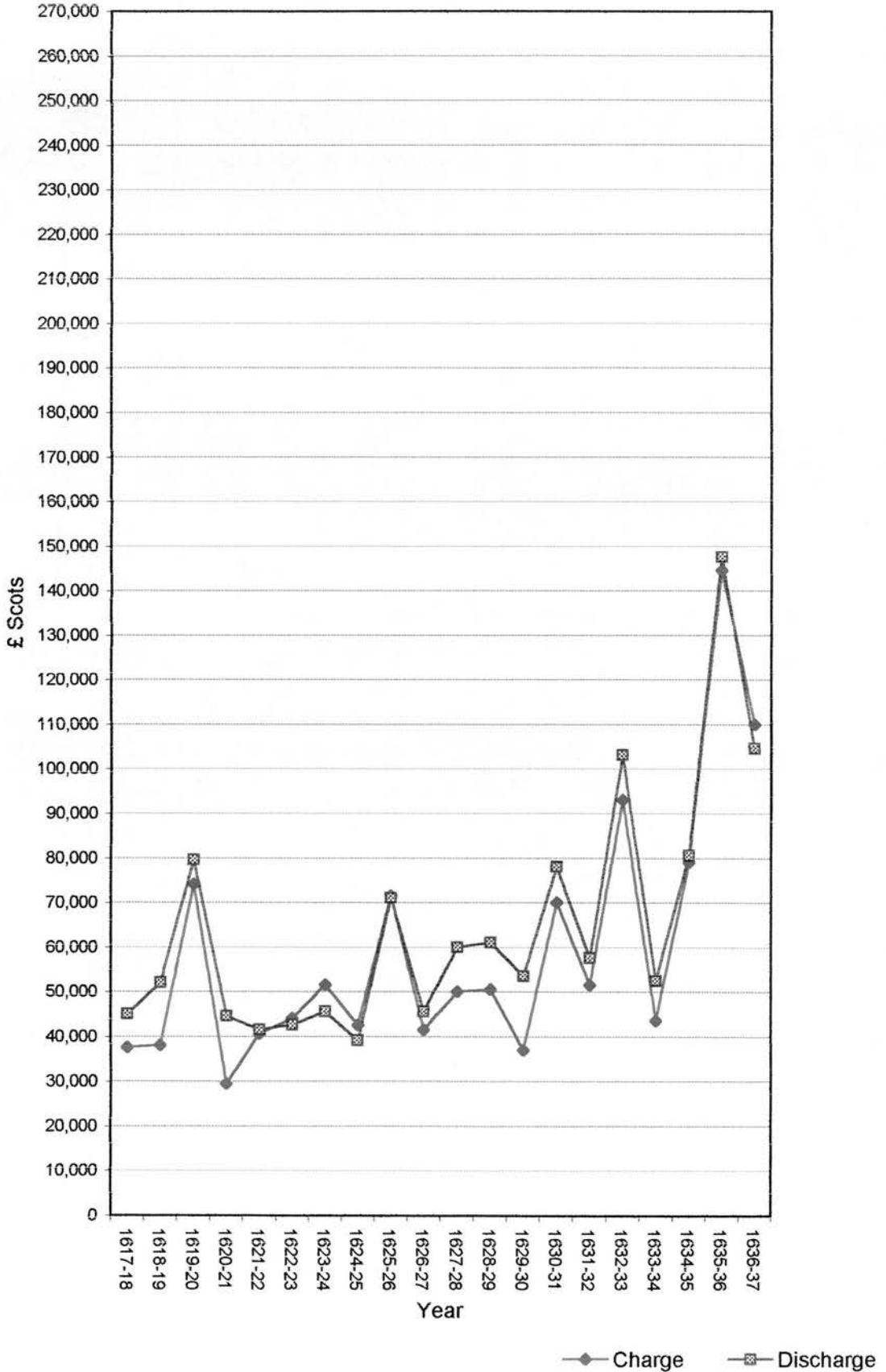
Table 8: List of Edinburgh burghesses participating directly in Covenanted government

<i>Name</i>	<i>Occupation</i>	<i>Name</i>	<i>Occupation</i>
John Binnie	merchant	James Monteith	pewterer?
John Denholm	merchant	Thomas Paterson	tailor
James Denniston	goldsmith	James Rae	merchant
William Dick	merchant	William Rig*	merchant
David Douglas	surgeon	James Roughead	merchant
Edward Edgar	merchant	John Scott	?
Lawrence Henderson	merchant	John Smith	merchant
John Jossie	merchant	James Stewart	merchant
Robert Lockhart	merchant	Archibald Sydserf	merchant
Richard Maxwell	sadler	Archibald Tod	merchant
Robert McKean	skinner	David Wilkie	merchant
John Milne	mason		

*William Rig was technically a representative of Fife, but he has been included here because he was still a burghess of Edinburgh.

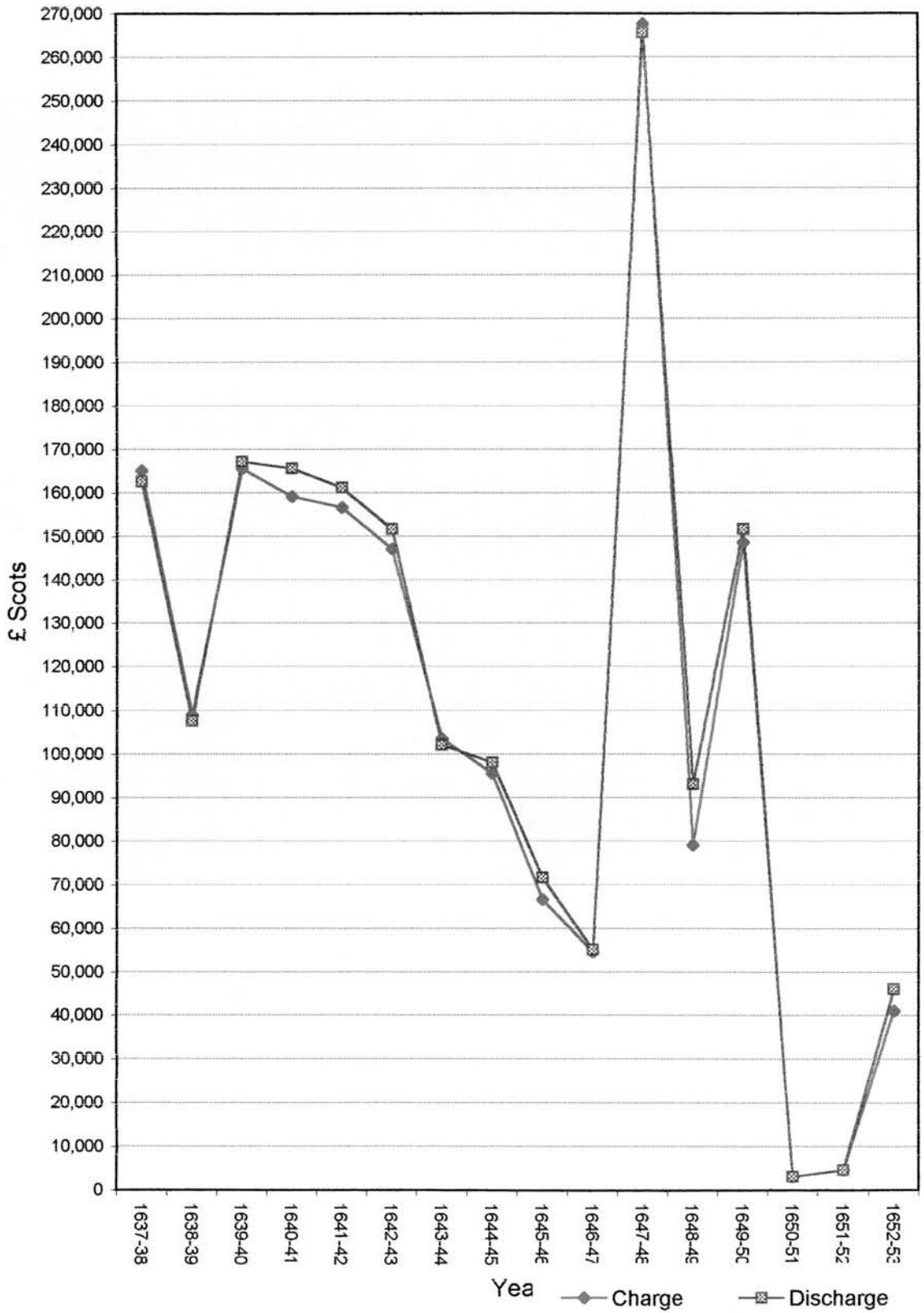
Sources: JR Young, *The Scottish Parliament 1639-61: A political and constitutional analysis* (Edinburgh, 1996). D Stevenson (ed.), *The Government of Scotland under the Covenanters 1637-1651* (SHS, 1982). MD Young (ed.), *The Parliaments of Scotland* (2 vols, Edinburgh, 1993).

Figure 1: Town treasurer's accounts charge and discharge, 1617-37



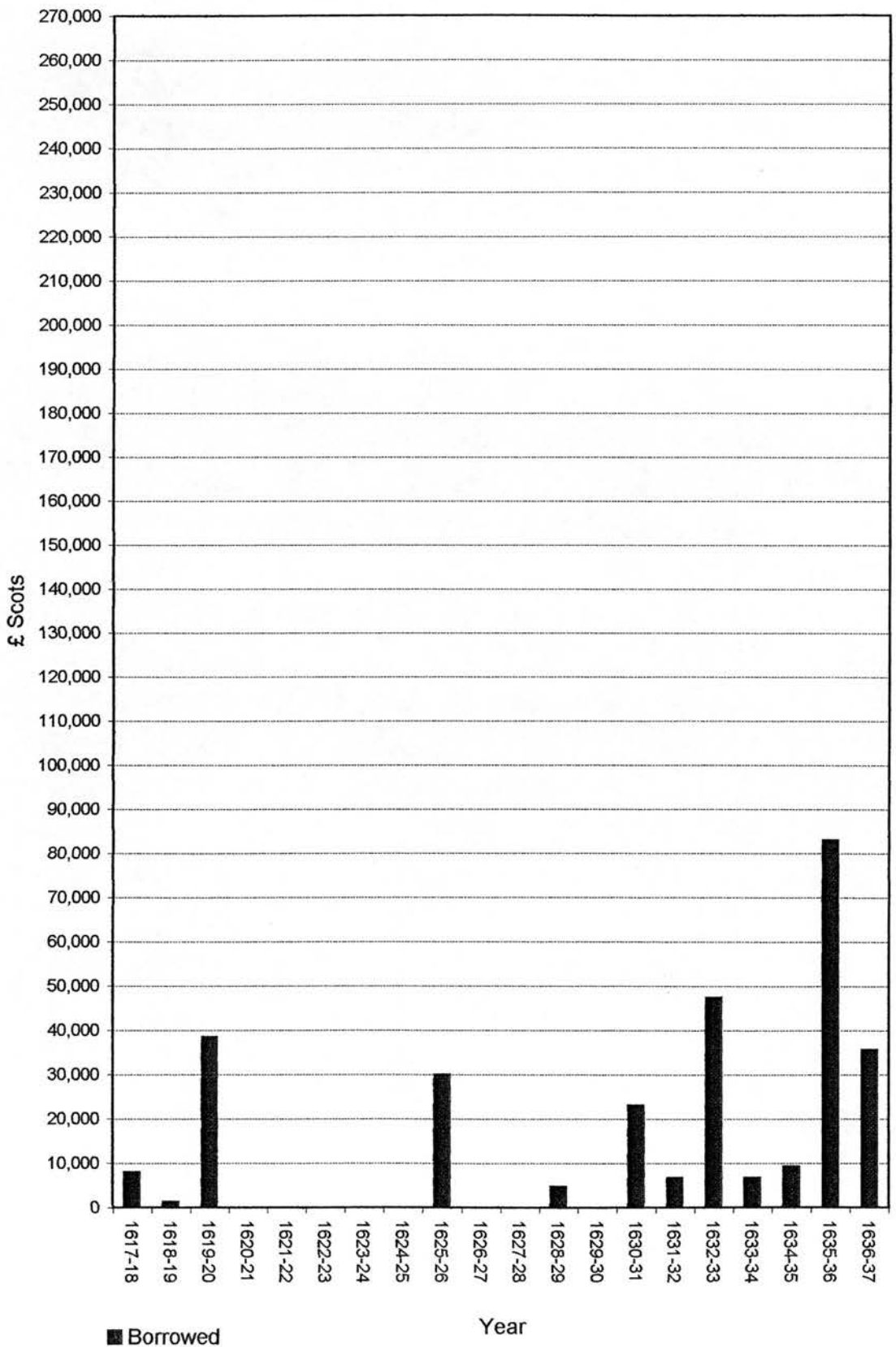
Source: ECA, Town Treasurer, vols.iv-vii.

Figure 2: Town treasurer's accounts
charge and discharge, 1637-53



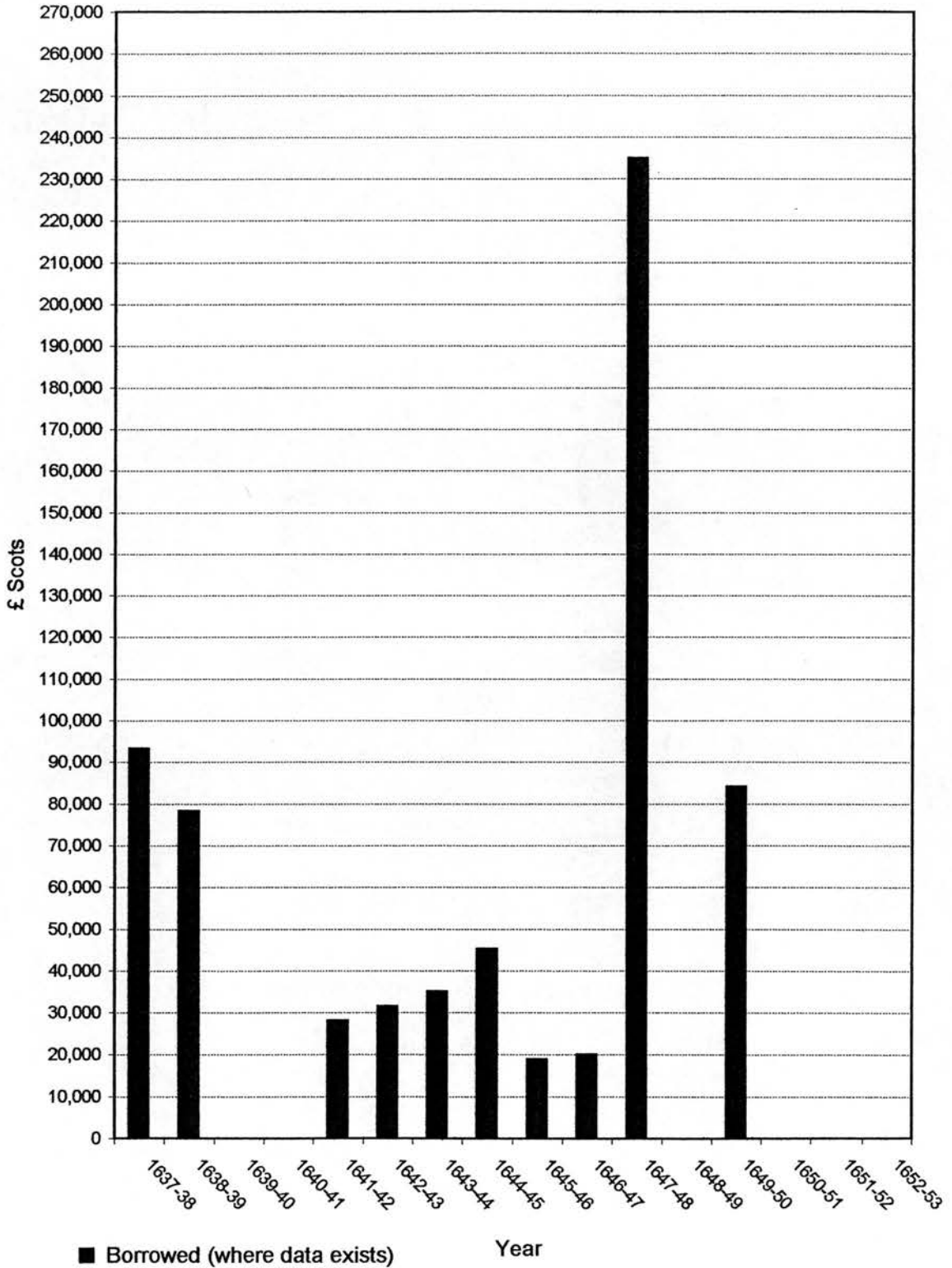
Source: ECA, Town Treasurer, vols.iv-vii.

Figure 3: Town treasurer's accounts
Amount of money borrowed by the town council
1617-37



Source: ECA, Town Treasurer, vols.iv-vi.

Figure 4: Town treasurer's accounts
Amount of money borrowed by the town council
1638-53



There are no records for the years 1638-39, 1640-41 and 1648-49.

Between 1650 and 1652 there was technically no treasurer but a basic account was kept.

Source: ECA, Town Treasurer, vols.vi-vii.

Data Table
Town Treasurer's Accounts: Borrowing, Charge and Discharge

<i>YEAR</i>	<i>BORROWED</i>	<i>CHARGE</i>	<i>DISCHARGE</i>
1617-18	8,000	37,689	44,756
1618-19	1,250	37,854	51,764
1619-20	38,521	74,163	79,371
1620-21	0	29,262	44,305
1621-22	0	40,251	41,601
1622-23	0	43,838	42,718
1623-24	0	51,413	45,483
1624-25	0	42,394	38,957
1625-26	30,000	71,456	70,853
1626-27	0	41,772	45,421
1627-28	0	49,910	59,746
1628-29	4,667	50,664	60,872
1629-30	0	37,092	53,655
1630-31	23,077	70,085	78,183
1631-32	6,666	51,711	57,533
1632-33	47,367	93,017	103,077
1633-34	6,667	43,538	52,710
1634-35	9,284	78,931	80,686
1635-36	83,103	144,265	147,688
1636-37	35,667	110,194	104,281
1637-38	93,333	158,145	162,353
1638-39	78,358	109,205	107,306
1639-40	no records	165,595	166,862
1640-41	no records	159,045	166,594
1641-42	28,075	156,543	161,212
1642-43	31,573	146,859	151,370
1643-44	35,093	103,622	101,995
1644-45	45,333	95,528	97,974
1645-46	18,867	76,345	71,301
1646-47	20,000	54,692	54,925
1647-48	234,992	267,572	265,247
1648-49	no records	79,119	92,826
1649-50	84,133	148,678	151,227
1650-51	no treasurer	3,110	3,186
1651-52	no treasurer	4,533	4,513
1652-53	0	40,723	46,224

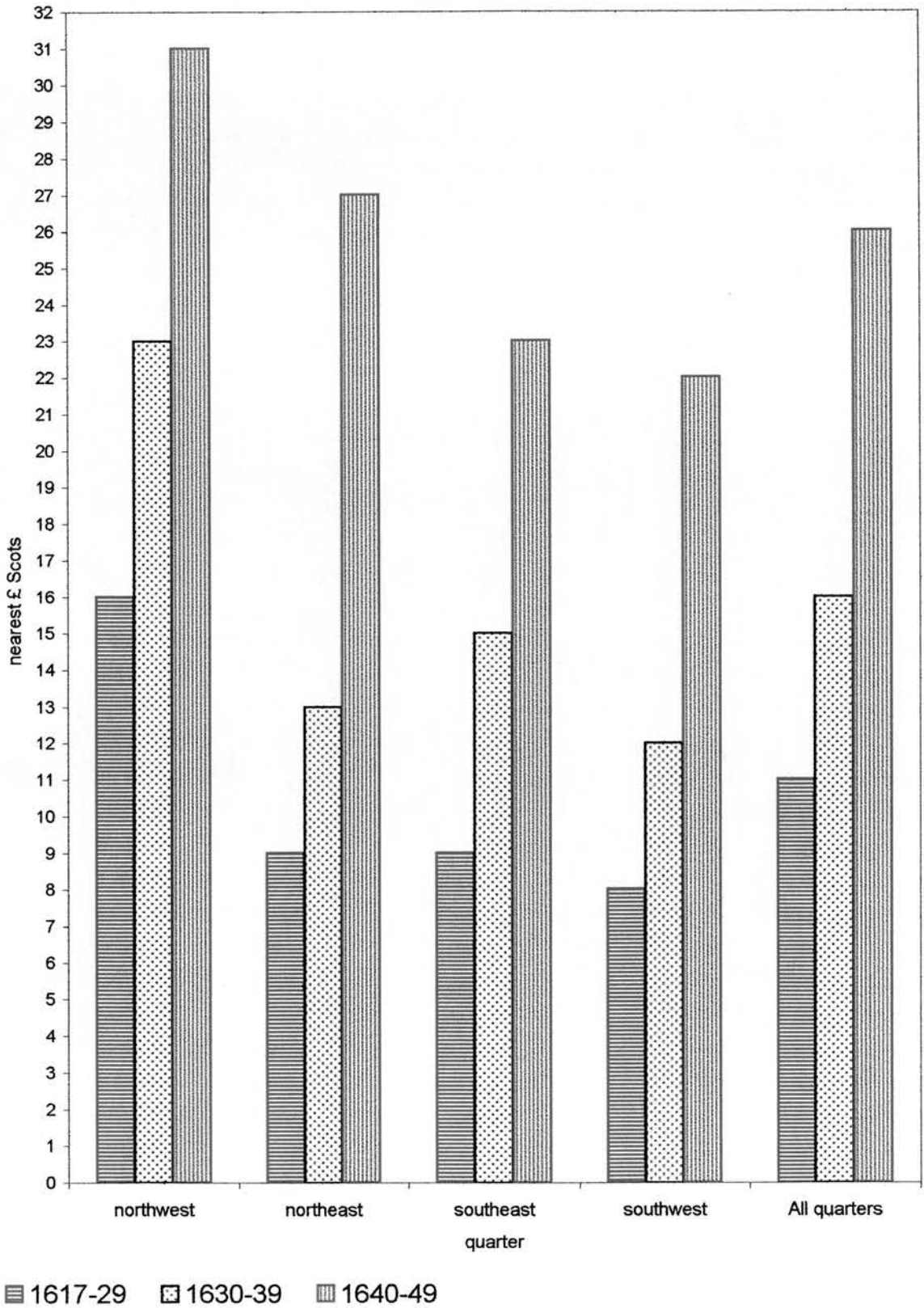
These figures are taken from the town treasurer's accounts only. Any sums which might have been borrowed by the town council, but which did not go through the hands of the treasurer, are not included. A detailed abstract of the town treasurer's accounts from 1641-55 can be found in *Edin Recs 1642-55*.

Outstanding debts recorded by the treasurer:

2 Nov 1636 £129,449 0s 3d
11 Nov 1638 £151,375 10s 1d

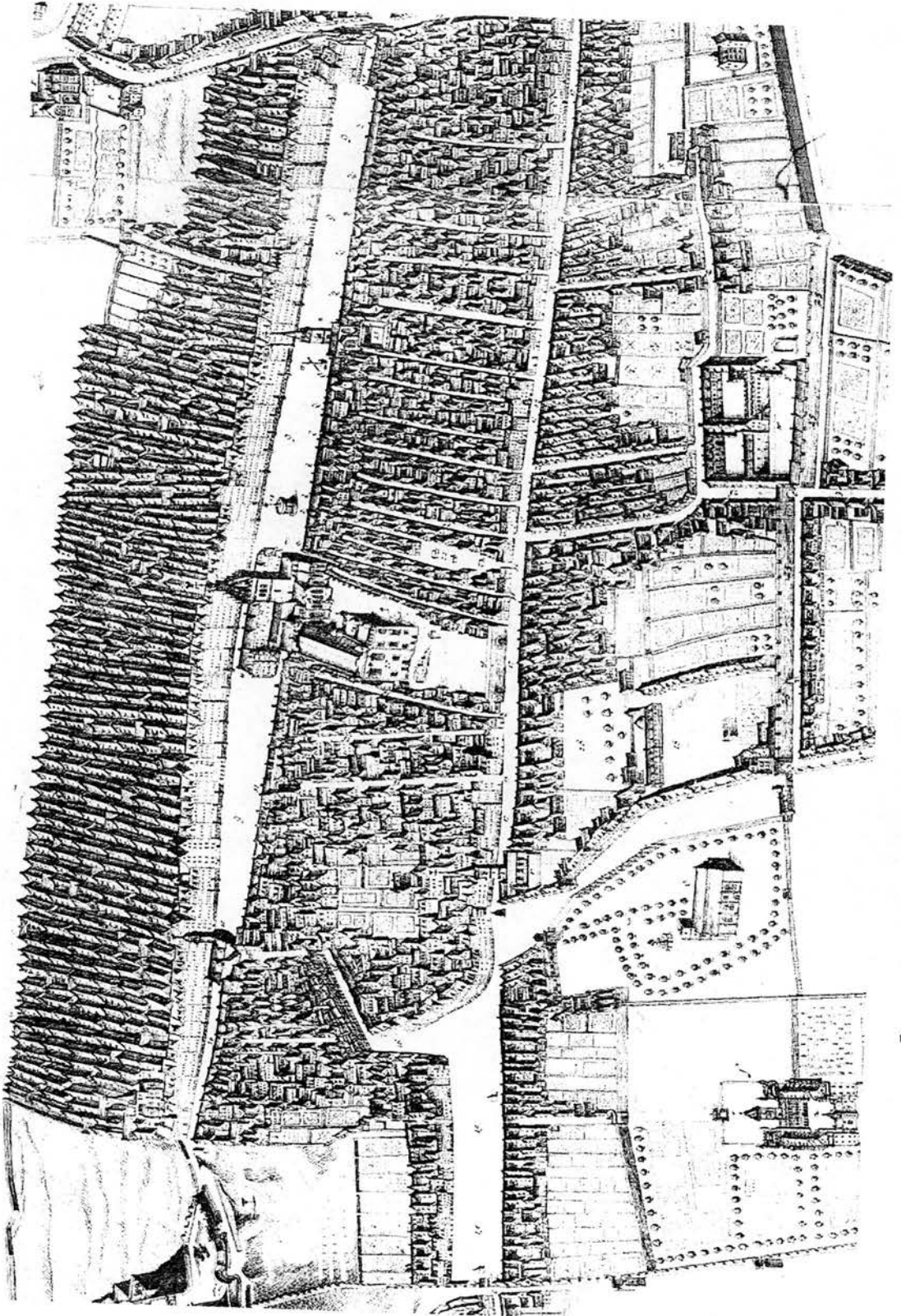
Source: ECA, Town Treasurer, vols.iv-vii.

Figure 5: Stent rolls
Average tax due by quarter, 1617-49



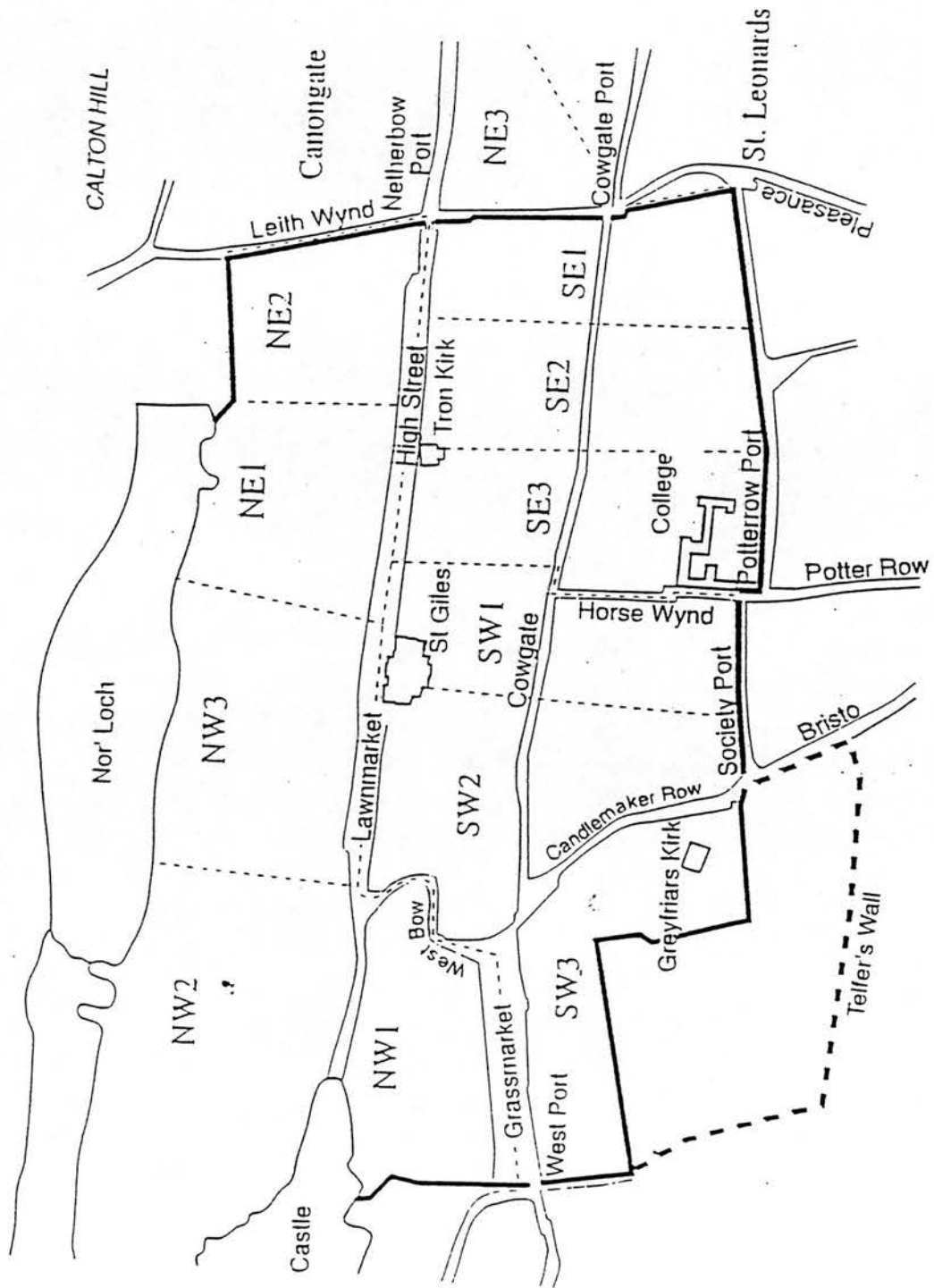
Source: ECA, SL35/1/2-8

Map 1

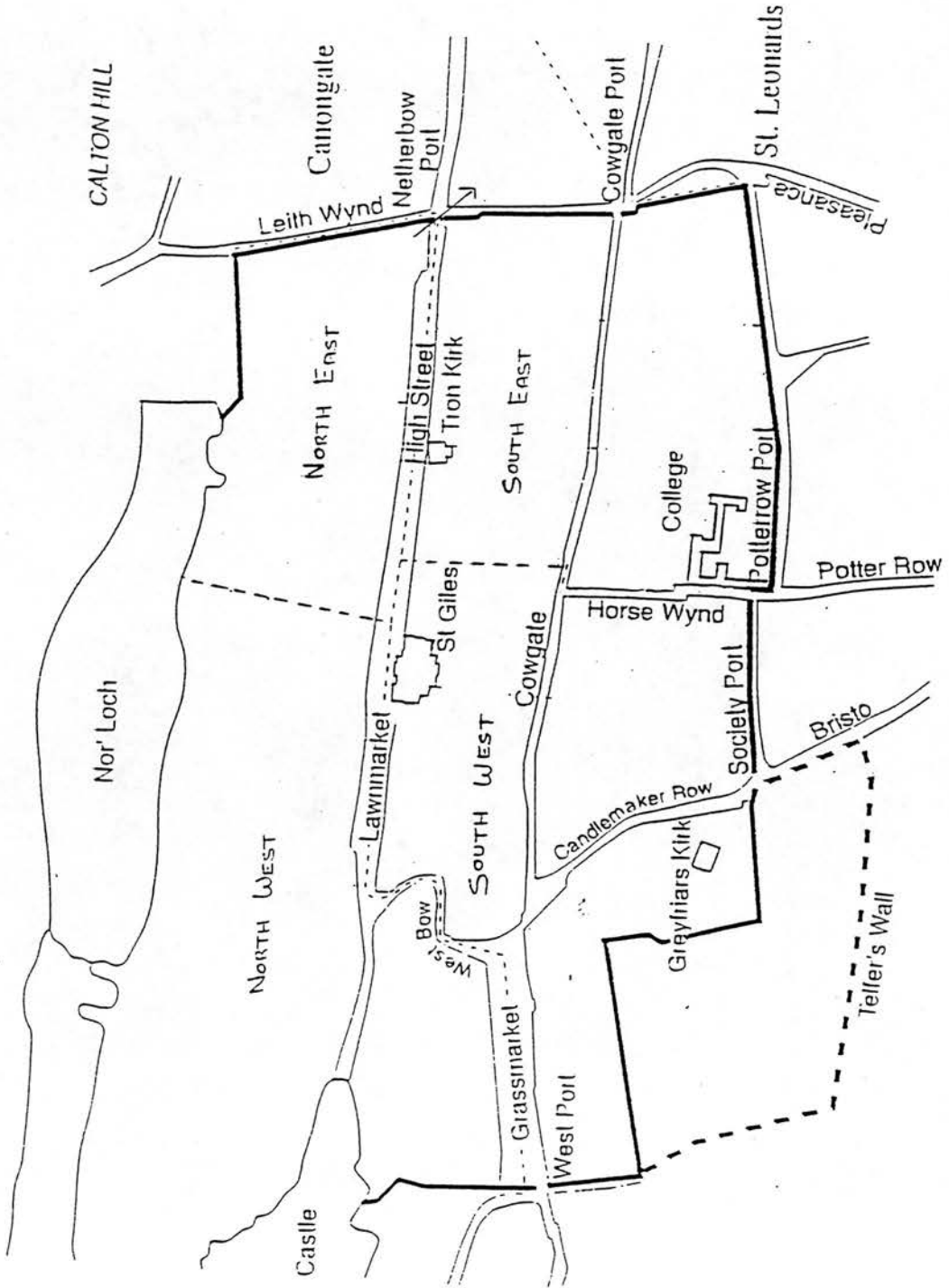


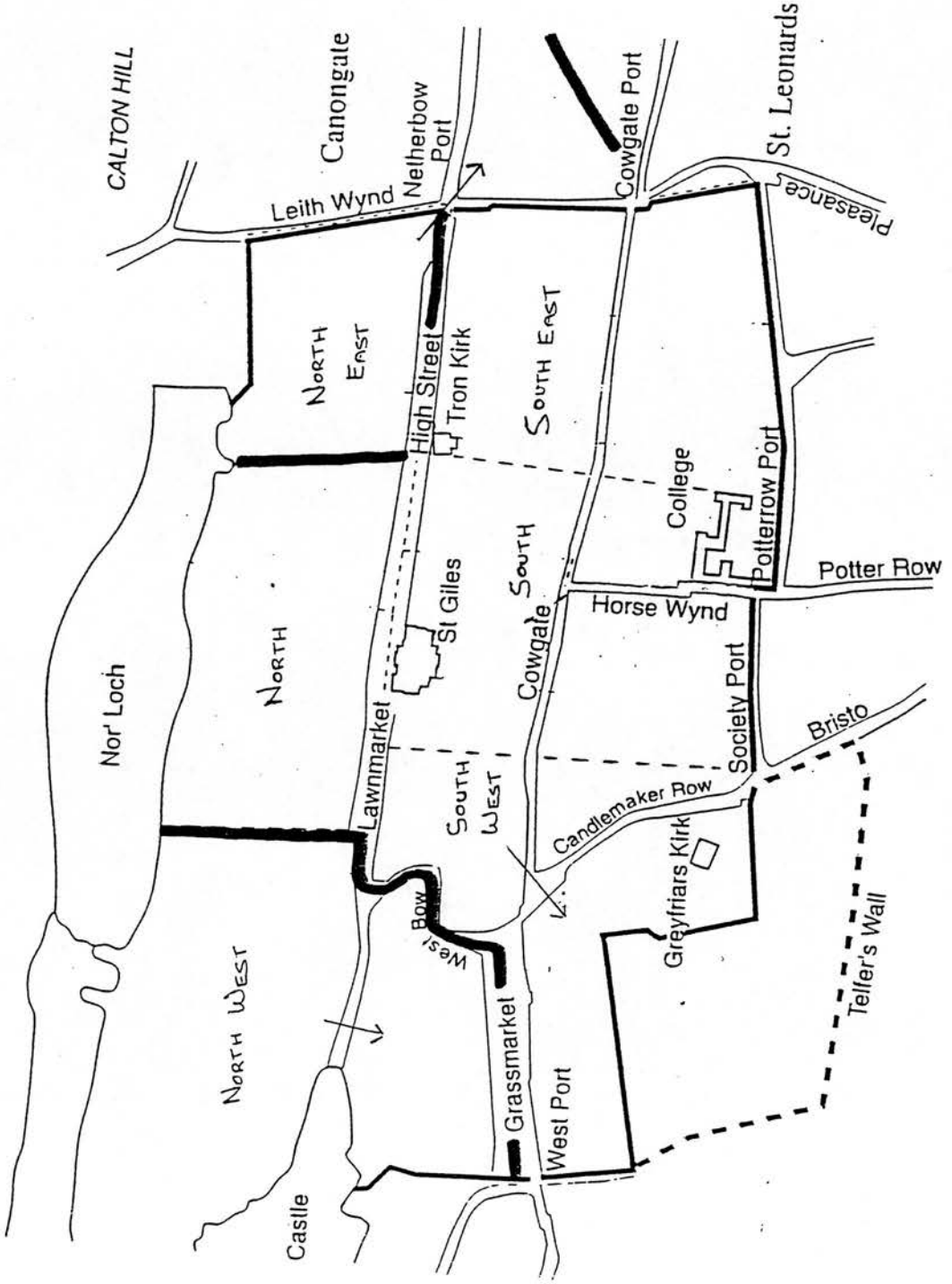
James Gordon of Rothiemay's 'Bird's Eye View of Edinburgh', 1647
 St Giles' church and the Parliament House are in the centre.

Map 2



Atlas of Scottish History to 1707, ed. PGB McNeill and IIL MacQueen (Edinburgh, 1996), 456. The Secular Administration of Edinburgh





Weavers of Canongate sederunt books:

SL151/2/1 1610-24 SL151/1/2 1644-1713

Wrights and coopers of Canongate sederunt books

SL151/3/1/1 1645-90

Handlist:

<i>Acts of the bailies of the Canongate</i>	1623-1732
<i>Acts of the deacons of crafts, vol.i</i>	1578-1678
<i>Account for goods in Edinburgh's weigh-house</i>	1613-17
<i>Accounts for the building and repair of churches</i>	1635-48
<i>Accounts for the 11 common mills of the city</i>	1621-27 includes impost on wine, 1632-36
<i>Annualrents of the burgh and its possessions</i>	1582-1701
<i>Annuity tax or housemails</i>	1634-36
<i>Bailies' accounts</i>	1564-1689 see also some accounts for the 1640s and 1650s, Moses Bundle, 186.
<i>Black books, vol.i</i>	1627-1679
<i>Burgesses and apprentices</i>	1618-35 1640-57
<i>Burgh court book</i>	1649-82
<i>College accounts</i>	1640-1702
<i>Court of Session</i>	
<i>Summonses, hornings, poindings</i>	1596-1699
<i>Miscellaneous proceedings</i>	1612-1747 and 1607-1730
<i>Extent roll for the royal burghs</i>	1633-36
<i>Fleshers' guild papers</i>	1558-1850
<i>Newspapers</i>	
<i>Facsimile execution warrant</i>	January 1649
<i>Weekly News</i>	January 1606
<i>Intelligencer</i>	January 1649
<i>Gazette</i>	September 1658
<i>Parliament house accounts</i>	
1633-40	These accounts have been bound in reverse order ie 3rd term
comes	before 1st, with each quarter of the burgh in correct sequence

St Paul's Work:
1619-75

Town treasurer's accounts:

vol.iv	1612-23	vol.v	1623-36
vol.vi	1636-50	vol.vii	1650-66

Wine impost

i. 1612-42 with shore dues, 1638-39
ii. 1641-42 wines received by taverneres
iii. 1649 wines sold
iv. bills and receipts
v. 1649-50 dues
vi. duties 1659-60

Writs belonging to the city

28 November 1638

Inventory

1653 (with transcription)

Receipts of writs borrowed

1639-1754

The Stent Rolls

ECA, SL35/1/2-8

The rolls extant in the Edinburgh City Archives are in excellent condition, and almost entirely complete. They contain the names of every person who was assessed for taxation and the amount they owed, according to the administrative third they resided in. The rolls are bound with the assessments for the town watch and the rolls of the free burghs, and as there is no pagination the rolls can be difficult to use.

1. The titles are missing from the first two rolls covered by this thesis, but it is clear that as the tax roll prior to them are dated 1616, and after, 1621, they must pertain to the taxation granted by the 1617 parliament.
2. Data is missing from the rolls collated in August 1631, where torn pages make it impossible to assess accurately either southwest one or southwest two. Even an estimate is impossible for northeast one, southwest two or southwest three.
3. The 1646 roll is probably two rolls; the obvious change in style at f.10 was the initial indicator that this was so. At f.11, the neat, ordered account evident in previous years becomes much more difficult to follow. Quarters are not clearly demarcated, the handwriting seems hurried, and there are many alterations, often in different ink. It is likely that SL35/4 and the first 10 folios of SL154/5 belong together, as a single stent for 1646. It would consequently contain:

NW all thirds

NE 1st folio of NE1, NE2, NE3

SE all thirds

SW SW1, probable that SW2 and SW3 have mistakenly been bound together and folios are missing, so that

neither quarter is complete.

Can be found in: SL35/1/4 SL35/1/5

The names of the identifiable officers suggests that the second part of SL35/1/5 roll is probably from 1651, when many houses were destroyed or blocked up to defend the town against the advancing English army. It is not from 1655, when a valuation for tax was carried out by the English regime. A fragment remains which seems to be the entirety of the southwest quarter.

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 Add.Ms.28,011
 Add.Ms.33,262
 Add.Ms.40,885
 Add.Ms.267,091
 Eg.Ms.2,533
 Harl.Ms.457
 Stowe.Ms.187

Lauderdale Papers
 Proceedings in Parliament, 1620-41
 Scotland's Rents and Tenths, 1639
 Loch Family Papers
 Alphabet of Arms
 Nicholas Papers
 Minutes of the Council at York, 1640-41
 Negotiations at Westminster, 1640-41

Edinburgh City Archives [ECA]

At this time (2003) the archivists at the Edinburgh City Archives are creating a database listing all their existing catalogued material, which will make the task of locating items much easier than is currently the case. Some of the material used in this thesis does not yet have a catalogue number, but can be found in the Handlist of Historical Documents, available on request from the archivists.

Catalogued Material

SL1/12-17
 SL144/3-4
 SL135/1/2-8
 SL154/1
 SL152/3/1
 SL152/11/1

Town Council Minutes, 1609-53
 Dean of Guild Records, 1624-46
 Stent Rolls, 1601-55
 Kirk Treasurer's Accounts, 1615-63
 Trinity College Hospital, Accounts, 1616-66
 Trinity College Hospital, Discharges, 1622-44

Handlist

Accounts of the Building and Repair of Churches, 1635-48
 Bailies' Accounts, 1564-1689 (see also Moses Bundle, 186)
 Black Books, 1627-1702, vol.i
 Burgh Court Register of Decrees, 1630-42, vol.xi
 Dean of Guild Accounts, 1568-1720
 Parliament House Accounts, 1633-40 (bound in reverse order)
 St Paul's Work, 1619-75
 Town Treasurer's Accounts, 1612-66, vols.iv-vii

Other Material

Abstract from the Protocol Books of John Hay (card index)
 McLeod Bundles (indexed)
 Moses Bundles (indexed)

National Archives of Scotland [NAS]

B22/8/31

Burgh of Edinburgh Register of Deeds

CC/8/8

Edinburgh Commissary Court Register of Testaments

CH2/136/84

Edinburgh Kirk Council Book, 1625-57

CH2/141/1

Kirk Session Register, Trinity College, 1626-38

GD18

Clerk of Penicuik Papers

GD112/39/63

Breadalbane Muniments

GD406/1

Hamilton Muniments

National Library of Scotland [NLS]
Adv.Ms.22.2.10

Adv.Ms.33.1.1
Ms.1939
Wod.Fo.XVI
Wod.Qu.IX
Wod.Qu.XX
Wod.Qu.XXV
Wod.Qu.LXXXVII
Wod.Qu.LXXXIV
Wod.Qu.CV

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SP46/106

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Anonymous Journal, c.1588-1641
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Papers from the Covenanting period, 1636-41
David Calderwood's papers, 1584-1648
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