University of Strathclyde

Department of History

Non-Conforming Presbyterian Women in Restoration Scotland: 1660 – 1679

by

Alan James McSeveney

A thesis presented in fulfilment of the requirements of the degree of Doctor of Philosophy

Acknowledgements

In pursuing four years of doctoral study I have proved the help and support of various persons whom I now wish to acknowledge.

First of all, I would like to express my thanks to my supervisor Dr John Young. His expertise in Scottish history and knowledge of early modern Britain has been essential in pursuing this research. I also have appreciated his attention to detail and his conscientious desire for his students to present work to the highest academic standards. I also wish to thank other members of staff within the Department of History at the University of Strathclyde. Professor W. Hamish Fraser, Professor Conan Fischer and Professor Richard Finlay have all provided support as heads of department. I also wish to thank Professor Eileen Yeo for her helpful guidance on gender in the seventeenth century. Jo and Alison in the Department of History office provided much needed practical help for which I am grateful.

In visiting various archives I have experienced particular help from staff who gave advice and others who delivered manuscripts. The staff at National Library of Scotland, National Archives of Scotland, British Library, Bodleian Library, National Archives, Edinburgh University Special Collections Unit, Glasgow University Special Collections Unit, Dumfries Archives, Ewart Library, Dumfries, Edinburgh City Archives and Stewartry of Kirkcudbright Museum have all been very helpful. Two people in particular, however, require particular mentions. Dr Louise Yeoman provided excellent advice at the commencement of studies as to the nature and scope of a thesis on non-conforming Presbyterians. To Dr John Scally I owe the inestimable find of the Tollemache Family Archive at the Buckminster Park Estate Office, Leicestershire. This thesis would have been far from complete without looking at this archive. I also wish to thank Sir Lionel Tollemache for granting access to this archive and the Estate Office staff for making this visit so profitable.

Dr Rosalind Marshall was also helpful in providing advice about Anne, third Duchess of Hamilton. I would also like to thank Dr Ginny Gardner for preparedness

to sacrifice a few minutes from her work at the Scottish Executive to talk about non-conforming Presbyterians.

I also wish to express my appreciation to The Arts and Humanities Research Council for providing funding for completing this thesis.

Finally, there are many people who have assisted me in providing accommodation while visiting archives. They are unknown to academia but I wish to record my appreciation for their help. I particularly wish to thank my parents for their support in the first three years of doctoral study. Since then my wife, Debbie, has provided the support and encouragement needed in order to complete this study in time. The presentation of this thesis within the four year period is in no small measure due to her.

Abstract

The church settlement established in Scotland on the Restoration of Charles II led to Presbyterians refusing to conform to the chosen Episcopalian model. Presbyterian women played a key role in dissenting activity between 1660 and 1679. These activities included rioting, conventicling, harbouring outlawed Presbyterians, petitioning on behalf of Presbyterian clergy and withdrawing from church. The social background of a Presbyterian woman dictated the way in which she dissented against the Episcopalian church settlement. In refusing to conform to Episcopacy, Presbyterian women were not mere pawns of men but acted on their own initiative. Non-conforming Presbyterian women were punished by a ruling elite in Restoration Scotland which was governed by considerations of gender in its desire to preserve an ordered society.

Contents

Abbreviations

APS	*The Acts of the Parliament of Scotland* 12 vols. T. Thomson & C. Innes (eds.), (Edinburgh, 1814 – 75).
BL	British Library
Bod. L	Bodleian Library
CSPD	*Calendar of State Papers Domestic in the Reign of Charles II* M.A.E. Green et. al. (eds.), (London, 1860-1960).
DA	Dumfries Archives
DNB	*Dictionary of National Biography* 22 Vols.S. Lee & L. Stephen (eds.), (London, 1908).
EUL	Edinburgh University Special Collections Unit
GUL	Glasgow University Special Collections Unit
HMC	Historic Manuscripts Commission
LP	*Lauderdale Papers* 3 Vols. O. Airy (ed.), (London, 1884-5).
NAS	National Archives of Scotland
NLS	National Library of Scotland
ODNB	*Oxford Dictionary of National Biography* 61 Vols. H.C.G. Matthew & B. Harrison (eds.), (Oxford, 2004).
RPCS	*Register of the Privy Council of Scotland Third Series 1661-1691* 16 Vols. (P.H. Brown et al. (eds.), (Edinburgh, 1908 – 70).
SHR	*Scottish Historical Review*
SHS	Scottish History Society
SOKM	Stewartry of Kirkcudbright Museum
SP	*Scots Peerage* 9 Vols. J.B. Paul (ed.), (Edinburgh, 1905-11).
TFA	Tollemache Family Archive

Notes

Currency

All monetary values have been converted to the Scottish pound at the value of £1 sterling = £12 Scots and 1 Scottish merk = 2/3 of £1 Scots.

Dates

All years, unless specified, commence on 1 January.

Spelling

All spelling has been modernised..

Chapter I

Introduction

In 1968, the late Professor I.B. Cowan of Glasgow University published an article in *The Scottish Historical Review* entitled "The Covenanters – A Revision Article."[1] This resurrected one of the main historical debates from the eighteenth to early twentieth century in Scotland - the suppression of Presbyterian opposition to an Episcopalian church settlement in the Restoration period.[2] Cowan stressed the need to take this subject out of the realm of hagiography and place it on a firm historical basis with an emphasis on social and economic factors behind non-conforming Presbyterianism.[3] Cowan followed this article in 1976 with the publication of the monograph, *The Scottish Covenanters*. While helpful in bringing up to date historical techniques of analysis to this subject, Cowan did not act on his own advice and failed to trace the background of those involved in Presbyterian dissent.[4] Willingness to take up Cowan's proposed method of analysis of non-conforming Presbyterianism has been slow. Only one doctoral thesis of note dwelt on the religious conflict in Restoration Scotland in the 1980s. In 1988, Mirabello completed a study of a wide-ranging chronological nature that outlined the relationship between Presbyterian dissent and the Church of Scotland. However, it did not dwell on social and economic factors within the Presbyterian dissenting community.[5] Two further theses completed in the 1990s were helpful in focusing on thematic subjects that provide a background for a better understanding of this subject. Louise Yeoman, in a novel study, analysed the inner life of various non-conforming Presbyterians, including those of the Restoration period.[6] A further doctoral thesis by Margaret Steele focused on the political propaganda of the

---

[1] I.B. Cowan, "The Covenanters – A Revision Article", in, *SHR* No. 47, (1968), pp. 38-52.
[2] Chapter two will outline the historiography for this subject.
[3] Cowan," The Covenanters", p. 52. See Appendix B for reason why those who have been commonly known by the term Covenanters are referred to here as non-conforming Presbyterians.
[4] I.B. Cowan, *The Scottish Covenanters* (London, 1976).
[5] M.L. Mirabello, 'Dissent and the Church of Scotland 1660-1690' (PhD: University of Glasgow, 1988).
[6] L. Yeoman, 'Heart Work: Emotion, Empowerment and Authority in Covenanting Times' (PhD: University of St. Andrews, 1991).

Covenanting movement over the course of the seventeenth century.[7] More recently, studies similar to those envisaged by I.B. Cowan have appeared which have added to knowledge of particular groupings within non-conforming Presbyterianism in Restoration Scotland. In 2002, Alison Muir completed a thesis that focused on Covenanters in Fife and included a chapter that dwelt on the experience of dissenting Presbyterians in the Restoration period.[8] Muir's work indicated a move away from all embracive wide-ranging national studies to a more focused regional analysis. Ginny Gardner has continued in this vein with a monograph (based on a doctoral thesis) entitled *The Scottish Exile Community in the Netherlands 1660-1690*.[9] Gardner's work focuses on a particular group of Scots Presbyterians in Netherlands over a thirty year period. Her work draws attention to the social background and family links, which existed among exiled Scots Presbyterians in the Netherlands during the religious strife of Restoration Scotland. Muir and Gardner's work, in particular, indicate that Cowan's appeal for an analysis of the background of non-conforming Presbyterians is at last being taken up.

This thesis seeks to build on Muir and Gardner's work by focusing on a hitherto under researched subject: non-conforming Presbyterian woman in Restoration Scotland. In doing so, it utilises Cowan's suggestion and particularly investigates the relation between the social background and the form of dissent against the Episcopalian church settlement undertaken by non-conforming Presbyterian women. Other issues that shall be addressed are whether Presbyterian women were merely used as pawns of men in dissenting activities and whether gender was an important consideration in the way Presbyterian women were treated by the authorities.

The time scale chosen for this study is the period between the Restoration of Charles II in 1660 and the failure of the Presbyterian uprising at Bothwell Bridge in 1679. This thesis will show that this was chosen as a direct result of the analysis of sources and secondary literature relating to this subject. The methodology adopted in

---

[7] M. Steele, 'Covenanting Political Propaganda 1638-88' (PhD: University of Glasgow, 1997).
[8] A. Muir, 'The Covenanters in Fife, c. 1610 – 1689: Religious Dissent in the Local Community' (PhD: University of St. Andrews, 2002).
[9] G. Gardner, *The Scottish Exile Community in the Netherlands 1660-1690 " Shaken Together in the Bag of Affliction"* (East Linton, 2004).

this thesis is similar to that of Muir and Gardner's work in that it uses specific case studies as a form of analysis. The first of these analyses riots by women in south-west Scotland in 1663 at the introduction of Episcopalian clergymen. The second of these case studies is concerned with different aspects of female Presbyterian dissent in Edinburgh from 1660 to 1679. The concluding case study investigates the experience of Lady Margaret Kennedy (the most important female Presbyterian aristocrat in Scotland in the 1660s) and her activities in support of non-conforming Presbyterianism. The choice of case studies as a form of analysis was also not arbitrary. This chapter will show that this thesis is a source driven analysis and that this inevitably led to a case study approach being used.

As the main part of this study relates to tracing the social background of the women discussed, it is necessary to explain the classifications under which they are described. Seventeenth century Scotland was still an agricultural based economy marked by a continuing feudal social structure.[10] Christopher Smout in his seminal work *A History of the Scottish People 1560-1830* has shown that there existed at least three different groups of landowners: the high nobility, lesser landowners usually designated as lairds and bonnet lairds who were effectively owner-occupiers.[11] For ease of reference, these two groups can be divided into high aristocracy and low aristocracy. Under the landowners were tenants and sub-tenants known as crofters, cottars and grassmen.[12] Wadsetters and tacksmen were two further groups of tenants. The former had tenure of land due to being a creditor of the landowner.[13] The latter was usually a tenant in Highland rural society who officiated on behalf of the laird and sometimes supported him in his quarrels with neighbouring clans.[14] Further down the rural social structure were servants and landless labourers.[15] The urban structure of Scottish towns was divided between a

---

[10] M. Lynch, "Continuity and Change in Urban Society 1500-1700", in, R. A. Houston & I.D. Whyte (eds.), *Scottish Society* (Cambridge, 1989), pp. 85, 110. In political terms in the Restoration period this manifested itself in Estates of Clergy, Nobility, Burgh and Shire Commissioners. See J. Goodare, "Parliament 1503-1707", in, M. Lynch (ed.), *The Oxford Companion to Scottish History* (Oxford, 2001), p. 472.
[11] T.C. Smout, *A History of the Scottish People* (Glasgow, 1977), pp. 126-8.
[12] Ibid, pp. 128, 135.
[13] Ibid, p. 128.
[14] Ibid, p. 129.
[15] Ibid, p. 136.

burgess class and unfree men (or women).[16] The latter could include widows who kept lodging houses but was more likely to comprise servants who were a significant part of the urban social structure.[17] The burgess class itself was further divided into merchant burgesses and craft burgesses. However, both had the prestige of voting for magistrates, belonging to a trade and the right to buy and sell in an urban environment.[18] The seventeenth century also saw the development of a social strata of professional occupations. These included lawyers and ministers.[19] As Scotland was a pre-industrialist economy, a class structure on the Marxist model is arguably not appropriate for designating different social groupings. This may make the use of Michael Lynch's term "middling sort" problematic. However, it is evident from the above description of Scottish society that groupings such as landless labourers were at a different end of the social spectrum to high aristocracy and that occupations such as lawyers were somewhere between the two. Therefore, terms such as middling or lower are appropriate for describing groups such as burgesses and servants.[20]

The remaining part of this chapter will highlight the main sources available for research of non-conforming Presbyterian women in Restoration Scotland and why an analysis of these contributed to the emphasis, methodology and the issues discussed in this thesis. This study will then be placed in its historical context through tracing the main acts of government in setting up the Episcopalian church settlement in Restoration Scotland and the subsequent attempts to quell Presbyterian dissent. It will also highlight the main strands of Presbyterian dissenting activity in its national context. This will provide a framework for a more in-depth study of regional activity and particular issues which will be addressed in the case studies.

---

[16] Ibid, p. 148.
[17] Ibid, p. 164.
[18] Ibid, p. 148. The merchant class in particular has been the object of various studies. See T.M. Devine, "The Merchant Class of the Larger Towns in the Seventeenth and Early Eighteenth Centuries", in, T. M. Devine, *Exploring the Scottish Past* (East Linton, 1995), pp. 17-36. For a comparative case study of the burgess community in Edinburgh with London and Dublin, see J.K. McMillan, 'A Study of the Edinburgh Burgess Community and its Economic Activities, 1600-1680' (PhD: University of Edinburgh, 1984). For an overall view of the Edinburgh burgess community in the seventeenth century, see J.K. McMillan, 'A Study of the Edinburgh Burgess Community and its Economic Activities, 1600-1680' (PhD: University of Edinburgh, 1984).
[19] M. Lynch, "The Rise of The Middling Sort", in, *Scotland: A New History* (London, 1996), pp. 247-62.
[20] Ibid; R.A. Houston, "Women in the Economy and Society of Scotland 1500-1800", in, R.A. Houston & I.D. Whyte, *Scottish Society* (Cambridge, 1989), p. 123.

Sources for official government bodies in Restoration Scotland are limited to Acts of Parliament, Registers of Privy Council, Calendars of State Papers, a few Justiciary Court records, various Commissions and reports of committees and town council minutes and bonds. *The Acts of Parliament of Scotland* is an exhaustive account of the legislation of Scottish Parliaments.[21] They are therefore essential for understanding the legislative framework that underlay the Episcopalian church settlement and the subsequent measures taken to suppress Presbyterian dissent. One significant drawback in focusing solely on a record of parliamentary legislation is the lack of Parliaments in Scotland in the Restoration period. Parliamentary sessions took place in 1661, 1662 and 1663. Thereafter, Parliament met in 1669 and 1670. In the 1670s, parliamentary sessions only took place in 1672 and 1673. Conventions of Estates took place in 1665, 1667 and 1678 and were important for voting supply for the second Anglo-Dutch War (1664-1667) and the suppression of conventicles.[22] Due to the infrequent meeting of the Scottish Parliament, this source only covers certain periods in the Restoration era. However, a more voluminous source is available for the periods when Parliament did not sit. The gaps of time not covered by *The Acts of Parliament of Scotland* are supplied by details in the *Registers of Privy Council.*[23] These are the record of acts passed by the executive body that controlled the day-to-day running of Scotland in the absence of Parliaments.[24] Of particular interest to this thesis is the extensive material in the Privy Council records which are devoted to the religious conflict in Scotland which arose out of the Episcopalian church settlement. These include the two Presbyterian uprisings of 1666 and 1679.[25] The voluminous character of this source also suggested that a discussion of Presbyterian dissent over the whole of the Restoration period was not compatible with the in-depth analysis required to uncover the backgrounds of

---

[21] As this thesis deals with the period from 1660 to 1679 the relevant volumes are as follows: *APS 1661-1669; APS 1669-1681*

[22] See Appendix C for outline of Parliaments and Convention of Estates in Scotland between 1660 and 1679. For a recent analysis of the Scottish Parliament in the Restoration period, see G.H. MacIntosh, "Arise King John: Commissioner Lauderdale and Parliament in the Restoration Era", in, K.M. Brown & A.J. Mann, (eds.), *Parliament and Politics in Scotland, 1567-1707* (Edinburgh, 2005), pp. 163-83.

[23] *The Register of the Privy Council of Scotland Third Series 1661 -1691* 16 vols. P. Hume Brown et. al., (eds.), (Edinburgh, 1908-70).

[24] The Privy Council could, however, also sit during Parliament.

[25] For the defeat of Presbyterians at the Battle of Rullion Green, see *RPCS 1665-69,* p. 228, 29 November 1666. For the defeat of Presbyterians at the Battle of Bothwell Bridge, see *RPCS 1678-80,* pp. 260-1, 26 June 1679.

individual Presbyterians. A division was therefore sought in the time period between 1660 and 1689. For this analysis, 1660 to 1679 was chosen as a timescale due to it being the date when Presbyterianism was finally openly divided between the followers of the radical Presbyterian preacher Richard Cameron and other Presbyterians who either accepted various Indulgences from Charles II to preach or were at least prepared to remain in fellowship with such.[26] Paradoxically, while the Privy Council records are voluminous they often lack in detail as to the backgrounds of Presbyterians who were punished for dissent. Examples of this can be seen when petitions of Presbyterians are recorded without the subsequent decision being recorded in the Privy Council records.[27] This discovery fundamentally affected the methodology used in this thesis. Lack of substantial detail in Privy Council records makes a numerical analysis of Presbyterian dissent impractical. However, an analysis of this source did suggest that certain events and details were covered in greater detail than others. Particularly noticeable in this regard was the extensive material surrounding the riots of women in Kirkcudbright and Irongray in 1663 in response to the introduction of Episcopalian curates.[28] Further analysis of Privy Council records also showed that, as Edinburgh was the capital city of Scotland where the governing body resided, Presbyterian dissent appeared to come under closer scrutiny there. Of particular note in this was the role of women in holding and attending illegal Presbyterian meetings, which the government termed as conventicles.[29] The role of Presbyterian women in the aftermath of the attempted assassination of Archbishop James Sharp in 1668 and circumstances surrounding the presentation of a petition by women in 1674 seeking liberty for Presbyterian ministers to preach were also noticeable.[30] These incidents have therefore all been chosen for case studies. They indicate that this thesis is a source based analysis of

---

[26] 1679 as a suitable cutting off date appears to be confirmed by a thesis currently being completed by Mark Jardine of Edinburgh University on Presbyterian dissent after this date.

[27] An example of this can be seen in chapter five where a debate in the Privy Council as to the Women's Petition is not recorded in the Register but details are given in BL, Add. MSS 35125, fol. 259, Earl of Airly to Duke of Lauderdale, 23 July 1674. See also *RPCS 1673-76,* p. 241, 21 July 1674.

[28] These will be dealt with in chapters four and five.

[29] This will be dealt with in chapter six.

[30] Chapters seven and eight will deal with these.

the type already undertaken particularly by Ginny Gardner in her study of the Scots Presbyterian community in Holland in the Restoration period.[31]

While the Privy Council records provide information of how that body dealt with Presbyterian dissenters, the bulk of measures against Presbyterian dissent was carried out in the localities. This effectively meant that, in many cases, soldiers and statesmen sat as a regional court in dealing with dissenters. While these occurred frequently in this period, there are relatively few records remaining from these proceedings.[32] Some Justiciary records from the Edinburgh court are extant and in print.[33] The volume of information from them is, however, limited. This is also the case with the various Calendars of State Papers. Only two volumes of *The Calendar of State Papers Domestic* for the Restoration period provided any information.[34] Most of these volumes are composed of various Privy Council declarations and letters to and from Charles II already found in the Privy Council records. They do, however, provide details of gossip that passed between Edinburgh and London. It therefore proved useful in providing details of the general feeling at the perceived importance of the Kirkcudbright and Irongray riots in 1663 and the attempted assassination of Archbishop James Sharp in 1668.[35] There are also Privy Council papers in the National Archives of Scotland which were not included in the printed registers. The whole collection is small but was found to provide information for the historical context of this chapter and the advance of troops towards Kirkcudbright and Irongray in 1663.[36] There are also extensive Treasury and Exchequer Records available in this archive. Some Exchequer records provided interesting information on the progress of Sir James Turner from Edinburgh to Galloway in 1663 and the subsequent payment of his troops.[37]

The analysis of ephemera collected by the Presbyterian minister of Eastwood and historian, Robert Wodrow, supported the conclusions reached in the study of

---

[31] See p. 2 of thesis.
[32] Wodrow contended that no registers were kept from several Commissions. See R. Wodrow, *History of the Sufferings of the Church of Scotland from the Restoration to the Revolution* Vol. 1 R. Burns (ed.), (Edinburgh, 1828), p. xxxviii.
[33] *Records of the Proceedings of the Justiciary Court, Edinburgh 1660-1678* 2 Vols. R. Scott-Moncrieff (ed.), (Edinburgh, 1905).
[34] *Calendar of State Papers Domestic in the Reign of Charles II 1660-1685* 29 Vols. M.A.E. Green et. al. (eds.), (London, 1860-1960).
[35] The volumes used in this thesis were *CSPD 1663-64; CSDP 1667-8.*
[36] The references for these are NAS, PA11/12, PA11/13 and PC15.
[37] These are in NAS, E78.

official records.[38] The Wodrow Manuscripts includes information on mainly religious subjects from the late middle ages to the early eighteenth century.[39] Part of Wodrow's collected papers formed the basis from which his seminal *History of the Sufferings of the Church of Scotland from the Restoration to the Revolution* was written. This pivotal work in the study of Presbyterian dissent in Restoration Scotland will be discussed in chapter two. The essential point to be made here is that the various vague references in Wodrow's history to "poor widows" and "honest men" are directly taken from the sources available to Wodrow. As the Church of Scotland official historian on the religious conflict in Restoration Scotland, Wodrow sought to obtain information from various Presbyteries as to the sufferings of Presbyterian dissenters. These requests did not take place until the early 1700s. Therefore the information provided, in some cases, dealt with events that occurred nearly fifty years previously. By the early 1700s many of the details of these events appear to have been lost even to the extent of the names of particular persons involved.[40] Wodrow, in referring to unnamed persons in vague details, was using the evidence available to him. His fault as a historian appears to have been an uncritical reliance on such sources rather than a fabrication of evidence. The bound volumes of accounts provided by the Presbyteries (and also various individuals who offered information) have all been examined.[41] The lack of substantial detail found in them confirmed the conclusion arrived at in dealing with the official sources of this period - that a quantitative analysis of the sufferings of Presbyterian female dissenters was impracticable. However, both these sources *did* highlight the important character of the Kirkcudbright and Irongray riots of 1663 and female Presbyterian dissent in Edinburgh. Wodrow's collection also included papers of the Presbyterian minister of Kirkcudbright, Thomas Wylie. These contained letters to John Ewart, the former

---

[38] The Wodrow Manuscripts are split into different sections which are housed in different repositories. These include a selection of manuscripts on Scottish reformers which are in Glasgow University Special Collections Unit. The greater part of the Wodrow Manuscripts is in the National Library of Scotland. This is the only portion relevant to this thesis.

[39] The printed catalogues of the Wodrow Manuscripts in the National Library of Scotland that were compiled by Louise Yeoman are essential in giving details of the contents of the various volumes in this collection.

[40] For an account of Wodrow as a historian, see A.M. Starkey "Robert Wodrow and The History of the Sufferings of the Church of Scotland", in, *Church History* Vol. 43 (1974), pp. 488-98.

[41] The references for these are NLS, Wodrow Quartos, Vols. 36 & 37.

Provost of Kirkcudbright, who was imprisoned for failing to stop the riot there in 1663. These letters provided information for chapter four.[42]

An analysis of the printed correspondence of this period led to the choice of the third case study. The printed letters of Lady Margaret Kennedy to the Secretary of State for Scotland, John Maitland, second Earl (from 1672 first Duke) of Lauderdale were taken from correspondence which was then placed in the National Library of Scotland.[43] The original correspondence was consulted and the printed letters were found to be a reliable transcription of these.[44] Lady Margaret Kennedy was one of the foremost women in Restoration Scotland. She was distinguished by being the eldest daughter of the committed Covenanter, John Kennedy, sixth Earl of Cassillis; close friend of Anne, third Duchess of Hamilton and an intimate acquaintance of Lauderdale.[45] The printed letters are almost all written to the latter. They are a record of unrelenting activity on behalf of Presbyterian dissenters. The strident character of these letters allied with their correspondent being the premier statesman of Scotland confirms that, at least in the 1660s, Lady Margaret Kennedy was almost certainly the most prominent Presbyterian woman in Scotland. She has therefore been chosen as the third case study. Lady Margaret Kennedy's printed letters provide details of her intercession on behalf of those charged after the Kirkcudbright riot in 1663. They also give details of her refusal to attend Episcopalian church services and her attempts to influence the Indulgence negotiations of 1669. All of these subjects will be addressed in chapter ten. It should be noted that there are weaknesses in this source such as the continual use of pseudonyms for important Restoration Scottish figures and large parts of letters being written in cipher.[46] It is not always clear who is being referred to in these pseudonyms and no key appears to be extant although Lady Margaret Kennedy implied that one existed.[47] Another vital weakness is that she hardly ever mentioned

---

[42] These letters are in NLS, Wodrow Quartos, Vol. 29.
[43] *Letters of Lady Margaret Kennedy to John Duke of Lauderdale* C.K. Sharpe (ed.), (Edinburgh, 1828). As Lauderdale became a duke in the middle of the period covered by this study, he is referred to in this thesis by the title which he held at the particular time referred to.
[44] The reference for the originals is NLS, Add. MSS 81.1.12.
[45] Chapter nine gives full details of her background.
[46] See *Letters of Lady Margaret Kennedy,* p. 2, 28 May 1661, pp. 19-20, 30 April 1664, for examples of these.
[47] NLS, Add. MSS 3136, fol. 147, Lady Margaret Kennedy to Earl of Lauderdale, 1 February 1670.

the year in which she was writing.[48] However, the importance of the subject matter of this correspondence indicates that these weaknesses do not impair the relevance of these letters. This source proved an important foundation for a case study of Lady Margaret Kennedy.

Other printed correspondence from this period is almost invariably similar to that of Lady Margaret Kennedy's in that it is either to or from Lauderdale. *The Lauderdale Papers* edited by Osmund Airy are perhaps the best known example of these.[49] These have been consulted and quoted from but they form only a small part of Lauderdale's correspondence from this period.[50] Some further letters of Lauderdale have also been printed such as those that are addressed to John Hay, second Earl of Tweeddale.[51] These were helpful for the chapters dealing with the riots in Kirkcudbright and Irongray. The appendix of Lauderdale's letters from Archibald Campbell, ninth Earl of Argyll, also furnished an important letter from Andrew Ramsay, Provost of Edinburgh concerning house conventicling in Edinburgh.[52] Letters from Presbyterians such as the political theorist and mystic, Samuel Rutherford, and the Cameronian preacher, James Renwick, usually fall into periods outside that covered by this present study although the former proved helpful in providing information for the background to the Kirkcudbright riot in 1663.[53] Others from within this period such as those of the deposed Presbyterian minister, John Carstairs, were also of little relevance.[54]

Printed diaries, annals and memoirs are of variable value to an analysis of non-conforming Presbyterian women in Restoration Scotland. The works of politicians and lawyers of varying degrees of importance such as John Nicoll, John Lamont of Newton, and John Lauder of Fountainhall provide little in the way of

---

[48] This is evident from some of the earliest extant correspondence of Lady Margaret's. See *Letters of Lady Margaret Kennedy,* p. 1, 2 May (no year).
[49] *Lauderdale Papers* O. Airy (ed.), 3 Vols. (London, 1884-5).
[50] This will be discussed shortly.
[51] See "Letters of John Duke of Lauderdale to John Earl of Tweeddale", in, SHS, *Miscellany* Vol. 6 (Edinburgh, 1933).
[52] *Letters from Archibald Earl of Argyle to John Duke of Lauderdale* C.K. Sharpe (ed.), (Edinburgh, 1829), pp.118-20, Sir Andrew Ramsay to Earl of Lauderdale, 22 August 1667.
[53] *Life and Letters of James Renwick The Last Scottish Martyr* W.H. Carslaw (ed.), (Edinburgh, 1893); *Letters of Samuel Rutherford* A.A. Bonar (ed.), (Edinburgh, 1891).
[54] W. Ferris, *Notices of the Life of the Rev. John Carstairs* (Edinburgh, 1843).

relevant information.[55] The diary of former Covenanter, Alexander Brodie of Brodie, was similar to these although it did provide details as to how quick (or rather how slow) the information as to the Kirkcudbright and Irongray riots reached the north-east of Scotland.[56] The Presbyterian historians' accounts were more fruitful. The Presbyterian conventicle preacher, James Kirkton's over view of the religious conflict in Restoration Scotland from 1660 to 1679 was useful for details regarding non-conforming Presbyterianism in Irongray and Edinburgh.[57] William Row's editorship and continuation of the autobiography of the Presbyterian preacher, Robert Blair, was helpful in giving details as to the Kirkcudbright and Irongray riots.[58] Row also provided information relating to the discovery in 1675 of Lady Margaret Kennedy's marriage to Episcopalian clergyman and historian Gilbert Burnet.[59] Accounts by two of the most well known conventicle preachers, John Blackadder and Gabriel Semple were also useful. The former is helpful as to the Irongray riot and is invaluable in giving details of house conventicling in Edinburgh.[60] It is also helpful in outlining the beginning of field conventicling and in this confirms the account of Semple.[61] Gilbert Burnet's *History of My Own Time* is useful for political studies of Restoration Scotland and England but for this thesis only provided details as to his wife – Lady Margaret Kennedy.[62] *The Letters and Journals of Robert Baillie* and *The Diary of Sir Archibald Johnston of Wariston* while interesting in a general sense as to Presbyterian dissent were of little relevance to this thesis.[63] Printed sermons by Richard Cameron and other Presbyterian preachers were

---

[55] J. Nicoll, *A Diary of Public Transactions and Other Occurrences, Chiefly in Scotland From January 1650 to June 1667* D. Laing (ed.), (Edinburgh, 1836); J. Lamont, *The Diary of John Lamont of Newton* G.R. Kinloch (ed.), (Edinburgh, 1830); J. Lauder of Fountainhall, *Historical Notices* 2 Vols. (Edinburgh, 1848).
[56] A. Brodie, *The Diary of Alexander Brodie 1652-80 and of his Son, James Brodie of Brodie* D. Laing (ed.), (Aberdeen, 1863).
[57] J. Kirkton, *A History of the Church of Scotland 1660-1679* R. Stewart (ed.), (New York, 1992).
[58] W. Row, *The Life of Robert Blair...Containing his Autobiography from 1593 to 1636 with Supplement...to 1680, by his son in law Mr. William Row* T. McCrie (ed.), Edinburgh, 1848).
[59] Ibid.
[60] NLS, Wodrow Quartos Vol. 97; *Memoirs of the Rev. John Blackadder* A Crichton (ed.), (Edinburgh, 1826).
[61] Ibid; NLS, Add. MSS 3473, *Autobiography of Gabriel Semple* .
[62] G. Burnet, *History of My Own Time* 2 Vols. O. Airy (ed.), (Oxford, 1897).
[63] *Letters and Journals of Robert Baillie* 3 Vols. D. Laing (ed.), (Edinburgh, 1822); *Diary of Sir Archibald Johnston of Wariston 1655-1660* J.D. Ogilvie (ed.), (Edinburgh, 1940).

consulted as evidence of how Presbyterian women were regarded by their clergy but were of relevance only to the chapter dealing with that subject.[64]

The analysis of archival collections of letters of Restoration Scotland commenced with the study of Lauderdale's correspondence. The main repository for this is the British Library where several volumes of letters to and from Lauderdale are stored. Lauderdale's tenure in office coincided with at least twenty years of religious conflict in Scotland between 1660 and 1681. The volumes of letters by or to Lauderdale in this collection are therefore an essential source of correspondence on Scottish subjects in this period. Lauderdale's correspondence in the British Library was consulted for this thesis and found to provide important information as to the response of the government to the Kirkcudbright and Irongray riots in 1663. They also provided essential information as to the attempted assassination of Archbishop James Sharp. This collection is, however, noticeable for having no letters from or to Lady Margaret Kennedy.

The Tollemache Family Archive at Buckminster Park Estate Office in Leicestershire is a fundamentally important source for events in Restoration Scotland. As descendants of the first husband of Catherine Murray, Lady Dysart (who was Lauderdale's second wife), the Tollemache Family Archive contains a considerable amount of correspondence from and to Lauderdale. This was evident in relation to the Kirkcudbright and Irongray riots where letters and a petition containing details unavailable elsewhere were of particular importance. A significant amount of material concerning house conventicling in Edinburgh and the Women's Petition of 1674 is also in this archive. This complemented other sources relating to these subjects. Probably the most important discovery in this archive was the considerable correspondence of Lady Margaret Kennedy to Lauderdale. This included a petition on behalf of Presbyterianism in the 1660s and the response of a Presbyterian clergyman to Lady Margaret's attempt to influence the 1669 Indulgence negotiations. The comparative isolation of this archive may lead to it going unnoticed by historians of Early Modern Scotland. However, John Scally, Alan

---

[64] These were taken from *Sermons Delivered in Times of Persecution* J. Howie (ed.), (Edinburgh, 1880). See chapter three.

MacInnes and Clare Jackson have all visited it in recent years.[65] The Tollemache Family Archive provided at least as much manuscript material as the larger repositories and was therefore imperative in gathering material for this study.

In contrast to the Tollemache Family Archive, the Carte and Clarendon collections in the Bodleian Library yielded little. Papers relating to Burnet's *History* were also consulted but provided almost nothing in the way of information.[66] The National Archives (Public Record Office) also had little to offer this study due to the exhaustive use of the domestic state papers in the printed volumes of that name. Cambridge University proved to be lacking in anything relevant to manuscript research on this subject and only yielded help in the consultation of relevant PhDs.[67]

The Yester Papers and Tweeddale Correspondence in the National Library of Scotland were also consulted.[68] These provided helpful information as to the questioning of women after the attempted assassination of Archbishop James Sharp. Add. MSS 3136 was also consulted. These are almost all letters from Lady Margaret Kennedy to Lauderdale and were essential in composing a case study on her.[69] While all relevant material was looked at there was found to be a lot of material which looked promising but proved irrelevant. Kirk Session records are an example of this.[70] The Rosebery pamphlet collection (so important for studies of polemical debates and political controversy) did not provide any information for this thesis.[71]

The lack of relevance of pamphlet literature to this study was also confirmed by the dearth of anything significant in the various collections of pamphlets in

---

[65] Both MacInnes and Scally used this archive for the earlier Covenanting period between 1637 and 1651. Jackson, however, used it for the Restoration period. See A.I. MacInnes. *The British Revolution, 1629-1660* (Houndmill, 2005); J.J. Scally, 'The Political Career of James, Third Marquis and First Duke of Hamilton (1606-1649) to 1643', (PhD: University of Cambridge, 1993); J.C.L. Jackson, 'Royalist Politics, Religion and Ideas in Restoration Scotland 1660-1689' (PhD: University of Cambridge, 2000). The latter of these has been since published in an expanded form. See J.C.L. Jackson, *Restoration Scotland 1660-1690* (Woodbridge, 2003).

[66] The reference for these is Bod. L, Add. MSS D. 15-24.

[67] Jackson, 'Royalist Politics,'; Scally, 'Political Career of James, Third Marquis and First Duke of Hamilton'.

[68] The volumes of folios most often quoted from the Yester Papers were NLS, Add. MSS 7003, 7004, 7021, 7023 and 7024. The volume of Tweeddale Correspondence that proved most useful was NLS, Add. MSS 14406.

[69] NLS, Add. MSS 3136.

[70] See for instance NLS, Add. MSS 3492, *Canongate Session Records*; Add. MSS 3511, *Extracts from West Kirk of Edinburgh Sessions.*

[71] NLS, *Rosebery Pamphlet Collection.*

Glasgow University Special Collections Unit.[72] The section of the Wodrow Manuscripts which is deposited there was also irrelevant to this thesis. Other manuscript collections such as those dealing with the activities of the future Archbishop of St. Andrews, James Sharp, on behalf of the Resolutioner party in the early 1660s and also letters of Cameronian preachers are not relevant to a study of non-conforming Presbyterian women between 1660 and 1679.[73] However, this repository was significant in providing various copies of important rare books such as the Cameronian philosopher and preacher Alexander Shields' *A Short Memorial*.[74]

The Gifts and Deposits section in the National Archives of Scotland provided important details as to incidents and women studied in this thesis. The Ailsa Muniments (GD25) was consulted for information regarding Lady Margaret Kennedy. These contained several writs relating to her financial affairs such as her father's will.[75] The Hamilton Papers (GD406) provided relevant information as to Lady Margaret's relation to Lauderdale.[76] This collection is distinct in that it contains what appears to be the only extant correspondence from Lauderdale to her. The Hamilton Papers also contain essential information as to her illness, death and the subsequent dispute between her sister, Lady Catherine Kennedy, Countess of Dundonald and Anne, Duchess of Hamilton over money left by her. Lady Margaret's disgrace in 1674 on discovery of her marriage to Gilbert Burnet is the subject of a letter by the Countess of Rothes that throws light on the public odium cast on Kennedy for this "crime." The Hamilton Papers also provided important information on the Women's Petition of 1674 contained in correspondence between James Johnston and James Hamilton, Earl of Arran and subsequently fourth Duke of Hamilton.

The Laing collection in Edinburgh University Special Collections Unit provided a particularly important letter from Sir John Gilmour, the President of the Court of Session, to Lauderdale regarding the Kirkcudbright and Irongray riots.[77] Edinburgh City Archives contain the Town Council Minutes of that burgh. The

---

[72] For example, see GUL, *Broadsides Collection.*
[73] The references for these are GUL MSS Gen. 210 & 1009.
[74] A. Shields, *A Short Memorial of the Sufferings and Grievances Past and Present of the Presbyterians in Scotland Particularly of Those Called by Nickname Cameronians* (1690).
[75] NAS, GD25, Ailsa Muniments.
[76] NAS, GD406, Hamilton Papers.
[77] EUL, Laing MSS Vol. 3, fol. 33, Sir John Gilmour to Earl of Lauderdale (n.d.).

original volumes of minutes were consulted and found to be in good quality with clear handwriting.[78] However, only a few references were found relating to female Presbyterian dissent. The financial accounts of the burgh were examined but nothing relevant was found. Unfortunately, for the Restoration period there are no sources equivalent to the Poll Tax or Hearth Tax of the 1690s to provide background material for female Presbyterian dissenters in that city. The published list of burgesses unexpectedly provided little material.[79] The historian who seeks to use these should be aware of the difficulty of matching known Presbyterian women with burgesses mentioned in such lists. A common problem is the number of persons sharing the same name. This makes a match more problematic.

The Town Council Minutes of Dumfries in Dumfries Archives yielded a comparatively small amount of relevant material.[80] The lists of private archives in the area (such as the Annandale family archive) were searched here but nothing found relevant.[81] The Ewart Library also yielded little with the exception of some stent and valuation rolls for Kirkcudbright and Irongray.[82] The Town Council Minutes of Kirkcudbright in the Stewartry of Kirkcudbright Museum have not been transcribed and are to some extent damaged.[83] However, enough information was derived from them to be of vital importance as to the "punishment" ultimately meted out to those women who were involved in the Kirkcudbright riot. Again, difficulty was met with in seeking to use other records such as bonds to provide material for the backgrounds of the women involved.[84] In such a small community, a great number of people shared the same name and the actual persons involved in the riots are at times impossible to ascertain in these records.[85]

---

[78] The volumes found relevant to this study were: Vol. 26, 26 August 1668 - 30 December 1670; Vol. 27, 4 January 1671 - 19 August 1674; Vol. 28, 21 August 1674 - 17 August 1677; Vol. 29, 22 August 1677 - 31 December 1680.

[79] *Roll of Edinburgh Burgesses 1406-1700* C.B.B. Watson (ed.), (Edinburgh, 1976).

[80] The volume concerned has been transcribed by A.E. Trucknell. It covers the period from 1651 to 1663.

[81] The Annandale Papers have been catalogued by the National Record of Archives for Scotland. The reference for this catalogue is NRA(S) 2171.

[82] These are in the Maxwell of Munches Papers Box 1/File 77.

[83] The volume in question is entitled *Burgh Court Book of Kirkcudbright 1658-1669.*

[84] The volume in question has been printed and is entitled *Kirkcudbright Sheriff Court Deeds 1623-1675* M.B. Johnston & C.M. Armet (eds.) (Edinburgh, 1939).

[85] The names of Ewart, Carson and Maxwell are all cases in point of persons who are important to the case study on Kirkcudbright and Irongray but who had various namesakes in that area.

Full use was also made for this thesis of the National Register of Archives now computerised on the National Archives website. The printed catalogues of the individual archives housed in Glasgow University Library were also consulted. In this way, the catalogue of the Buccleuch Papers at Drumlanrig Castle (which includes material relating to the Earls and Marquises of Queensberry) was searched but nothing found relevant. Other catalogues such as the Hamilton Papers at Lennoxlove Castle, which contain material as to the domestic life of William Hamilton, third Duke of Hamilton, and his wife Anne, Duchess of Hamilton was also searched but nothing was found relevant to this thesis.

The strengths and weaknesses of the official printed papers and the Wodrow Manuscripts can therefore be seen to be the determining factor in the time period, methodology and subject of case studies being used in this thesis. The impracticability of a quantitative analysis over the whole period and the profusion of references suggested that the Kirkcudbright and Irongray riots, female Presbyterian dissent in Edinburgh and Lady Margaret Kennedy were thought to be the most relevant subjects for case studies. In seeking to look at all relevant archives in Britain, strengths and weaknesses were found in the sources. However, enough material has been found to justify the use of the three case studies and analyse the relationship between female Presbyterian dissent and the social background of the women involved.

Having discussed the methodology and emphasis of this thesis, it is now necessary to place this study in its historical context. This section seeks to provide a chronological outline of the events which led to an Episcopalian church settlement and the subsequent refusal of many Presbyterians to conform. It will also provide a legislative framework of the national measures taken against Presbyterian dissent by the government. This will then provide the background for the more detailed analysis of the incidents covered in the subsequent case studies.

The Restoration of Charles II in 1660 concluded a period of enmity, which had engulfed the Stewart monarchy and the Scottish nation since the riot at the introduction of the Laudian prayer book in St. Giles High Kirk in 1637.[86] Having

---

been exiled since the aftermath of the defeat of Scottish forces at Worcester in 1651, Charles II's return to mainland Britain was greeted with rejoicing as his subjects looked forward to a time of peace and prosperity.[87] Yet, by the time Charles II was restored to his throne, Scotland was not only divided religiously between Presbyterians and Episcopalians but Scottish Presbyterianism itself was divided into two factions. This was due to conflict over whether the Act of Classes of 23 January 1649 (which excluded all who were involved in or had sympathy with the Engagement to rescue Charles I from imprisonment in Carisbrooke Castle or were deemed immoral) should be revoked to allow a bolstering of the Scots forces in the continuing conflict against Oliver Cromwell and the Parliamentarian army.[88] Those who resolved to accept this revocation were known as Resolutioners, while those who opposed were known as Protestors or Remonstrators.[89] This overt division was a practical expression of underlying differences as to how far a Presbyterian model of theocracy should be set up in the three kingdoms.[90] The two factions were still divided by 1660 and at the Restoration both Resolutioners and Protestors attempted to persuade Charles II to accept their brand of Presbyterianism.

---

[86] The standard modern work on politics and religion in Scotland in the 1660s and 1670s is J. Buckroyd, *Church and State in Scotland 1660-1681* (Edinburgh, 1980). Other detailed studies of Scotland in this period within a three kingdomed context are R. Hutton, *Charles II: King of England, Scotland and Ireland* (Oxford, 1989) and T. Harris, *Restoration: Charles II and His Kingdom 1660-1685* (London, 1985). Several doctoral studies have looked at different aspects of political history in Restoration Scotland. See R.W Lennox, 'Lauderdale and Scotland – a Study in Restoration Politics and Administration 1660-1682' (PhD: University of Columbia, 1977); R. Lee, 'Government and Politics in Scotland 1661-1681' (PhD: University of Glasgow, 1995). For an analysis of Royalist politics in Restoration Scotland, see J.C.L. Jackson, *Restoration Scotland* (Woodbridge, 2003). For a study of the Scottish Parliament in this period, see G.H. MacIntosh, "The Scottish Parliament in the Restoration Era" (PhD: University of St. Andrews, 2002).

[87] For the earlier period in Scotland from 1637 to 1660, see D Stevenson, *The Scottish Revolution 1637-44* (Newton Abbot, 1977); D. Stevenson, *Revolution and Counter-Revolution in Scotland, 1644-51* (London, 1977). For the origin of the Covenanting movement, see AI. MacInnes, *Charles I and The Making of the Covenanting Movement 1625-1641* (Edinburgh, 1991). For an insight into the Scottish Presbyterian church in this period, see W. Makey, *The Church of the Covenant* (Edinburgh, 1978). For the proceedings of the Scottish Parliament, see J.R. Young, *The Scottish Parliament 1639-1661* (Edinburgh, 1996). Two standard biographies of leaders from different factions are E.J. Cowan, *Montrose: For Covenant and King* (London, 1977); J. Coffey, *Politics, Religion and the British Revolutions: The Mind of Samuel Rutherford* (Cambridge, 1997). For a Presbyterian view point of the feeling of Scots as to the Restoration of Charles II, see Kirkton, *History,* pp. 29-32.

[88] Buckroyd, *Church and State*, pp. 7-11.

[89] Ibid.

[90] For full details of this dispute, see K.D Holfelder, 'Factionalism in the Kirk during the Cromwellian Invasion and Occupation of Scotland 1650 to 1660: the Protestor-Resolutioner Controversy' (PhD.: University of Edinburgh, 1998).

The activities of Resolutioners centred around their envoy, Resolutioner minister and soon to be Archbishop of St. Andrews, James Sharp.[91] In September 1660, Sharp delivered a letter to the Resolutioner ministers in Edinburgh from Charles II which stated that the "discipline and government of the Church would be preserved as it is settled amongst us."[92] This letter further ratified the General Assemblies of St Andrews and Dundee in 1651 (which favoured the Resolutioners) and forbade any preaching or private conventicles which would bring disaffection against the government.[93] Events between June and September indicated that Charles II was prepared to act decisively against Presbyterians who opposed the principles set out in this communication. In July, warrants were issued for the foremost proponents of the radical regime of Covenanters: Archibald Campbell, eighth Earl and Marquis of Argyle; Sir Archibald Johnston of Wariston, Sir John Chiesley of Carsewell and Sir John Swinton.[94] On 23 August 1660, on the day the Committee of Estates convened for the first time since 1651, a meeting of Protestor ministers and elders was interrupted as it sought to draw up a petition reminding Charles II of his obligations to Presbyterianism. Those who were apprehended were imprisoned in Edinburgh Castle.[95] A subsequent act denounced this gathering as a conventicle and outlawed any such future meetings taking place.[96] A proclamation the next day reinforced this and barred all "seditious petitions and remonstrances."[97] These acts were followed by two further acts in September, which ordered the Covenanting movement's legal doctrine of kingship, *Lex Rex,* to be burned together with a pamphlet entitled *Causes of God's Wrath*, which blamed the calamites of

---

[91] For full details of Sharp's actions on behalf of Resolutioners, see Buckroyd, *Church and State,* pp. 12-41. The most modern biography of Sharp is also by Buckroyd. See J. Buckroyd, The *Life of James Sharp, Archbishop of St Andrews 1618-1679* (Edinburgh, 1987). Sharp's letter book can be viewed in Glasgow University Special Collections Unit. See GUL, MSS Gen 210.

[92] Wodrow, *History* Vol. 1, p. 81, Charles R to Edinburgh Ministers, 10 August 1660. The Edinburgh ministers included Robert Douglas and David Dickson. Both were leaders of the Resolutioner faction and elder statesmen in the Church of Scotland. See Buckroyd, *Church and State,* pp. 24-5.

[93] Ibid. The term "conventicle" should be noted. As will be seen, even prior to the Episcopalian church settlement, this term was being used concerning any meetings of Presbyterians which the government deemed unsympathetic to it.

[94] See Wodrow, *History* Vol. 1, pp. 62-4. Argyll was executed in 1661. Wariston escaped but after allegedly being poisoned by a government spy on the continent, returned to the country in ill health and was executed in 1663. The others escaped with imprisonment.

[95] Ibid, pp. 66-74. The Protestors petition is conveniently included in this section of Wodrow.

[96] NAS, PA 11/!2 *Register of the Committee of Estates* 23 August-13 October 1660, fol. 4, "Act for securing James Guthrie and others", 23 August 1660.

[97] Ibid, fol. 5, Act prohibiting all unlawful, unwarrantable meetings or conventicles in any place in Scotland etc.", 24 August 1660.

Scotland during the Protectorate on less than fervent Covenanters.[98] On 20 September, Protestor hopes of their brand of Presbyterianism becoming law seemed finished as a general proclamation was made that confirmed Charles II's power over all ecclesiastical meetings and forbade "all seditious railers and slanderers whether civil or ecclesiastic."[99]

In a conference in London in December 1660 of leading statesmen (including former Royalist soldier and High Commissioner to the 1661 Parliament, John, Earl of Middleton, Lauderdale and English Chancellor, Edward Hyde, Earl of Clarendon), Charles II began to lean towards introducing Episcopacy in Scotland because he thought it could be set up peacefully.[100] This was not without dispute. While Middleton was in favour of Episcopacy and ably supported by Clarendon, Lauderdale sought to oppose in favour of Presbytery. However, he could not overcome the influence of Middleton and Clarendon and Episcopacy was chosen as the state religion of Scotland.[101] Nevertheless, the legal basis on which Presbyterianism became a state religion during the Covenanting era in the 1640s, required to be removed. The first session of the first Scottish Parliament since the Restoration gave an opportunity to do so. Within two months the Solemn League and Covenant of 1643 (which bound Scotland, England and Ireland to Presbyterianism) was renounced; the Engagement in support of Charles I in 1648 was approved at the same time as the Parliament of 1649 which abolished patronage was renounced; and the Oath of Allegiance confirmed the royal supremacy "over all persons in all causes."[102] On 28 March, the attack against Presbyterianism reached its climax in this Parliament in the passing of the Act Recissory. The act dismissed all Parliaments going back to 1640 as "pretended."[103] Those who framed this did so

---

[98] Ibid, fol. 28, "Proclamation against two seditious books or pamphlets, the one entitled Lex Rex, the other, The Causes of God's Wrath", 18 September 1660.
[99] Ibid, fols. 32-34, "A proclamation against seditious railers and slanderers whether civil or ecclesiastic", 20 September 1660.
[100] Buckroyd, *Church and State,* p. 27.
[101] Ibid.
[102] *APS 1661-69*, p. 18, "Act concerning the League and Covenant and discharging the renewing therof without his Majesty's warrant and approbation", 25 January 1661, pp. 30-2, "Act approving the Engagement 1648 and annulling the Parliament and Committees 1649", 9 February 1661, pp. 44-5, "Act anent the oath of allegiance and acknowledgement of his Majesty's prerogative by all public Ministers", 27 February 1661.
[103] Ibid, pp. 56-7, "Act rescinding and annulling the pretended Parliaments in the years 1640, 1641 etc", 28 March 1661.

with the express wish of removing the legal basis for Presbyterianism.[104] By the end of this parliamentary session there appeared to be no hope for a Presbyterian church settlement.

A meeting of the Scots Council in London in June 1661 further confirmed that Episcopacy and not Presbytery would become the form of church government in Scotland.[105] While some of those present such as John Lindsay, nineteenth Earl of Crawford and the Duke of Hamilton were in favour of Presbyterianism, the influence of Clarendon ensured that Episcopacy was set up in Scotland.[106] A proclamation confirming this was issued by the Privy Council on 6 September 1661.[107] This proclamation was reinforced by two further Privy Council proclamations on 12 December 1661 and 9 January 1662 which banned presentations of ministers to parishes and the function of church courts until bishops were in place.[108] The second session of the first Parliament continued in this vein by calling in the bishops to the legislature on its first day.[109] Thereafter, a general act was passed restoring archbishops and bishops to their place in the church.[110] On 11 June, Presbyterian clergy were required to submit to Episcopacy. Presbyterian ministers, who had entered their charge without patronage, were also ordered to seek presentation from the local patron and receive collation from a bishop.[111] On the same day, an act was passed discharging all ministers who would not keep 29 May as a day of thanksgiving for the anniversary of Charles II's birth and Restoration.[112] According to Kirkton, this was odious to Presbyterians who did not even celebrate Christmas or Easter, far less the anniversary of an earthly monarch.[113]

---

[104] Buckroyd, *Church and State,* pp. 33-4.
[105] The Scots Council was effectively a committee of the English Privy Council.
[106] Buckroyd, *Church and State,* pp. 39-40. For a full discussion of this latter council, see Sir G. Mackenzie, *Memoirs of the Affairs of Scotland from the Restoration of King Charles II AD 1660* T. Thomson (ed.), (Edinburgh, 1821), pp. 52-6.
[107] *RPCS 1661-64,* pp. 31-2, 6 September 1661; Harris, *Restoration,* p. 113.
[108] Ibid, pp. 119-20, 12 December 1661, pp. 130-1, 9 January 1662.
[109] *APS 1661-69,* pp. 370-1, "Act for calling the bishops to the Parliament", 7 May 1662.
[110] Ibid, pp. 372-4, "Act for the restitution and re-establishment of the ancient government of the church by archbishops and bishops", 27 May 1662; Harris, *Restoration,* p. 113.
[111] Ibid, pp. 372-4, "Act concerning such benefices and stipends as have been possessed without presentations from the lawful patrons", 11 June 1662; Buckroyd, *Church and State,* p. 46.
[112] *APS 1661-69* pp. 376-8, "Act for keeping the anniversary thanksgiving for the King's Majesty's birth and restoration", 11 June 1662.
[113] Kirkton, *History,* pp. 58-9.

The acts passed in the 1662 parliamentary session were enforced at the end of 1662 and beginning of 1663. On 1 October 1662, an act of Privy Council (which became known as the Glasgow Act through the Privy Council sitting there) discharged all ministers from their posts who had not received presentation and collation or who had not kept 29 May as the anniversary of the Restoration of Charles II.[114] While Presbyterian ministers were allowed until February 1663 to receive collation from a bishop, it became clear that the enforcement of an Episcopalian church settlement would lead to Presbyterian dissent.[115] Various estimates exist as to how many Presbyterian ministers left or were deprived of their parishes for refusing to conform to Episcopacy. The lowest figure given is two hundred and seventy (out of approximately nine hundred) with the highest being approximately four hundred.[116] This suggests that somewhere between one-quarter and nearly one-half of the entire ministry of the Church of Scotland refused to conform to Episcopacy.[117] These vacancies were concentrated in the south-west and Fife.[118] Presbyterian laity frequently followed their pastors and refused to attend Episcopal church services. Numbers involved in this are difficult to calculate but Wodrow contended that in the south-west of Scotland, at times nobody attended parish churches with occasionally twenty, thirty or even fifty being present in areas, which formerly had large congregations.[119] Presbyterian laity further showed their disgust at the church settlement by occasionally rioting when a new Episcopalian clergyman came to take up a post vacated by a Presbyterian minister. Two important examples of this took place in April 1663 in Kirkcudbright and Irongray in the south-west.[120] A third strand of dissent against the Episcopalian church settlement was the commencement of conventicling by Presbyterian ministers who had been deprived of

---

[114] *RPCS 1661-64,* pp. 269-70, 1 October 1662; Harris, *Restoration,* p. 114. Kirkton blamed this act on the Archbishop of Glasgow, Andrew Fairfoul suggesting this to Middleton. Buckroyd, however, disputes this. See Kirkton, *History,* pp. 86-7; Buckroyd, *Church and State,* p. 50.

[115] Buckroyd, *Church and State,* p. 50.

[116] For a concise summary of the different estimates, see E.H. Hyman, "A Church Militant: Scotland 1661-1690", in, *Sixteenth Century Journal* Vol. 26/1, (1995), p. 55. The lower figure of 270 was proposed by Gordon Donaldson. See G. Donaldson, *Scotland:James V-James II* (Edinburgh, 1965), pp. 365-6.

[117] The figure for Scotland can be compared to the latest figure of 1000 or one tenth of the total ministry of the Church of England who refused to conform to Episcopacy. See Harris, *Restoration,* p. 53.

[118] Hyman, "Church Militant", p. 55.

[119] Wodrow, *History* Vol. 1, p. 336.

[120] Kirkton, *History,* p. 95.

their parishes. Kirkton claimed these begun in late 1662 when the Presbyterian laity sought to join in family worship with "outed" ministers.[121] At St. John's Town of Dalry in Galloway, the numbers attending these were so great that Presbyterian ministers began to preach in fields.[122] John Welsh, a Presbyterian minister who had been deprived of his parish in Irongray near Dumfries, was particularly active in these.[123] By 1665, a Privy Council proclamation denounced John Blackadder, a Presbyterian minister "outed" from Troqueer parish, for keeping field conventicles in the parish of Glencairn at which over a thousand people were present.[124] These four strands of Presbyterian dissent: clergy leaving their church, laity withdrawing from church, rioting at the introduction of Episcopalian curates and attendance at conventicles indicated that measures were needed to bring Presbyterians into line with the Episcopalian church settlement.

The government responded to Presbyterian dissent with legislative, judicial and military measures. A series of acts were passed in the parliamentary session of 1663 against Presbyterian dissent. These included an act on 10 July which required all ministers who entered their parishes after 1649, and who had not received presentation or collation, to be pursued as seditious.[125] The act further stipulated that those who withdrew from church attendance because of dislike of Episcopacy were to be arrayed before the Privy Council.[126] On 7 December 1665, the Privy Council widened their net to require all ministers who had entered their parishes before 1649, but had not submitted to Episcopacy, to remove with their families twenty miles from their parishes.[127] On the same day an act was passed which prohibited attendance at conventicles.[128] In October 1666, an act was passed in the Privy Council which placed responsibility on heads of families and landlords to ensure those under them submitted to the church settlement. Tenants who refused to do so

---

[121] Ibid, p. 96. Outed was a term frequently used for Presbyterian ministers who were forced to leave their posts.
[122] Ibid; *Memoirs of the Rev. John Blackadder,* pp. 96-7.
[123] Ibid.
[124] Ibid, p. 112.
[125] *APS 1661-69,* pp. 455-6, "Act against separation and disobedience to ecclesiastical authority", 10 July 1663. Harris, *Restoration,* p. 116.
[126] Ibid. The embracive character of this act led to it becoming known as "The Bishop's Dragnet".
[127] *RPCS 1665-69*, pp. 107-8, 7 December 1665.
[128] Ibid, pp. 108-9, 7 December 1665.

were to be ejected by landlords.[129] Thus, by the end of 1666, a full range of measures were in place designed to combat Presbyterian dissent.

The authorities also sought to suppress Presbyterian dissent through judicial means by setting up the Church Commission. This met for the first time in March 1664, with a remit to punish conventiclers (both clerical and laity) and any who had written, spoken or printed anything against the church settlement.[130] Kirkton, Wodrow and Burnet have argued that this judicial body was extremely severe. Buckroyd has contested this and argued that it was restrained in the punishments it meted out.[131] It is clear that those who served in the Church Commission felt that it was operating below its capability and not doing enough to quell Presbyterian dissent. By December 1664, High Commissioner and Treasurer John Leslie, seventh Earl of Rothes, complained to Lauderdale that advocates were hindering the prosecution of Presbyterian dissenters for conventicling by raising legal technicalities.[132] In a further letter in March 1665, Rothes stated *if* the Church Commission vigorously managed ecclesiastical laws, then everyone would submit and obey the church settlement.[133] The *if* in the statement of Rothes indicates that while a legislative package of measures against Presbyterian dissent was in place and a judicial body specifically set up to implement these, a more radical form of suppression was required.

Troops under the control of Sir James Turner were sent to quell Presbyterian dissent in the Kirkcudbright area in September and October 1663 after Alexander Roberton (a novice Presbyterian minister) broke open the door at Anwoth Kirk and preached there.[134] While Turner claimed not to exact any fines for withdrawing from church in 1663, he admitted to doing so in his subsequent visits.[135] Presbyterian apologists, such as the Presbyterian minister James Stirling and Presbyterian lawyer James Stuart of Goodtrees in the pro-Presbyterian tract *Naphtali,* criticised Turner

---

[129] Ibid, pp. 202-4, 11 October 1666.
[130] Kirkton, *History,* pp. 114-8; Wodrow, *History* Vol. 1, pp. 384-90; Buckroyd, *Church and State,* pp. 55-9. This Commission had a quorum of five with one necessarily being a bishop.
[131] Ibid; Burnet, *History,* Vol. 1, pp. 376-82.
[132] *LP* Vol. 1, pp. 204-5, Earl of Rothes to Earl of Lauderdale, 2 December 1664.
[133] Ibid, pp. 207-10, Earl of Rothes to Earl of Lauderdale, 11 March 1665.
[134] Sir J. Turner, *Memoirs of His Life and Times* T. Thomson (ed.), (Edinburgh, 1829), p. 140.
[135] Ibid, pp. 140-1.

for his exaction of fines.[136] Turner sought to answer these charges in his *Memoirs*.[137] However, a subsequent enquiry ordered him to pay £8000 as a penalty for over exaction of fines.[138] In November 1666, troops under Turner's control were involved in a skirmish with Presbyterian dissenters in St. John's Town of Dalry over alleged ill-treatment of an elderly man who refused to pay a fine for non-attendance of church.[139] This led to several disaffected Presbyterians gathering and proceeding to capture Turner in his lodgings in Dumfries. Several more Presbyterians joined these and begun a march that reached the outskirts of Edinburgh. By the time they reached there, they were willing to submit a petition outlining their grievances. However, this was refused and government troops under the command of the former Muscovan general (and soon to be scourge of Presbyterian dissenters) Sir Thomas Dalzell of the Binns, defeated the insurgents at the Battle of Rullion Green.[140] Speculation persists as to the origins of the Pentland Rising. Prior to the uprising, a pamphlet by the exiled Presbyterian minister and theorist, John Brown, entitled *An Apologetical Relation* had promoted the legitimacy of an armed uprising.[141] However, at present the evidence available suggests that it began quite unexpectedly.[142] What can be safely ascertained is that by the end of 1666, legislative, judicial and military measures had failed in forcing Presbyterian dissenters to accept the Episcopalian church settlement.

The aftermath of the Pentland Rising led to a re-alignment in the political landscape of Scotland. The dissolution of the discredited military regime of Rothes and Dalzell was accompanied by the introduction into places of authority of Tweeddale, Sir Robert Moray and subsequently Alexander Bruce, second Earl of

---

[136] J. Stuart & J. Stirling, *Naphtali or the Wrestlings of the Church of Scotland*... (1666).
[137] Turner, *Memoirs,* p. 140-1. Turner had also collected fines that were outstanding from an act of Parliament in 1662 which punished those who were excluded from the indemnity for their part in support of the Covenanters in the 1640s. See *APS 1661-69,* pp. 420-9, "Act containing some exceptions from the Act of Indemnity", 9 September 1662.
[138] Turner acknowledged that he had taken £68,000 in fines and by quartering. See *RPCS 1665-69,* pp. 407-10, 20 February 1668.
[139] For full details of this uprising, see C.S. Terry, *The Pentland Rising and Rullion Green* (Glasgow, 1905).
[140] Ibid.
[141] J. Brown, *An Apologetical Relation of The Particular Sufferings of The Faithful Ministers and Professors of The Church of Scotland Since August 1660* (1666).
[142] Both Blackadder and Kirkton claimed that they were surprised at this uprising. See *Memoirs of the Rev. John Blackadder,* pp. 127-8; Kirkton, *History,* pp. 133-4.

Kincardine.[143] A new policy of conciliation was introduced by an act of indemnity for all involved in the Pentland Rising who were not proscribed and willing to swear not to take up arms again.[144] Accompanying these gestures of leniency was the introduction of negotiations by Tweeddale and Moray with several Presbyterian ministers led by the Resolutioner minister George Hutcheson. These were for the purpose of allowing Presbyterian clergy to preach in the south-west under licence from Charles II without conforming to Episcopacy.[145] These negotiations were temporarily halted by the attempted assassination of Archbishop Sharp in July 1668, by James Mitchell (a renegade Presbyterian who participated in the Pentland Rising and who was subsequently excluded from the Indemnity).[146] These discussions were later resurrected with the increasingly prominent Episcopalian minister, Gilbert Burnet, becoming involved.[147] An agreement was eventually reached and a letter was read, in the Privy Council on 15 July 1669 which granted an Indulgence from Charles II to all Presbyterian ministers who would preach under licence from the King.[148]

Only forty-two (15.5%) Presbyterian ministers out of at least two hundred and seventy who were "outed", accepted this Indulgence but even these claimed they received their ministry from Christ alone and not Charles II.[149] This insistence on abiding by Presbyterian tenets was exceeded by conventicle preachers who had no part in Indulgence negotiations and had increased their activity since the Pentland Rising. At the behest of Blackadder, several Presbyterians who were proscribed by the government after the Pentland Rising left the south-west and moved to Edinburgh to find safety in the dense warren of streets in that city.[150] This led to an increase of conventicles within Edinburgh.[151] The activities of Blackadder and other conventicle preachers in Edinburgh moved the Privy Council to act against Presbyterian dissent.

---

[143] Buckroyd, *Church and State*, pp. 68-70. A letter from Lauderdale on behalf of Charles II disbanding government forces was read out in the Privy Council on 23 August 1667. See *RPCS 1665-69*, p. 334, 23 August 1667.
[144] *RPCS 1665-69*, pp. 347-50, 9 October 1667.
[145] Buckroyd, *Church and State*, p. 71; Harris, *Restoration*, p. 120; Kirkton, *History*, p. 164.
[146] Buckroyd, *Church and State*, pp. 75-8.
[147] Ibid.
[148] *RPCS 1665-69*, pp. 38-40, 15 July 1669.
[149] Buckroyd, *Church and State*, p. 78; Kirkton, *History*, p. 166. The Indulgence negotiations will be discussed in greater details in chapter ten.
[150] *Memoirs of the Rev. John Blackadder*, p. 129.
[151] Ibid, pp. 134-5.

On 31 January 1668, all Presbyterian ministers were ordered to leave Edinburgh.[152] This policy continued in July 1668. After the attempted assassination of Archbishop Sharp, the magistrates of Edinburgh were required to subscribe a bond accepting an obligation to keep Edinburgh free from Presbyterian clergy and conventicles.[153] However, far from ceasing to minister, Presbyterian clergy simply preached elsewhere. From September 1668, Blackadder occasionally visited the south-west of Scotland preaching in towns such as Dunlop, Newmilns and Glasgow.[154] Nor did conventicling activity cease in Edinburgh. In March 1669, the Privy Council dealt with a breach of the bond taken by the magistrates of Edinburgh and fined them £600 for a conventicle discovered at which the Presbyterian minister David Home preached.[155] The willingness of the Privy Council to hold all activity of Presbyterian clergy without its permission as illegal was further seen in acts prohibiting the baptism of children by Presbyterian ministers and punitive measures against heritors who failed to hinder or inform against conventicles that took place on their land.[156] Thus by the end of 1669, while attempts had been made to reconcile Presbyterians through the Indulgence, increased conventicling activity was being met by more punitive measures from the Privy Council.[157]

At the outset of the 1670s, the Privy Council continued to put pressure on Presbyterian dissenters. In February and June 1670, government troops were ordered to interrupt field conventicles.[158] This was followed by the so-called Clanking Acts being passed in Parliament (with Lauderdale as High Commissioner) in August 1670.[159] These acts included punitive measures against conventicles, withdrawing from church and baptism by Presbyterian clergy.[160] This repression continued into 1671 with *Jus Populi,* a tract on behalf of radical Presbyterianism by Goodtrees being burned by the hangman in February.[161] In June 1671, names of persons who

---

[152] *RPCS 1665-69,* p. 398, 31 January 1668.
[153] Ibid, p. 501, 29 July 1668.
[154] *Memoirs of the Rev. John Blackadder*, pp. 136-8.
[155] *RPCS 1665-69,* p. 621, 4 March 1669.
[156] Ibid, p. 618-20, 4 March 1669, p. 625, 8 March 1669; *RPCS 1669-72* pp. 61-2, 3 August 1669.
[157] Donaldson, *James V-James VII,* pp. 369-70.
[158] *RPCS 1669-72*, pp. 130-1, 3 February 1670, p. 184, 30 June 1670.
[159] Harris, *Restoration,* pp. 121-2.
[160] *APS 1669-80,* pp. 9-10, "Act against conventicles", 3 August 1670, p. 10, "Act against disorderly baptisms", 17 August 1670, p. 10, "Acts against separation and withdrawing from church", 20 August 1670.
[161] *RPCS 1669-72,* pp. 296-7, 16 February 1671.

had not had their children baptised by Episcopalian clergy were to be given up to the Privy Council.[162] These actions of the Privy Council against Presbyterian dissent were reinforced in Parliament in 1672 with the Clanking Acts being extended for three further years until 1675.[163]

The action against Presbyterians dissent by Privy Council and Parliament indicate that dissenting Presbyterian activity was increasing. Other sources confirm that this was the case. As the 1670s progressed, Blackadder began to preach more frequently in the east of Scotland. His preaching excursions included conventicles in Linlithgow and Fife, the Merse, the Lomonds and Kinrosshire.[164] Blackadder's conventicling labours were assisted by a Presbyterian "outed" minister George Johnston who he had preached alongside prior to both being removed from their parishes.[165] John Welsh also began to preach in the east of Scotland.[166] Efforts to thwart this activity were not confined to punitive measures but also took the form of "Accommodation" proposals and a further Indulgence. These were promoted by Gilbert Burnet and the new Archbishop of Glasgow, the moderate Robert Leighton.[167] The Accommodation proposals consisted of Presbyterian ministers being allowed to preach with a reduced role for bishops if the Presbyterians accepted a moderate Episcopacy.[168] Despite the efforts of Presbyterian ladies such as Lady Margaret Kennedy and Anne, Duchess of Hamilton, this scheme failed.[169] This led to proposals for a second Indulgence where "outed" ministers would be paired in a parish and would share a stipend but would be confined to preaching in their parish.[170] This Indulgence came into effect on 3 September 1672. Presbyterian ministers were to take parishes nominated by the government without any choice themselves.[171] Eighty-nine Presbyterian clergy (39%) out of at least two hundred and twenty eight accepted this but this still left at least one hundred and thirty-nine

---

[162] Ibid, pp. 108-9, 29 June 1671.
[163] *APS 1669-80,* p. 78, "Act against keepers of conventicles, and withdrawers from public worship", 4 September 1672.
[164] *Memoirs of the Rev. John Blackadder,* pp. 139-42.
[165] Ibid, p. 137.
[166] Kirkton, *History,* pp. 202-3.
[167] Buckroyd, *Church and State,* pp. 95-9.
[168] Ibid.
[169] Ibid.
[170] Ibid, p. 101.
[171] Ibid; *RPCS 1669-72,* pp. 586-91, 3 September 1672.

(61%) "outed" Presbyterian ministers without parishes.[172] This was despite meetings of Presbyterian ministers immediately before and after the Indulgence was granted. This effectively meant that Presbyterian clergy were divided between indulged and non-indulged; a factor, which Buckroyd has stated, was the initial reason for Indulgence negotiations in 1669.[173]

A further parliamentary session took place in 1673. Before ecclesiastical matters could be dealt with, Hamilton contested Lauderdale's handling of Scottish affairs.[174] This overt expression of opposition to Lauderdale was to characterize the rest of the 1670s with Hamilton heading a group of Scottish aristocracy who either missed a position in the government or who had fallen foul of the Secretary of State for Scotland.[175] However, such political controversy did not stop government pursuit of conventicles. This continued on 7 March 1673 with an order that all Presbyterian ministers were to leave Edinburgh if they refused to give assurances not to hold conventicles.[176] On 2 April 1673, a further act placed the responsibility on heritors to give information about conventicles in their area.[177] In June 1673, a letter from Charles II insisted that Presbyterian clergy reinstated in the Indulgence go to their respective parishes – a clear sign that they had not already done so.[178] Indulged clergy who had not kept to the terms of their licence were summoned before the Privy Council on 8 July 1673.[179] In August 1673, the Privy Council continued to attempt to stop conventicles in Edinburgh by ordering the Commander of the Scottish forces, George Livingstone, third Earl of Linlithgow to provide troops to search for conventicles every Sunday in the capital.[180] On 3 September 1673, further

---

[172] Buckroyd, *Church and State,* p. 106; Kirkton, *History,* pp. 188-95.; Harris, *Restoration,* p. 122. Kirkton highlighted a meeting of 32 Presbyterian clergy in the Edinburgh house of conventicle preacher Thomas Hog to discuss the indulgence.
[173] Buckroyd, *Church and State,* p. 85, Kirkton, *History,* pp. 193-4. For a staunch defence of the militant credentials of the indulged Presbyterian clergy, see Hyman, "A Church Militant, pp. 49-73.
[174] Lauderdale had by this time relinquished his former allies of Tweeddale and Moray although he was till friendly with Kincardine and his own brother Charles Maitland, Lord Hatton. See Buckroyd, *Church and State*, pp. 103, 107-8. See also J. Patrick, "The Origins of the Opposition to Lauderdale in the Scottish Parliament of 1673", in, *SHR* Vol. 53, (1974), pp. 1-21. For a recent analysis of this parliamentary session, see MacIntosh, "Arise King John", pp. 172-3.
[175] Ibid. These included John Kennedy, seventh Earl of Cassillis, who was now married to the Duchess of Hamilton's sister Lady Susan Hamilton.
[176] *RPCS 1673-76,* p. 30, 7 March 1673.
[177]Ibid, pp. 37-8, 2 April 1673.
[178] Ibid, , pp. 56-7, 12 June 1673.
[179] Ibid, pp. 71-2, 8 July 1673.
[180] Ibid, p. 93, 5 August 1673.

attempts were also made to force Presbyterian clergy nominated in the 1672 Indulgence to go to their parishes. [181] This concerted effort to suppress Presbyterian dissent continued into 1674 with the arrest and examination of James Mitchell.[182] However, one final attempt was made to win over wavering Presbyterian dissenters with a full pardon granted to all who had attended conventicles, withdrew from church and were involved in disorderly baptisms and marriages.[183] The failure of this policy was evident in just over two months. On 4 June 1674, a letter was read in the Privy Council that deplored the continuation of conventicling as ungratefulness of the King's pardon and ordered the military to crush Presbyterian dissent.[184]

Conventicling activity in the 1670s increased dramatically.[185] Conventicles became increasingly more organised. One aspect of this was the armed protection given to Presbyterian conventicle preachers. While this had become apparent in the east of Scotland as early as 1670 at the Hill of Beith conventicle, it took a more menacing form as Welsh began to preach at large conventicles in the west.[186] In Girvan, in 1677, Welsh preached at a conventicle with armed men standing guard on the perimeter.[187] Another aspect of this increased Presbyterian dissenting activity was the quasi-official body of indulged and conventicling Presbyterian clergy who functioned particularly in the west but occasionally met in Edinburgh.[188] This unofficial Presbyterian body went so far as to ordain laymen.[189] Presbyterian dissent far from subsiding under successive government attempts of Indulgences and repression was in fact increasing,

Faced with continued Presbyterian dissent, the government decided to relinquish a policy of indulgence and venture all on a policy of repression. The Commission set up to deal with conventicles in June 1674 acted on its remit and moved against conventicles in July.[190] On 16 July, Presbyterian ministers who had

---

[181] Ibid, pp. 95-6, 3 September 1672.
[182] Ibid, p. 135, 12 February 1674.
[183] Ibid, p. 165, 23 March 1674 & p. 167, 24 March 1674.
[184] Ibid, pp. 190-1, 4 June 1674. As will be seen in chapter eight, this letter was read after Presbyterian women crowded the Privy Council as they approached their chamber and attempted to deliver a petition seeking further liberty for their ministers.
[185] Kirkton, *History,* p. 202.
[186] Mirabello, 'Dissent', p. 204; Hyman, "Church Militant", p. 64.
[187] Ibid.
[188] Ibid, pp. 62-3.
[189] Ibid, pp. 62-3.
[190] *RPCS 1673-76*, pp. 228-32, 9 July 1674.

failed to appear before the Privy Council to answer for conventicles were denounced as rebels.[191] On 30 July, Commissioners were sent into the shires to root out conventiclers.[192] When the three-year extension of the Clanking Acts ran out in August 1675, they were promptly renewed for a further three years.[193] In December 1675, a Commission was again set up for the suppression of conventicles and all forms of dissent.[194] While this Commission had wide-ranging powers, it was not until February 1676 that extended action against conventicles in Edinburgh took place. On 24 February the magistrates of Edinburgh were charged with allowing six conventicles within its burgh.[195] In March 1676, this move against conventicles was buttressed by an act that proclaimed that magistrates were to seize intercommuned persons and those who harboured them.[196] Magistrates were also to be held responsible for conventicles within their burghs.[197] The Commission for suppression of conventicles was further renewed in July 1676.[198] This committee continued to pursue several conventiclers in 1677.[199] On 2 August 1677, an act of Privy Council placed the responsibility on heads of households to cause servants to conform to the Episcopalian church settlement.[200] All heritors and those who lived on land owned by them were to take a bond to this effect with no tenant to be leased land who refused to accept the church settlement.[201] Commissioners for several parts of Scotland were also appointed on 7 August 1677 to suppress conventicles.[202] During October and November 1677, letters were exchanged between the Privy Council and Western landowners that led to the latter stating that they had no power to suppress dissent.[203] This, in turn, led to the appointment of a committee of Privy Council to go to the western counties to suppress Presbyterian opposition to the church

---

[191] Ibid, pp. 237-9, 16 July 1674.
[192] Ibid, pp. 254-7, 30 July 1674. No records of these courts appear to be extant.
[193] Ibid, pp. 438-9, 3 August 1674.
[194] Ibid, pp. 492-3, 16 December 1675; Buckroyd, *Church and State,* p. 118.
[195] Ibid, pp. 540-2, 24 February 1676. See chapter six for more details of this.
[196] Ibid, pp. 547-9, 1 March 1676.
[197] Ibid.
[198] *RPCS 1676-78*, p. 10, 20 July 1676.
[199] See, for instance, *RPCS 16767-8,* pp. 169-70, 21 June 1677, for a report by this Commission on conventicles in Glasgow.
[200] Ibid, pp. 206-9, 2 August 1677.
[201] Ibid.
[202] Ibid, pp.213-6, 7 August 1677.
[203] Ibid, p. 270, 27 October 1677, pp. 279-90, 8 November 1679.

settlement.[204] These were supported by eight thousand soldiers and militia.[205] The latter became known as the Highland Host.[206] Their efforts to regain order were not successful.[207] However, in pursuing such a course the government showed its willingness to confront increased Presbyterian militancy with official government severity.

There was no let up in either increased Presbyterian dissenting activity or government repression through 1678 into 1679. In August 1678, Welsh preached at an armed conventicle at Maybole, near Ayr, with ten thousand people present.[208] A month earlier, at a meeting of the Convention of Estates, £1,800,000 was voted to suppress conventicles.[209] On 23 January 1679, Charles II approved the Privy Council's plans to dissipate conventicles with arms with conventiclers to be killed if they retaliated.[210] This militancy against conventicles continued on 11 March 1679, when Commissioners were sent to shires to suppress conventicles.[211] By 4 May 1679, the willingness of Presbyterian dissenters to use arms was seen in the assassination of Archbishop James Sharp as he rode to his home in Fife from Edinburgh.[212] Thereafter, a train of events quickly occurred which included the defeat of government troops at Drumclog after interrupting a conventicle at Loudon Hill and the subscribing of the Rutherglen Declaration that committed Presbyterians (including those who had murdered Archbishop Sharp) to upholding the Covenants.[213] These events led to several thousand men appearing in arms on behalf of Presbyterianism. Lack of agreement between the Presbyterian insurgents and superior forces under Charles II's illegitimate son, the Duke of Monmouth led to them being defeated at the Battle of Bothwell Bridge.[214] Thus the increasing violence on both sides led to a climax which left the government triumphant and Presbyterians shattered into different factions with only the most militant under

---

[204] See *RPCS 1676-78*, pp. 514-92 for report of the Committee for the West. This was the body responsible for exacting guarantees to abstain from Presbyterian dissent.
[205] Harris, *Restoration,* pp. 124-7..
[206] See J.R. Elder, *The Highland Host of 1678* (Glasgow, 1914).
[207] Harris, *Restoration,* p. 127.
[208] Ibid, p. 128.
[209] Donaldson, *James V-James VII*, p. 370.
[210] *RPCS 1678-80*, pp. 97-9, 23 January 1679, pp. 111-2, 28 February 1679.
[211] Ibid, pp. 150, 11 March 1679.
[212] Ibid, pp. 180-4, 4 May 1679.
[213] *RPCS 1678-80,* pp. 207-9, 3 June 1679.
[214] Ibid, pp. 256-7, 24 June 1679.

radical Presbyterian preachers Richard Cameron, Donald Cargill and subsequently James Renwick continuing in arms.[215]

This introductory chapter has sought to provide an essential foundation to this thesis. The study of the form of dissent of non-conforming Presbyterian women and their social background is clearly relevant to current trends in historical research. The strength and limitations of the sources available for this study have been outlined in this chapter. The analysis of official papers and the Wodrow Manuscripts in the National Library of Scotland have led to case studies of important events and women being chosen as subjects for this thesis. The historical context in which this study is set indicates an escalating conflict on a national stage with the government determined to suppress Presbyterian dissent to the Episcopalian church settlement.

The remainder of this thesis is divided into two separate parts. Chapters two and three address the historiographical and theoretical issues relating to the study of non-conforming Presbyterian women. Having provided a chronological, historiographical and theoretical basis to this thesis, chapters four and five commence specific case studies by assessing the role of women in riots in south-west Scotland in 1663 at the introduction of Episcopalian curates. Chapters six, seven and eight focus on the activities of non-conforming Presbyterian women in Edinburgh and discuss in particular their role in conventicling, harbouring outlawed Presbyterians and presenting a petition to the Privy Council in 1674. Chapters nine and ten conclude the case studies by analysing the experience of the foremost female Presbyterian aristocrat in Scotland in the 1660s – Lady Margaret Kennedy. The conclusion will seek to put this study in context with other similar research and furnish suggestions for future work.

---

[215] For an account of the meetings, tenets and opposition to the government by the Cameronians, see M. Shields, *Faithful Contendings Displayed* J. Howie (ed.), (Glasgow, 1780). Mark Jardine's completed doctoral thesis should be a substantial contribution to the understanding of these radical Presbyterians..

Chapter 2

Historiographical Overview of Non-Conforming Presbyterian Women in Restoration Scotland

Having established the emphasis, methodology and historical context in which this thesis is set, it is now necessary to place this study on non-conforming Presbyterian women in the context of the existing historiography on Restoration Scotland. The study of secondary literature on the religious conflict in Restoration Scotland involves sifting through a vast amount of material from the eighteenth and nineteenth centuries generated in a culture that placed religion at the centre of Scottish national identity.[1] This chapter will seek to analyse the key historical texts in the historiography of Restoration Scotland in order to assess the level of discussion that has already been devoted to the experience of non-conforming Presbyterian women.[2] A conclusion will then place this study in the context of the existing historiography in order to detect any gaps in the analysis of non-conforming Presbyterian women in Restoration Scotland that require to be filled.[3]

Accounts by radical Presbyterians (Cameronians) initially dominated the historiography of the religious conflict in Restoration Scotland.[4] The Cameronian minister Alexander Shields wrote the first historical account of non-conforming Presbyterians in 1690. *A Short Memorial* was written primarily to publicise the

---

[1] R. Finlay, "Keeping the Covenant: Scottish National Identity in Eighteenth Century Scotland", in T.M. Devine & J.R. Young, *Eighteenth Century Scotland: New Perspectives* (East Linton, 1999), p. 123. Richard Finlay has pointed out that this was particularly the case in eighteenth century Scotland where the continuing conflict between the three separate divisions in Scottish society of Episcopalian Jacobites, Moderate Presbyterians and Radical Covenanters found expression in historical works on Restoration Scotland. Therefore, the work of historians until well into the twentieth century on the religious conflict in Restoration Scotland needs to be placed in the context of later religious and political struggles for control of the heart and mind of their native country.

[2] For a bibliography of all work on this subject prior to 1887, see J.C Johnston, *The Treasury of the Scottish Covenant* (Edinburgh, 1887). Works of Scottish literature on this subject have not been included in this chapter (with the exception of those of Sir Walter Scott's) due to the historical nature of this study. However, they do form an important part in the historiography of Restoration Scotland. For novels that deal with this period or slightly after, see J. Galt, *Ringan Gihaizie* (Edinburgh, 1823); J. Hogg, *The Brownie of Bodsbeck* (Edinburgh, 1818); J. Hogg, *The Private Memoirs and Confessions of a Justified Sinner* (London, 1824).

[3] Two bibliographic essays which have dealt with this subject in a general setting are: I.B. Cowan, *The Scottish Covenanters 1660-1688* (London, 1976), pp. 167-71; E.J. Cowan, "The Covenanting Tradition in Scottish History", in, E.J. Cowan & R.J. Finlay, *Scottish History: The Power of the Past* (Edinburgh, 2002), pp. 121-46.

[4] See Appendix B for "Cameronians", "Covenants" and "Revolution Settlement".

sufferings endured by radical Presbyterians during the Restoration era.[5] While this work was brief, it contained references to the experiences of non-conforming Presbyterian women. Shields criticised the government for punishing husbands for their wives unwillingness to conform to the Episcopalian church settlement.[6] He also highlighted the sufferings of non-conforming Presbyterian women after the Pentland Rising. Shields stated that soldiers "by fire matches or other torture, forced women to discover their husbands…"[7] He also mentioned that women were transported and (perhaps more significantly) "some women also hanged, some drowned."[8] This appears to be a reference to Margaret Lachlison and Margaret Wilson who were allegedly tied to stakes and drowned in the Bladnoch for refusing to denounce *The Apologetical Declaration* – a Cameronian pamphlet that threatened opponents with death.[9] Shields mentioned this as part of his narrative and did not include any separate analysis of the experience of women. A further important work from a radical Presbyterian standpoint was published in 1714. *A Cloud of Witnesses* contained the speeches of those executed in the 1680s for their part in the Presbyterian uprising of 1679 that ended in defeat at the Battle of Bothwell Bridge.[10] Allied with other Presbyterian "martyrs" are the accounts of the trials, last speeches and execution of Marion Harvie and Isabel Alison. These two women were hung in 1681 for failure to abjure the Queensferry papers of 1680 that were found on the person of Henry Hall of Haughhead (a supporter of the deposed Presbyterian minister Donald Cargill). These papers were republican in nature. They effectively excommunicated Charles II and refused any longer to be under the control of a sovereign.[11] Harvie and Alison were mentioned simply as part of a Presbyterian

---

[5] A. Shields, *A Short Memorial of the Sufferings and Grievances Past and Present of the Presbyterians in Scotland Particularly of Those Called by Nickname Cameronians* (1690). There are also several works such as *The Informatory Vindication* (1687) also by Shields and the leading United Societies preacher James Renwick that were written during the Restoration period and were more polemical than historical. Such works can also be discounted in an analysis of secondary literature.
[6] Ibid, pp. 8-9.
[7] Ibid, p. 16.
[8] Ibid, p. 34.
[9] A. Smellie, *Men of the Covenant* (Edinburgh, 1975), pp. 385-6. Lachlison and Wilson later became known as the Wigton martyrs due to the place of their alleged execution.
[10] *A Cloud of Witnesses*... J.H. Thomson (ed), (Glasgow, 1862). The Covenants were taken again by a remnant of Cameronians at Auchinsaugh in 1712. The author's details are not recorded in this work and its character was more propaganda than history. It is mentioned here as a key text in the historiography on this subject.
[11] Ibid, pp. 299-317; Smellie, *Men of the Covenant,* p. 343.

martyrology in which they played an equal part with men. A further work published in 1717 also emphasized the sufferings of Presbyterians. The novelist and journalist Daniel Defoe's *Memoirs of the Church of Scotland* included several evocative references to Presbyterian women that seem designed to provoke sympathy for them. Defoe referred to troops "forcing weak women by torture such as burning matches..."[12] He also included basic accounts of the execution of Harvie and Alison and the Wigton martyrs.[13] These accounts are very garbled. They bear the mark of an English journalist writing in the aftermath of the Jacobite uprising of 1715 who was seeking at this point to portray to an English audience the brutality of a regime under Stuart dominion.[14] Defoe wrote more in this vein than a historian. This emphasis on the experience of Cameronians in the three works mentioned was however balanced in the early 1720s by the classic work on the religious conflict in Restoration Scotland.

The History of the Sufferings of the Church of Scotland from the Restoration to the Revolution by the Presbyterian minister of Eastwood parish, Robert Wodrow was the official version of this period authorized by the established Church of Scotland.[15] Wodrow immediately indicated the nature of his history by dedicating it to George I in the same breath as a eulogy of William III for his part in establishing the Scottish Presbyterian church settlement in 1690.[16] Wodrow left no doubt in his history as to why he felt it needed to be written. On the first page of his preface, he commented on the unwillingness of Episcopalians to accept that there had been a persecution during the Restoration period and that attacks on Presbyterianism had been made from the time of the Revolution and had reached their height in the last four years of the reign of Queen Anne.[17] Wodrow also noted that inaccurate versions of events in Restoration Scotland had been published by English historians

---

[12] D. Defoe, *Memoirs of the Church of Scotland* (1717), p. 225.
[13] Ibid, pp. 257-8.
[14] Cowan, "Covenanting Tradition", p. 128.
[15] R. Wodrow, *The History of the Sufferings of the Church of Scotland from the Restoration to the Revolution* 2 Vols. (Edinburgh, 1721/2). Due to the nature of this chapter, the original volumes of Wodrow's work have been consulted. In later chapters, the more accessible later edition edited by Robert Burns was consulted.
[16] Ibid, Vol. 1. See Dedication. No page numbers are stated in this part of Wodrow's work.
[17] Ibid, Vol. 1, p. 1.

(such as Archdeacon Eacheard) through the lack of good source material.[18] Wodrow further criticised Defoe's account as inaccurate.[19] However perhaps Wodrow's greatest opposition is reserved for Cameronian accounts such as *Cloud of Witnesses* which he claimed portrayed Presbyterianism in a bad light in England.[20] Wodrow also criticised Richard Cameron's opposition to the Indulgences granted by Charles II to Presbyterian clergy to preach.[21] Wodrow spoke more favourably of the later Cameronian preacher, James Renwick.[22] However, in doing so, he maintained that Renwick would have joined the Church of Scotland at the Revolution rather than continuing with the Cameronians.[23] Wodrow's work can therefore be seen as a manifesto for mainstream Presbyterianism that would portray it as a friend of the current monarchy rather than Episcopalianism and far removed from the perceived excesses of the Cameronians. Wodrow also included in his history; accounts of the riots of women in Kirkcudbright and Irongray in 1663, the attempted assassination of Archbishop James Sharp by James Mitchell in July 1668 and the presentation of a petition in favour of Presbyterian clergy by women in Edinburgh in June 1674.[24] However, Wodrow's accounts of events after 1679 left the greatest impact on the historiography of the religious conflict in Restoration Scotland. Wodrow mentioned the executions in 1681 of Harvie and Alison.[25] More significantly, he narrated in detail an account of the execution by the arch-enemy of non-conforming Presbyterians, John Graham of Claverhouse, of John Brown (a Presbyterian carrier of Priesthill) outside his own house while his wife looked on.[26] Immediately after this, Wodrow went on to narrate in extensive detail the execution of the Wigton martyrs.[27] The importance of these accounts and Wodrow's entire work cannot be overstated. In replying to criticism of Episcopalians and claims of Cameronians before him and

---

[18] Ibid, Vol. 1, p. 10. According to Wodrow, these English historians had based their judgement on erroneous accounts from Scotland, which his own account would rectify.
[19] Ibid, Vol. 1, p. 11. Wodrow claimed that Defoe was critical as to the Indulgences and erred in accuracy in favour of Cameronians.
[20] Ibid, Vol. 2, p. 45.
[21] Ibid, Vol. 2, pp. 133-46. This section in particular is opposed to Cameron and his followers although Wodrow's second volume continually reverts to attacks upon them.
[22] Ibid, Vol. 2, pp. 600-3.
[23] Ibid.
[24] Ibid, Vol. 1, pp. 177-82, pp. 292-4, pp. 383-4.
[25] Ibid, Vol. 2, pp. 181-2.
[26] Ibid, Vol. 2, p. 503.
[27] Ibid, Vol. 2, pp. 505-7.

being criticised by these groups after him, Wodrow's work is the central point in the historiography of the religious conflict in Restoration Scotland. The rest of this chapter will show that for two hundred and fifty years the historiography of Restoration Scotland focused on Wodrow's account as a starting point with the accounts of the Wigton martyrs and the execution of John Brown being the main battleground.

Wodrow's history of the religious conflict in Restoration Scotland was challenged in the 1720s and 1730s in six works about Presbyterian preachers by Patrick Walker, a travelling peddler with Cameronian sympathies. Walker specifically mentioned in the title that he was seeking to combat Wodrow's opinion of Richard Cameron.[28] Walker also referred to Harvie and Alison and the Wigton martyrs.[29] An indication of the controversy fermenting as to the Wigton martyrs was evident in this work with Walker stating, "which some deny to be matter of fact…"[30] Walker's work is based on his own experience and anecdotes. It does not provide an analysis of the role of women but is interesting for noting the way the debate over the Wigton martyrs was developing.

In 1732, *History of His Own Time* by Episcopalian churchman, Gilbert Burnet was published.[31] Having originated from a background that included acquaintance with the affairs of Scotland and England, Burnet's work includes coverage of events in both of these countries. These are usually based on his own experience with national events revolving around him as the centre. In the case of Presbyterian women, this can be quite enlightening. For instance, Burnet was friendly with William Hamilton, third Duke of Hamilton and his wife, Anne. He was therefore in a position to give an insight into the latter's part in the granting of the 1669 Indulgence.[32] Burnet also gave what appears to be an account of the execution of Harvie and Alison although he did not name them.[33] However, the reading of Burnet's account with its reference to the "obstinacy" of Harvie and Alison and the description of the followers of Cargill as "a mad sect" indicate that his history needs

---

[28] P. Walker, *Biographia Presbyteriana* 2 Vols. (Edinburgh, 1827).
[29] Ibid, Vol. 1, pp. 48-9, pp. 288-9.
[30] Ibid, Vol. 1, pp. 288-9.
[31] G. Burnet, *History of My Own Time* 2Vols. O. Airy (ed.), (Oxford, 1897).
[32] Ibid, Vol. 1, p. 527. See chapter ten for full details as to the 1669 Indulgence.
[33] Ibid, Vol. 2, p. 307.

to be treated with caution.[34] Burnet's history is of little use for this study as it contains few references to non-conforming Presbyterian women. The same can be said of a similar anecdotal autobiography by Captain Creichton that was published by Tory propagandist, Dean Jonathan Swift in 1731.[35] This work had a very different motive. In the preface, an allusion was made to "mistaken passages in other historians, which have too long passed for truths..."[36] However, Creichton did not seek to clarify such matters but proceeded to slander the character of Presbyterians.[37] There is little of historical moment in this work and its relevance to a historical study is limited.

In the mid-eighteenth century, an attempt was made by William Crookshank to bring Wodrow's work within the reach of the lower echelons of society. Crookshank claimed that Wodrow's work was beyond the reach of many due to the lack of time needed to read it and the cost of purchasing it. He therefore produced *The History of the State and Sufferings of the Church of Scotland* to compensate for this.[38] Crookshanks' work added little that was original to the historiography of this subject. He covered briefly the riots in Kirkcudbright and Irongray in 1663 and the Women's Petition of 1674.[39] He also referred to the trial and execution of Harvie and Alison, the execution of John Brown of Priesthill and the case of the Wigton martyrs.[40] Crookshanks' work indicated that there was a deliberate attempt to widen the appeal of this subject. This was continued and arguably surpassed in the last and one of the most important works of this period. John Howie, a historian and biographer of unquestionably radical Presbyterian principles, wrote *The Scots Worthies*.[41] E.J. Cowan has shown the popularity and importance of this work in Scotland in this period with only the Bible more reverenced in the homes of Presbyterians.[42] In *The Scots Worthies,* Howie covered briefly the whole history of Christianity in Scotland. This necessitated placing Restoration non-conforming

---

[34] Ibid.
[35] *The Memoirs of Captain John Creichton* J. Swift (ed.), (Glasgow, 1731).
[36] Ibid, pp. x-xi.
[37] Ibid, pp. 51-4.
[38] W. Crookshanks, *The History of the State and Sufferings of the Church of Scotland from the Restoration to the Revolution* 2 Vols. (Edinburgh, 1762).
[39] Ibid, Vol. 1, pp. 138, 308-9.
[40] Ibid, Vol. 2, pp. 83-6, 313-6.
[41] J. Howie, *The Scots Worthies* W.H. Carslaw (ed.), (Edinburgh, 1870).
[42] Cowan, "Covenanting Tradition", pp. 125-6.

Presbyterians in a wider context with biographies going back as far as Patrick Hamilton (who was executed for his Protestant sympathies in St. Andrews in 1527).[43] Howie also sought to defend the character of John Balfour of Kinloch who played a leading part in the assassination of Archbishop James Sharp in 1679.[44] Howie's work has little relevance to the study of non-conforming Presbyterian women. No females are included in *The Scots Worthies*. The lack of references to women in *The Scots Worthies* suggests that there was a clear historiographical progression in the marginalisation of the role of female Presbyterian dissenters in the historiography of the religious conflict in Restoration Scotland.

The nineteenth century arguably saw a new departure in Covenanting historiography. In 1817, the Constitutional Associate Presbyterian minister, Thomas McCrie, defended his fellow religionists in the Restoration period against their caricature in novels by Sir Walter Scott such as *Old Mortality*.[45] McCrie published articles in *The Christian Instructor* that sought to vindicate non-conforming Presbyterians from Scott's portrayal.[46] While it is important to mention this debate, these works add almost nothing to the understanding of Presbyterian women in this period. Scott's main characters in these novels were males and McCrie does not enter into controversy as to their female counterparts. McCrie did, however, tackle this issue in *Sketches of Church History*.[47] McCrie referred in these articles to women being publicly whipped.[48] He also analysed the cases of Harvie, Alison and the Wigton martyrs.[49] McCrie referred to the execution of John Brown with stress laid on Brown's wife being present when he died.[50] These examples were prefaced by McCrie stating, "nothing, however, presents the government in a more odious and despicable light than their treatment of the tender sex."[51] McCrie's work is based on Wodrow and an account by the Presbyterian conventicle preacher, James Kirkton

---

[43] Howie, *Scots Worthies,* pp. 11-17.
[44] Ibid, pp. 622-3.
[45] Sir W. Scott, *Old Mortality* (Edinburgh, 1876).
[46] T. McCrie, *Vindication of the Covenanters in a Review of The Tales of My Landlord* (Edinburgh, 1845).
[47] T. McCrie, *Sketches of Scottish Church History* (Edinburgh, 1850).
[48] Ibid, Vol. 1, p. 105.
[49] Ibid, Vol. 1, pp. 200-3, pp. 207-8.
[50] Ibid, Vol. 1, pp. 209-10.
[51] Ibid, Vol. 1, p. 200.

that was edited by Charles Kirkpatrick Sharpe and published in 1817.[52] McCrie did not attempt to analyse the experiences of non-conforming Presbyterian women but merely gave a few examples to support his charge of wickedness against the Restoration government. The willingness to rely on Wodrow also marked the archetypal Whig historian Thomas Babington Macaulay in his *History of England from the Accession of James the Second.*[53] Macaulay's work can justly be regarded as the classic "Whig" interpretation of history. At the beginning of his work he stated, "For the history of our country during the last hundred and sixty years is eminently the history of physical, of moral, and of intellectual improvement."[54] Macaulay portrayed James VII and Claverhouse as cruel enemies of freedom. He sought to substantiate his view by quoting Wodrow and highlighting the instance of John Brown being executed with his wife present.[55] As a historical account, this is the only part of Macaulay that is significant in a historiographical chapter about non-conforming Presbyterian women. The real importance of Macaulay's work in this setting is the attack it led to from Sheriff Mark Napier in his *Memorials and Letters Historic of the Life and Times of John Graham of Claverhouse Viscount Dundee.*[56] Napier began his work by criticizing Wodrow and Macaulay.[57] He also expressed his dissatisfaction with Scott's portrayal of Claverhouse in *Old Mortality.*[58] Significantly, for this study, Napier sought to contradict the account of McCrie of the persecution of non-conforming Presbyterian women. Napier referred to these as "outlawed dangerous rebels."[59] He went on to justify the execution of Harvie and Alison.[60] The most important part of Napier's work is his attempt to prove that the Wigton martyrs were not in fact executed. Napier based his evidence on a stay of execution granted by the Privy Council and a lack of eyewitness accounts.[61] He also

---

[52] Ibid, Vol. 1, p. 109; J, Kirkton, *The Secret and True History of the Church of Scotland* C.K. Sharpe (ed.), (Edinburgh, 1817).
[53] T. Macaulay, *The History of England from the Accession of James the Second* 6 Vols. C.H. Firth (ed.), (London, 1913).
[54] Ibid, Vol. 1, p. 2.
[55] Ibid, Vol. 1, pp. 491-8.
[56] M. Napier, *Memorials and Letters Historic of the Life and Times of John Graham of Claverhouse Viscount Dundee* 3 Vols. (Edinburgh, 1859).
[57] Ibid, Vol. 1, p. 2.
[58] Ibid, Vol. 1, pp. 158-72.
[59] Ibid, Vol. 2, p. 61.
[60] Ibid, Vol. 2, p. 61.
[61] Ibid, Vol. 2, pp. 59-61, Vol. 3, pp. 686-701.

included a fragment of Charles Kilpatrick Sharpe's paper on Claverhouse that blamed non-conforming Presbyterian women for "shameful excesses." He further refused to accept that any "lowland women" were violated.[62] The significance of Napier's work should be noted. His main points of argument relate to episodes such as the Wigton martyrs that now appeared to dominate the historiography on the religious conflict in Restoration Scotland. Napier's judgement on the Wigton martyrs was contested in a series of pamphlets by the Presbyterian minister, Alexander Stewart.[63] At the same time as Napier's work, an orthodox Presbyterian view of the religious context of the Restoration period was also published. *The Fifty Years Struggle of the Scottish Covenanters 1638-88* by James Dodds sought to place the Restoration period in the wider era of religious conflict in Scotland in the seventeenth century.[64] There is nothing particularly original in Dodds' work. He used the works of Wodrow and Burnet as his sources.[65] Dodds had also little to say about non-conforming Presbyterian women. He did, however, refer to the Sheriff Depute of Fife, William Carmichael (who the murderers of Archbishop James Sharp were originally waiting for in ambush) as being known to "beat and wound women and children, and torment defenceless servant girls, fixing burning matches between their fingers…"[66] His reliance on Wodrow is similar to Macaulay. Dodds' uncritical work is typical of a period that increasingly relied on the veracity of Wodrow's account for evidence and examples. In 1855, a fuller appreciation of non-conforming Presbyterian women was published by the Presbyterian minister and historian of Reformation Protestantism, James Anderson.[67] This work covered the history of several Presbyterian women in the Restoration period such as the widow of James Guthrie. Anderson's style was arguably similar to Howie's *Scots Worthies* in selecting a few examples for biographies. However, several weaknesses exist in this work. The very title of this work betrays a lack of insight into how little the National Covenant of 1638 and the Solemn League and Covenant of 1643 were still felt to be

---

[62] Ibid, Vol. 1, pp. 220, 249.
[63] M. Napier, *The Case for the Crown re the Wigton martyrs* (1863), A. Stewart, *History Vindicated in the Case of the Wigton martyrs* (1867), M. Napier, *History Rescued, in Answer to History Vindicated* (1870).
[64] J. Dodds, *The Fifty Years Struggle of the Scottish Covenanters 1638-88* (Edinburgh, 1860).
[65] Ibid, p. 348.
[66] Ibid, p. 221.
[67] J. Anderson, *Ladies of the Covenant* (Edinburgh, 1855).

mandatory for many Scots who still professed to be Presbyterian in principle.[68] Anderson's work was also constructed for religious purposes and cannot be regarded as a historical analysis of non-conforming Presbyterian women. Thus by the end of the nineteenth century a substantial historiographical gap still remained on this subject.

The onset of the twentieth century led to (in some cases) a more scientific look at evidence on the religious conflict in Restoration Scotland. However, in the earlier part of this period the remains of particular ecclesiastical bias still infiltrated historical works. One of the most popular works was *Men of the Covenant* by a further Presbyterian minister, Alexander Smellie.[69] Smellie made a point of particularly writing for those who had not the opportunity or the leisure to consult for themselves the pages of James Kirkton and Robert Wodrow…"[70] *Men of the Covenant* borrowed heavily from these historians in the form of character studies. Smellie did however devote a whole chapter to non-conforming Presbyterian women entitled "Those Women Which Laboured in the Gospel." This chapter consisted of portraits of Harvie and Alison, Lady Anna Mackenzie (wife of Archibald Campbell ninth Earl of Argyll); a teenage girl marked by Presbyterian piety called Emilia Geddie and Marion Veitch, the wife of a Presbyterian minister.[71] Smellie also devoted a whole chapter seeking to refute Napier's arguments concerning the Wigton martyrs.[72] *Men of the Covenant* is not generally analytical and appears to have been untypical of this period. A year before Smellie's work was published; a more analytical work by W.L. Mathieson was released.[73] Mathieson reverted to original sources in his analysis such as Lauderdale's correspondence.[74] While his work was not sympathetic to Cameronians, Mathieson did attempt to deal with the executions of Harvie and Alison in a reasonably unbiased way.[75] *Politics and Religion* was more important in a wider historiographical context as Mathieson did not attempt to discuss in any depth the experiences of non-conforming Presbyterian women.

---

[68] See Appendix B for "Covenants."
[69] A. Smellie, *Men of the Covenant* (Edinburgh, 1975).
[70] Ibid, p. vii. This was a similar sentiment to that expressed by Crookshanks. See p. 38 of thesis.
[71] Ibid, pp. 432-56.
[72] Ibid, pp. 409-21.
[73] W.L. Mathieson, *Politics and Religion* 2 Vols. (Glasgow, 1902).
[74] Ibid, Vol. 2, pp. 208-9.
[75] Ibid, Vol. 2, p. 293, pp. 310-11.

Mathieson's lack of sympathy with Cameronians was equalled or surpassed in 1905 by Charles Sandford Terry (the Burnett Fletcher Professor of History at Aberdeen University) in a biography of Claverhouse.[76] While Terry did not deal extensively with subject matter relevant to this thesis, he did follow the continuing pattern of analysing the execution of John Brown and the issue of whether his wife was present. Terry's conclusion as to this matter was in keeping with the whole character of his work that was favourable to Claverhouse.[77] In 1908, a different viewpoint on this and related subjects was expressed in a two-volume work by the Free Church minister, James King Hewison. *The Covenanters* was unashamedly favourable to the Presbyterian viewpoint.[78] However, Hewison, like Mathieson, sought to establish his argument from original sources.[79] Hewison included references to the Kirkcudbright and Irongray riots in 1663 and the Women's Petition of 1674.[80] The lack of analysis on the female aspect of this subject also made Hewison's work more important in the wider field of historiography of this period than this study in particular. In 1909, the folklorist and historian, Sir Andrew Lang issued *Sir George Mackenzie Kings Advocate of Rosehaugh His Life and Times 1636-1691.*[81] Like Terry, Lang's viewpoint was sympathetic to the Restoration government in Scotland. His work was of little importance for this thesis except for one point. Lang appeared to accept that the episode of the Wigton martyrs could be genuine but blamed it on the women in question being indoctrinated by Cameronian preachers.[82] No further work relevant to this thesis was published until 1947. *The Scottish Covenanters* by the United Free Church minister, James Barr, added little in the way of fresh analysis and relied heavily on Hewison and Dodds.[83] Barr had virtually nothing to say about non-conforming Presbyterian women.

In 1965, Gordon Donaldson's *Scotland James V-James VII* was published as part of the Edinburgh History of Scotland series.[84] Donaldson discussed the

---

[76] C.S. Terry, *John Graham of Claverhouse Viscount of Dundee 1648-1689* (London, 1905).
[77] Ibid, pp. 201-2.
[78] J.K. Hewison, *The Covenanters* 2 Vols. (Glasgow, 1908).
[79] Ibid, Vol. 2, p. 165.
[80] Ibid, Vol. 2, p. 166, pp. 244-5.
[81] A. Lang, *Sir George Mackenzie Kings Advocate of Rosehaugh His Life and Times 1636-1691* (London, 1909).
[82] Ibid, p. 285.
[83] J. Barr, *The Scottish Covenanters* (Glasgow, 1947), pp. 50-1.
[84] G. Donaldson, *Scotland: James V-James VII* (Edinburgh, 1965),

Restoration period by playing down the amount of persecution undergone by Presbyterians.[85] He specifically doubted whether the Wigton martyrs were ever executed.[86] Donaldson's lack of in-depth analysis on the religious conflict in Restoration Scotland was noted by I.B. Cowan in 1968 in a revision article on non-conforming Presbyterians.[87] Cowan insisted that it was necessary to analyse the social and economic backgrounds of those involved in Presbyterian dissent after 1660 before even the basic issues relating to this subject could be clarified.[88] Chapter one has shown how little Cowan's suggestion has been taken up in the study of non-conforming Presbyterians.[89] It also showed that the importance of Cowan's article arguably surpassed his own contribution to the historiography on the subject. *The Scottish Covenanters 1660-1688* published in 1976 essentially covered the religious conflict in Restoration Scotland without any fresh analysis of primary source material.[90] Cowan's treatment of women in this work was restricted to a mention of Harvie, Alison and the Wigton martyrs and his monograph was of little relevance to this study.[91]

While Cowan's suggestion for an in-depth analysis of non-conforming Presbyterians has only gradually been taken up, several studies have been published of fresh analyses of political events in Restoration Scotland. In 1977, R.W. Lennox submitted a doctoral thesis that steered away from the religious aspect of Restoration Scotland in favour of a study of Lauderdale's administration. Lennox particularly emphasised finance although focusing in greater details on such events as the negotiations for union between Scotland and England in 1669.[92] Lennox's thesis was a substantial contribution to an understanding of the government in Restoration Scotland. However, due to its emphasis it did not provide any information on non-conforming Presbyterian women. The same conclusion can be arrived at for arguably the standard modern work on the religious conflict in Restoration Scotland.

---

[85] Ibid, pp. 358-84.
[86] Ibid, p. 372.
[87] I.B. Cowan, "The Covenanters – A Revision Article", in, *SHR* No. 47 (1968), pp. 38-52. See p. 1 of thesis.
[88] Ibid, p. 52.
[89] See p. 1 of thesis.
[90] I.B. Cowan, *The Scottish Covenanters* (London, 1976).
[91] Ibid, p. 106, p. 126.
[92] R. W. Lennox, 'Lauderdale and Scotland: a Study in Restoration Politics and Administration' (PhD: University of Columbia, 1977).

Church and State by Julia Buckroyd was published in 1980.[93] Buckroyd took well-known events in Restoration Scotland and based on analysis of primary sources (such as Lauderdale's correspondence) gave them fresh interpretations that were generally favourable to the authorities.[94] Buckroyd's mention of Presbyterian women was limited to references to the role of the Duchess of Hamilton and Lady Margaret Kennedy in the proposals to accommodate Presbyterians in the Restoration church through accepting a modified role for bishops.[95] In 1988, M.L Mirabello submitted a thesis that solely dwelt on the religious aspect of Restoration Scotland with a study on Presbyterian dissent and the Restoration Church in Scotland.[96] As was mentioned in chapter one, this thesis did not follow Cowan's suggestion of looking at the social and economic factors of non-conforming Presbyterians.[97] Mirabello's thesis sought to challenge Kirkton and also Gilbert Burnet's view as to the reputation of the Episcopalian clergy by the analysis of the statements and character of establishment ministers such as Alexander Honeyman, Bishop of Orkney.[98] Mirabello also sought to play down the strength of Presbyterian dissent.[99] Mirabello however did not include any in-depth analysis of non-conforming Presbyterian women and his work is of little relevance to this study. A further work of little relevance to this thesis by Andrew Murray Scott was published in 1989.[100] Unfortunately, Scott's work was a throw back to the uncritical works of the eighteenth and nineteenth centuries that were governed by trying to attribute blame for the religious conflict in Restoration Scotland.[101]

The beginning of the 1990s saw a breakthrough in fresh analysis of non-conforming Presbyterians. Louise Yeoman focused on the inner experiences or "piety" of non-conforming Presbyterians. While Yeoman included analysis of the experiences of men such as the radical Covenanter, Sir Archibald Johnston of Wariston, she also included discussions on the spiritual experiences of Covenanting

---

[93] J. Buckroyd, *Church and State in Scotland 1660-1681* (Edinburgh, 1980).
[94] Ibid. See, for instance pp. 92-4 for a favourable interpretation of the Parliamentary measures of 1670 designed to crush Presbyterian dissent known as the Clanking Acts.
[95] Ibid, p. 97.
[96] M.L. Mirabello, 'Dissent and the Church of Scotland 1660-1690' (PhD: University of Glasgow, 1988).
[97] See p. 1 of thesis.
[98] Ibid, pp. 60-1, pp. 109-24.
[99] Ibid. See remarks on pp. 168-71.
[100] A.M. Scott, *Bonnie Dundee* (Edinburgh, 1989).
[101] Ibid, p. 42.

women.[102] Generally, in Yeoman's thesis non-conforming Presbyterian women are discussed without distinguishing their experience from their male counterparts. However, Yeoman did reserve a section of her thesis for a specific analysis of female Presbyterian dissenters.[103] In this section, Yeoman used her research on diaries and letters in the Wodrow Manuscripts to analyse the mindset of such Presbyterian women as "Mrs Veitch, Mrs Carstairs and Mrs Durham."[104] Yeoman's study is a valuable attempt to come to terms with the spiritual experiences of such women. Various factors in Yeoman's work suggest that there is still a gap in research on this subject. For instance, Yeoman stated that she felt women rioted on their own initiative rather than under orders from men without providing evidence to support this.[105] In addition, the period looked at by Yeoman stretched from 1638 to at least 1710 and therefore covered a much wider period than the Restoration.[106] This led to the experience of only a few women being analysed. Ultimately, Yeoman's thesis is concerned with the inward experience of Presbyterian men and women. Little if any consideration is given to the narrative and analysis of the outward experiences of such. This is understandable as her research is on piety but it does emphasize the amount of research still to be done on non-conforming Presbyterian women. In 1995, Elizabeth Hannan Hyman published an important article that was an important contribution to the historiography on non-conforming Presbyterians.[107] Hyman dealt exclusively with Presbyterian dissenters in Restoration Scotland. She particularly highlighted the role of the Indulged clergy and sought to revise the Cameronian impression that these betrayed Presbyterianism.[108] Hyman's study of *Fasti Ecclesiae Scoticanae* is particularly useful in charting the activities of the Indulged clergy.[109] Both Yeoman's and Hyman's work indicated a renaissance of interest in the religious

---

[102] L. Yeoman, 'Heart Work: Emotion, Empowerment and Authority in Covenanting Times' (PhD: University of St. Andrews, 1991).
[103] Ibid, pp. 253-61.
[104] Ibid, pp. 255-6. Mrs Veitch was the wife of Presbyterian conventicler preacher William Veitch. Mrs Carstairs was wife of non-conforming Presbyterian minister, John Carstairs. Mrs Durham was the widow of James Durham who was prominent in the earlier Covenanting period but died in 1664. For a religious study of Mrs Veitch, see K.W.H. Howard, *Marion Veitch* (Osslett, 1992).
[105] Ibid, pp. 259-60.
[106] Ibid, p. 253.
[107] E.H. Hyman, "A Church Militant, 1661-1690", in, *Sixteenth Century Journal* Vol. 6/1 (1995), pp. 49-73.
[108] Ibid, p. 49
[109] Ibid, p. 55, note 15.

conflict in Restoration Scotland. A further study on Restoration Scotland in 1995 by Ronnie Lee deprecated this emphasis as having "led to a distorted and occasionally misleading picture of government and politics in Restoration Scotland."[110] Lee preferred to place "financial management at the centre of government policy."[111] Lee did, however, indicate the role financial management played in providing enough money to suppress illegal Presbyterian activities.[112] Two years later, a doctoral thesis by Margaret Steele on the political propaganda of Covenanters over the fifty-year period from 1637 to 1688 reverted to the emphasis of Yeoman and Hyman on the religious aspect of Restoration Scotland.[113] Steele's work was mainly based on pamphlet literature and included extensive discussions of non-conforming Presbyterian works from the Restoration period such as *Naphtali* and *Jus Populi Vindicatum.*[114] This was helpful in outlining the detail of the argument in these works and provided an intellectual framework in which the political views of non-conforming Presbyterians can be discussed. However, for the purpose of this thesis it is necessary to note that apart from Yeoman's work none of the key studies of the 1990s analysed the experience of non-conforming Presbyterian women.

The works of Muir and Gardner have been referred to in chapter one as important contributions to the analysis of non-conforming Presbyterians in Restoration Scotland that this thesis seeks to build on.[115] In 2003, further important work was published on Restoration Scotland by Clare Jackson, which sought to revise the historiography of this subject. *Restoration Scotland, 1660-1690* is an enlarged version of a doctoral thesis that discussed Royalist ideology and politics in Restoration Scotland.[116] This included a study of the views and activities of such men as the Lord Advocate, Sir George Mackenzie of Rosehaugh and Andrew Honeyman, Bishop of Orkney – both apologists for an Episcopalian settlement which

---

[110] R. Lee, 'Government and Politics in Scotland 1661-1681' (PhD: University of Glasgow, 1995), p. vii. The similarity between Lee's work and that of Lennox is therefore apparent. See p. 44 of thesis.
[111] Ibid, p. 138.
[112] See particularly chapter four..
[113] M. Steele, 'Covenanting Political Propaganda' (PhD: University of Glasgow, 1997).
[114] Ibid, pp. 342-56.
[115] See p. 2 of thesis.
[116] J.C.L. Jackson, Royalist Politics, Religion and Ideas in Restoration Scotland 1660-1689 (PhD: University of Cambridge, 1998); J.C.L. Jackson, *Restoration Scotland, 1660-1690* (Woodbridge, 2003).

placed Charles II as head of the church.[117] Jackson's emphasis on pamphlet literature and the philosophical works of an elite provided what she called "a conceptual framework to investigate the mental world of Restoration Scotland".[118] Jackson's work is a substantial contribution to the historiography on Restoration Scotland. Her work takes up an important topic in Restoration Scotland and provides a framework for understanding an important section of Scottish society in that period. However, there is no mention of non-conforming Presbyterian women in Jackson's work and it has little relevance to this thesis. More recently, Tim Harris has avoided a minute analysis of Restoration Scotland and included a narrative of this subject in a history of the experiences of the three kingdoms in the Restoration period.[119] Due to the focus of Harris's study, he does not dwell on the experience of non-conforming Presbyterian women. An article just published by Gillian MacIntosh (based on doctoral research) on the activities of Lauderdale as Commissioner to the Scottish Parliament indicates that in-depth studies on Restoration Scotland are continuing.[120] MacIntosh echoed Lee in insisting that the religious conflict has been dwelt on to the detriment of serious historical analysis.[121] MacIntosh chose rather to centre on Lauderdale's Commissionership from 1669. This provides a good backdrop to other studies on this period but in common with Jackson and Harris do not mention the experience of non-conforming Presbyterian women.[122]

This chapter has shown that the historiography of the religious conflict in Restoration Scotland has revolved around Wodrow's account for nearly two hundred and fifty years. However, from the 1980s there have been attempts to place the historical experience of Restoration Scotland on a more empirical basis. This has involved both religious and political analyses. Yet a large gap in historiography still exists in the study of non-conforming Presbyterian women. This is particularly so

---

[117] Jackson, *Restoration Scotland,* p. 59.
[118] Ibid, p. 6.
[119] T. Harris, *Restoration: Charles II and his Kingdoms, 1660-1685* (London, 2005).
[120] G.H. MacIntosh, "Arise King John: Commissioner Lauderdale and Parliament in the Restoration Era", in, K.M. Brown & A.J. Mann, *Parliament and Politics in Scotland, 1567-1707* (Edinburgh, 2005), pp. 163-83. See also G.H. MacIntosh, 'The Scottish Parliament in the Restoration Era' (PhD: University of St. Andrews, 2002).
[121] Ibid, p. 163. See p. 47 of thesis for Lee's comments.
[122] David Mullan has edited diaries written by Presbyterian women in Scotland from 1670 to 1730. These are helpful as source documents but provide little in the way of analysis. See D.G. Mullan (ed.), *Women's Life Writing in Early Modern Scotland* (London, 2003).

for the 1660s and 1670s due to events in the 1680s being focused on such as the incidents surrounding the Wigton martyrs. This historiographical overview of non-conforming Presbyterian women therefore confirms the conclusion in chapter one through analysis of sources – that the period 1660-1679 is a suitable timescale for the study of the experience of non-conforming Presbyterian women.

Chapter 3

Conceptual and Theoretical Approaches to the Role and Place of Women in Restoration Scotland with Particular Reference to Non-Conforming Presbyterian Women

The first two chapters have shown that the crux of this thesis is concerned with the role of non-conforming Presbyterian women in Restoration Scotland. However, due to the subject matter of this thesis, a further underlying theme that merits discussion is how far non-conforming Presbyterian women dissented against the Episcopalian church settlement on their own initiative or were used as pawns by their male counterparts. This chapter seeks to place this theme in the context of the theoretical conceptions and actual role of women in Restoration Scotland.[1] In doing so, it places the experience of Restoration Scottish women in the context of that of women in Early Modern Europe generally.[2] This chapter will begin by seeking to establish the way women were perceived in Early Modern Europe and how far this was true for Restoration Scotland. It will then seek to explore how far these theoretical perceptions found concrete expression in the practical role that women played in the political, legal, economic and religious aspects of Scotland in this period. In arriving at a conclusion, the crux of this thesis will be borne in mind and particular notice will

---

[1] Works on women in Restoration Scotland are relatively few. However, some do exist. For a general history of Scottish women in the Medieval and Early Modern periods, see R.K. Marshall, *Virgins and Viragos* (Chicago, 1983); R.A. Houston, "Women in the Economy and Society of Scotland, 1500-1800", in, R.A. Houston & I.D. Whyte (eds.), *Scottish Society 1500-1800* (Cambridge, 1989), pp. 118-47; E. Ewan, & M. Meikle (eds.), *Women in Scotland c1100-1750* (Edinburgh, 1999). For a study on noble family life in late seventeenth century and early eighteenth century Scotland based on Anne, third Duchess of Hamilton, see R.K. Marshall, *The Days of Duchess Anne* (London, 1973). The study of witchcraft in particular has afforded much in the way of knowledge as to Early Modern Scottish women. See C. Larner, *Enemies of God: The Witch-Hunt in Scotland* (London, 1981); J. Goodare (ed.), *The Scottish Witch Hunt In Context* (Manchester, 2002). For discussions on the historiography of women in Medieval and Early Modern Scotland, see C. Burness, "Women in Scotland 1780-1920", in, D. Gifford & D. McMillan (eds.), *A History of Scottish Women's Writing* (Edinburgh, 1997), p. 104; E. Ewan, " A Realm of One's Own? The Place of Medieval and Early Modern Women in Scottish History", in, T, Brotherstone, D. Simonton, O. Walsh (eds.), *Gendering Scottish History* (Glasgow, 1999), p. 26. The most recent analysis of women in the Early Modern period is, E.P. Dennison, "Women to 1700", in, M. Lynch, (ed.), *The Oxford Companion to Scottish History* (Oxford, 2001), pp. 645-50.

[2] In common with the work of Olwen Hufton, this chapter will mainly focus on the experience of women in England and France due to the greater amount of work done on women in these countries. See O. Hufton, *The Prospect Before Her: A History of Women in Western Europe* Vol. 1, 1500-1800 (London, 1995), p. 24.

be taken of the different gender roles constructed for women in Restoration Scotland by the authorities and Presbyterian clergy. The relevance of these to Restoration Scotland will then provide a framework for establishing whether the activity of non-conforming Presbyterian women and the response of the government were governed by their theoretical and practical role in everyday life.

In terms of a prevailing philosophy, Early Modern Europe was to some extent still tinged with the teaching of Aristotle. Aristotle argued that women were an "imperfect" version of men. He also regarded women as intellectually inferior to men and claimed that their main purpose was for procreation and companionship.[3] It is difficult to quantify how much this governed perceptions of women outside the realm of Early Modern academia. Arguably, philosophers in seventeenth century Europe such as, Rene Descartes in France and Thomas Hobbes and John Locke in England, were more absorbed with theories as to science and the precise form of rule in government than the place of women in society.[4] However, the central place of religion in Early Modern Europe suggests that the views of Protestant and Catholic theologians were more likely to reach the ordinary people of Europeans through the clergy. These are therefore arguably a more reliable source of how much gendered views of the sexes were held. The biblical account of the Creation of Adam and Eve and their subsequent Fall in chapters two and three of the book of Genesis were arguably much more important in influencing ordinary people in both Protestant and Catholic countries in Western Europe.[5] All the mainstream reformers such as Martin Luther, Ulrich Zwingli and Jean Calvin held that women could equally be saved through faith and were therefore spiritually equal. However, they also held that women were inherently subordinate to men through Creation and that this had become pronounced through the Fall.[6] The subordinate place of women was also maintained by Catholic theologians who continued to follow the Scholastic theologian Thomas Aquinas in also regarding women as inferior due to the account

---

[3] M.E. Weisner, *Women and Gender in Early Modern Europe* (Cambridge, 2000), p. 18.
[4] For a brief outline of political theories in the seventeenth century, see D. Pennington, *Europe in the Seventeenth Century* Second Ed., (Harlow, 1989), pp. 210-33. For a more comprehensive overview of political philosophy in England in this period, see J.H. Burns & M. Goldie (eds.), *The Cambridge History of Political Thought 1450-1707* (Cambridge, 1991).
[5] Hufton, *Prospect* Vol. 1, pp. 26-8.
[6] Weisner, *Women and Gender*, p. 26.

of Creation.[7] Therefore, the predominant theologians in this period who played a central part in the religious life of Western Europe all held that women outside of the religious sphere held a subordinate role to men by virtue of the Creation and Fall.[8]

The distinctive roles given to male and female by virtue of the biblical accounts of the Creation and Fall arguably hold the key to understanding the different classification of the vices and virtues (or gender qualities) of males and females in Western Europe in the Early Modern period.[9] It has been shown that prints of the vices and virtues of women were hung in taverns and homes throughout Early Modern Europe and that consequently the view of women and men as having certain gender qualities was widespread from the elite to the household of the cottar.[10] The distinctive qualities that women were supposed to have because of their gender could be either "bad" or "good". Steven Ozment has shown that a woman who was disorderly in the eyes of men was regarded as a "scold, promiscuous, marked by vanity, determined to get her own way, secretive with other women against men, insatiable and likely to be a drunkard."[11] In contrast, Sarah Mendelsson has argued that in the age of the Stuarts, "feminine virtues were the passive qualities of a subject race, (such as) chastity, obedience, piety and silence."[12] Mendelsson further argued that this was part of a "gender-specific code of prescriptive morality and personal honour."[13] The specific qualities of scolding, secretiveness and determination of the woman to get her own way on the one hand and chastity, piety and silence on the other arguably relate to the account of the

---

[7] Ibid, p.18, p. 29.

[8] A practical example of this is seen in a reference by the Baptist preacher and writer John Bunyan to the need of women to accept a place of subjection to their husbands due to Adam being created first and Eve leading in the transgression. See J. Bunyan, "An Exposition on the First Ten Chapters of Genesis (written in 1680s but printed in 1692)", quoted in, N.H. Keeble, *The Cultural Identity of Seventeenth Century Women - A Reader* (London, 1994), p. 6.

[9] Gender can arguably be described as, the construction of a role with associated traits for women (and men) as distinct from their biological difference in sex. For the development of gender theory and women's history as a separate subject, see N.Z. Davies, "Women's History In Transition: The European Case", in, *Feminist Studies* Vol. 3 No 3 & 4, (1976), pp. 83-103; S.R. Johannson, "Herstory as History: A New Field or Another Fad", in, B.A. Caroll (ed.), *Liberating Women's History* (London, 1976), pp. 400-30; J. Kelly, *Women's History and* Theory (Chicago, 1984); J.W. Scott, *Gender and the Politics of History* (New York, 1999); R. Shoemaker & M. Vincent, *Gender and History in Western Europe* (London, 1998).

[10] Weisner, *Women and Gender,* pp. 24-5, 33-5.

[11] S.E. Ozment, *When Fathers Ruled: Family Life in Reformation Europe* (Cambridge, 1983), pp. 69-72.

[12] S.H., Mendelsson, *The Mental World of Stuart Women: Three Studies* (Brighton, 1987), p. 2.

[13] Ibid.

Creation and the Fall and indicate their influence in forming the mindset of Early Modern Europeans. This tendency to equate good and bad women by certain qualities is further confirmed by continual references in this period to such women as the Virgin Mary and the chasteness that marked her as a quality that was associated with good women. Mary Magdalene and the virtuous woman of the thirty - first chapter of Proverbs were, however, more attainable models as they lacked the air of sanctity and the miraculous nature of the incarnation.[14] In contrast to this, biblical women such as Delilah with her ability to deceive and enslave Samson and the Harlot described in the seventeenth chapter of Revelation with her wantonness and predominance over men, were regarded as the antithesis of these qualities and were judged evil feminine character traits.[15]

A difficulty presents itself when an attempt is made to analyse how far what may have been true generally in Western Europe governed the attitude of the governing elite and non-conforming Presbyterians in Restoration Scotland. The late Historiographer Royal and editor of the Privy Council Registers, Peter Hume Brown has argued (from an early twentieth century perspective) that the predominant theme in Restoration Scotland was the religious conflict that arose out of the Episcopalian church settlement.[16] Therefore, Scots were not generally occupied in the Restoration period with pronouncing on the role of men and women but rather focused on the religious struggle that was extant in that period. This is confirmed by consulting books published on this subject in Scotland from 1660 to 1679. Only once in this twenty year period (in 1675), was a book printed in Scotland which dealt with the feminine traits that were deemed essential for women.[17] An anonymous English man or woman wrote *The Ladies Calling* in two parts.[18] The first part of this work emphasized the need for women to be marked by modesty, meekness, compassion, affability and piety.[19] Its second part gave instructions to virgins, wives and widows.[20] The lack of popularity of such works in the midst of religious turmoil

---

[14] Hufton, *Prospect* Vol. 1, pp. 26-8.
[15] Ibid pp. 28-9.
[16] *RPCS 1669-72*, p. xiv. See also chapter two for other works in the same period.
[17] See D. Wing (ed.), *Short Title Catalogue* Vol. 4 (New York, 1998), p. 1057.
[18] Anon., *The Ladies Calling* (Edinburgh, 1675). This work was published in Oxford and may have been penned by Richard Allestree, a Royalist divine at Oxford University.
[19] Ibid, Part 1, pp. 1, 29, 48, 65, 79.
[20] Ibid, Part 2, pp. 1, 23, 68.

may account for it not being printed in Scotland again in this period. *The Ladies Calling*, at best, gave an Englishman's view of how an English woman should behave. Its relevance to Scotland is limited. A more reliable form of analysis of how Restoration Scotland felt about the role of women can be ascertained by consulting the statements made by Scots themselves. There are certain examples extant that suggest that the Privy Council in Restoration Scotland included ministers of state who insisted that women were subordinate to men and ought to be subject to them. An example of this is evident in the theory underlying law espoused by two of the most famous lawyers in Scotland. Sir James Dalrymple of Stair is renowned for his role in codifying Scots Law.[21] He served as Lord President of the Court of Session between 1674 until 1681.[22] His *Institutions of the Laws of Scotland* was published in 1681 and has been reissued several times since.[23] Stair's work is significant in that he drew directly from the account of the Creation and the Fall in order to prove that the wife was subject to her husband and when married lost her personality.[24] While the legal position of women will be discussed later, it is essential to understand here that there existed in the governing elite a view of the subordinate role of women. This view was also espoused by the other leading jurist of Restoration Scotland – the Lord Advocate from 1677, Sir George Mackenzie of Rosehaugh.[25] In his *Institutions of the Laws of Scotland*, published in 1684, Mackenzie claimed that women (as opposed to merely wives) should be "excused from bearing testimony in courts of law, except when there is a penury of witnesses."[26] Mackenzie also concurred with Stair that a wife was under the curatorship of her husband from the moment she was married.[27] These views do not appear to have been restricted to Stair and Mackenzie. Archbishop James Sharp in a

---

[21] See Appendix A.
[22] Ibid.
[23] D.M. Walker, *A Legal History of Scotland* Vol. 4, (Edinburgh, 1996), pp. 660-1.
[24] Ibid.
[25] See Appendix A.
[26] Sir G. Mackenzie, *Institutions of the Laws of Scotland* Vol. 1, (Glasgow, 1773), pp. 673. While the impact of Mackenzie and Stair's views on particularly the lower echelons of Scottish society is debatable, their ideas were in keeping with other legal theorists of the period. The French legal jurist Jean Bodin concluded, "Gyneocracy (rule by a woman) is squarely against the laws of nature that give men the strength, the prudence, the arms and the power to command and take away from women." See J. Bodin, *Six Books of A Commonweale* (London, 1606), p. 753, quoted in Weisner, *Women and Gender*, p. 25.
[27] Ibid, p. 673.

diocesan court in St. Andrews in 1669 complained bitterly against non-conforming Presbyterian women as "she-zealots" and "Satanesses."[28] Sharp evidently thought like Stair and Mackenzie that a women's place was subordinate to man and that she ought to obey the existing laws relating to the Episcopalian church settlement. The views of these leading statesmen were further confirmed as typical of the governing elite in Restoration Scotland in the trial of Marion Harvie and Isobel Alison. These two radical Presbyterians were tried and executed in 1681 for harbouring the assassins of Archbishop Sharp. At their trial both women were told by the Privy Council, with Mackenzie as Lord Advocate, that "a rock, the cod, and boboons" (distaff, pincushion and a bobbin of thread) were more suitable for them than strong views on theology.[29] A further example of this is evident in an enquiry of the Privy Council to Charles II on 23 January 1684 regarding a fine of £60000 that was to be paid by Sir William Scott of Harden for his wife withdrawing from church.[30] In this letter the Privy Council, which included diverse political figures such as William Hamilton, third Duke of Hamilton, John Hay second Earl of Tweeddale and John Graham of Claverhouse, stated that a husband had power over his wife's goods and should therefore pay for her ecclesiastical misdemeanours.[31] These examples confirm that while Restoration Scotland was largely concerned with the religious conflict that arose out of the Episcopalian church settlement there were views expressed by the governing elite that confirm that they expected women to take a subordinate place in society.

Non-conforming Presbyterianism in Scotland with its root in Calvinistic theology was arguably likely to have a gendered view of the sexes. It has already been shown that Calvin held that women because of the Creation and Fall ought to be subordinate to men and have no public role in the church.[32] However, Calvin's beliefs were mild compared to the outburst against the rule of women by the forefather of the Scottish Reformation, John Knox. In his infamous *First Blast of the Trumpet against the Monstrous Regiment of Women,* Knox showed clearly, what he

---

[28] W. Row, *The Life of Robert Blair & Supplement to His Life and Continuation of the History of the Times to 1680* T. McCrie (ed.), (Edinburgh, 1848), p. 523.
[29] Alexander Smellie, *Men of the Covenant,* (Edinburgh, 1975), p. 436.
[30] *RPCS 1683-84,* pp. 342, 22 January 1684, p. 347, 23 January 1684.
[31] Ibid.
[32] C.G. Singen, "Calvin and the Social Order or Calvin as a Social and Economic Statesman", in, R.C. Gamble (ed.), *Calvin's Thought on Economic and Social Issues* (London, 1992), p. 150.

thought about women such as Mary Tudor having any place of authority.[33] It seems hardly surprising therefore that no place was afforded for women in the government of the Presbyterian church in Scotland. This was also the case in arguably the only period when Presbyterians were able to influence Scotland to the same extent as Knox. John Coffey has argued that the radical regime of Presbyterians in the period between 1648 and 1651 held strongly to the subordination of women and allowed no place for them in the government of the church.[34]

However, when Presbyterians were not in power, gender distinctions were arguably not so pronounced. A considerable body of sermons by Presbyterian preachers during the Restoration period provide evidence of this.[35] One feature that distinguishes these sermons is the almost genderless way that ministers approach their hearers. The sermons of Richard Cameron (the leader of armed Presbyterian resistance to the Episcopalian church settlement after the Battle of Bothwell Bridge in 1679) are an example of this.[36] In these sermons, Cameron showed some preparedness to use gender types in his allusion to the simile of the Spouse in the Song of Songs to describe the need of affection by the Christian for Christ.[37] In doing so, Cameron used an illustration that was in common usage among Scottish Presbyterians in this period. The last non-conforming Presbyterian who was publicly executed was the Cameronian preacher James Renwick. Shortly before his execution, he exclaimed, "the marriage of the Lamb is come, and His wife hath made herself ready."[38] This biblical allusion was taken from the nineteenth chapter of the book of Revelation.[39] There, the Lamb is Christ and the bride is the church. It can therefore be argued that the subordination of women to men was therefore implicit in the illustrations used by Cameron and Renwick. However, Renwick in keeping with Cameron transposes the individual Christian for the Church. It is also important to note that the continual genderless references to "folks" and "professors" in Cameron's sermons suggest that this illustration is equally applied to both men and

---

[33] R.M. Kingdon, "Calvinism and Resistance Theory", in Burns & Goldie, *Cambridge History of Political Thought*, pp. 197-9.
[34] J. Coffey, *Politics, Religion and The British Revolutions: The Mind of Samuel Rutherford* (Cambridge, 1997), p. 102.
[35] See *Sermons Delivered in Times of Persecution in Scotland* J. Howie (ed.), (Edinburgh, 1880).
[36] See Appendix A.
[37] Ibid, pp. 393-404. The Song of Songs is sometimes known as the Song of Solomon and Canticles.
[38] J. Howie, *The Scots Worthies* W.H. Carslaw (ed.), (Edinburgh, 1870), p. 544.
[39] See Revelation Ch. 19 v. 7.

women.[40] Cameron generally approaches his subjects in a way that does not distinguish between male and female. If he does refer to a gentleman or man, he invariably follows this with a reference to a lady or woman.[41] He therefore sometimes distinguishes the sexes but makes it clear that he regards both as equally responsible in the spiritual sphere which was the dominant theme in his mind and arguably that of most Scots in this period. There is no trace in Cameron's sermons of specific instructions for women to be marked by female gender qualities or indeed men with male qualities. This does not prove that Cameron did not hold such notions but in an age of religious conflict, the spiritual element held the first place in his mind in which both men and women were equally responsible. However, it should not be thought that Presbyterians were completely free of gendered views during the Restoration period. John Livingstone, a Presbyterian preacher who was famous for his part in the Shotts Revival in 1630 and who was banished in 1662 for refusing to accept the Episcopalian church settlement, referred to Christ's tears at the Last Supper being different from the disciples in that they were "not timorous and woman-like as theirs" were.[42] Yet, Livingstone's statement is unique in that it appears to be the only remark of this character in fifty-three lectures and sermons consulted.[43] Therefore, non-conforming Presbyterians do not appear to have expressed gendered views of the sexes to any great extent in the Restoration period. This conclusion is in keeping with the judgement of David Mullan as to Scottish women in the earlier part of the seventeenth century. Mullan stated that it was common for such women to be "taught the same religion as men" and be "encouraged to enter into the same experience of faith."[44] Thus, while the governing elite were evidently insisting on a subordinate place for women, Presbyterian preachers were generally free from such sentiments and emphasized more the spiritual responsibility of women to suffer equally with the men.

The difficulty with real or imagined gender specifications is that they deal with the theoretical desires of those who construct them. They do not in themselves

---

[40] *Sermons Delivered,* pp. 394-5.
[41] Ibid, p. 389.
[42] *Sermons Delivered,* p. 630.
[43] Ibid. The other sermons are by William Guthrie, Michael Bruce, John Welwood, Donald Cargill, Alexander Peden, Alexander Shields, John Welsh and John Guthrie.
[44] D.G. Mullan, "Women in Scottish Divinity", in, Ewan, & Meikle, *Women in Scotland c1100-1750,* p. 37.

provide a picture of the role that women actually played in society but rather the role that theorists thought they should play. The remainder of this chapter will analyse how far the political, legal, economic life of women in Early Modern Europe and Restoration Scotland in particular confirm that theoretical conceptions of gender actually reflected the role that women played in that period.

The Restoration period, unlike the sixteenth century, was remarkably free from female monarchs. There was therefore little need for a continuation of the argument offered by the French reformer John Calvin, that the reign of women was a mark of divine displeasure.[45] Official legislatures in Western Europe such as those in England and France had no female representation. The main reason given for women having no right to an official role was that their proper station in life was to be married and that women in this relationship lost their persona.[46] Therefore, if women were in a relationship that involved subjection to their husband they could not officiate in a role that could involve superiority over men.[47] However, while no official political role was open to women outside of being Queen, it should not be thought that they had no impact in the politics of Western Europe. In France, the successive intercessions of Louise de la Valliene, Madame Mountespan, and Madame de Maintenon (all mistresses of Louis XIV) were deemed the most successful way of influencing the king.[48] Influential French politicians such as the French minister, Colbert, constantly spoke of the value of women interceding on behalf of men.[49] The same degree of feminine influence over the monarch was evident in the court of Charles II in London. Barbara Villiers, Countess of Castlemaine was particularly influential with Charles II at least until 1668 and was deemed by many to be the main way of gaining favour with the king.[50] Castlemaine

---

[45] C.G. Singen, "Calvin and the Social Order or Calvin as a Social and Economic Statesman", p. 150. It should be noted that in Spain, a Queen Regent (Maria Anna) ruled from 1665 to 1675 until Charles II of Spain reached his majority. See Pennington, *Europe in the Seventeenth Century,* pp. 400-1.
[46] Weisner, *Women and Gender*, p. 154.
[47] See p. 53 of thesis..
[48] Gibson, *Women in Seventeenth Century France,* p. 144; Pennington, *Europe in the Seventeenth Century*, pp. 497-8. Natalie Zemon Davies has shown that women were an integral part of court ceremony, patronage and faction in seventeenth century France. See N.Z. Davies, "Women in Politics", in, N.Z. Davies & A. Farge, *A History of Women in The West* Vol. 3 (London, 1993), p. 174.
[49] Gibson, *Women in Seventeenth Century France,* p, 153. The Duke Saint Simon concluded that a wife could considerably enhance the career of her husband in France. See Hufton, *Prospect* Vol. I, p. 143.
[50] S.W. Wynne, "Barbara Palmer (nee Villiers), Countess of Castlemaine & suo jure Duchess of Cleveland (bap. 1640-d. 1709)", in, *ODNB* Vol. 42, p. 478.

has been regarded as the medium through which Henry Bennet, Earl of Arlington became Secretary of State and Charles Berkeley, Earl of Falmouth became Keeper of the Privy Purse.[51] A further example of this is evident in a petition of Lady Margaret Kennedy (daughter of John Kennedy, sixth Earl of Cassillis) to John Maitland second Earl of Lauderdale for a favour where she particularly mentioned the name of Lady Frances Stewart (a favourite of Charles II) in order to get it granted.[52] Furthermore, women of a lower social status were also able to find ways to influence discussions and debates on political subjects. In France, the advent of the salon meant that women were able to host discussions in their drawing rooms at which both men and women attended and at which political subjects (amongst others) were debated.[53] Further down the social scale, women in France continued in the latter part of the seventeenth century their custom of leading in riots. While this never reached the same height as in the years of the Fronde in 1648 to 1652, nevertheless, women in France not only participated but also actually instigated rioting in the latter part of the seventeenth century.[54] In England, in 1649, women from the radical sect of Levellers showed their desire to be placed on an equal footing with men through the more legitimate means of petitioning the Parliament of England for equal rights.[55] The prevailing impression in England and France is therefore that while women in the absence of a female monarch were shut out officially from political roles, nevertheless, they were extremely important through personal influence, contributing to political debate or by outright action on the streets.

A similar position existed in Restoration Scotland as in England and France. With a male monarch (Charles II) in London in the Restoration period, women were shut out officially from the corridors of power. Women did not sit in Parliament or on the Privy Council. This is hardly surprising in a nation where Knox had expressed his views concerning women rulers. As a nation, Scotland's lack of female representation was simply typical of a period where women played no direct

---

[51] Ibid.
[52] *Letters of Lady Margaret Kennedy* to *John Maitland Duke of Lauderdale* C.K. Sharpe (ed.), (Edinburgh, 1828), p. 37, 13 March 1665.
[53] Weisner, *Women and Gender*, p. 166.
[54] Gibson, *Women in Seventeenth Century France,* p. 155.
[55] Hufton, *Prospect* Vol. 1, p. 413.

role in politics.[56] The lack of representation politically does suggest that perceived gender qualities underlay the lack of access to political power afforded to women in Restoration Scotland. However, women could influence the political landscape of Restoration Scotland in the same ways as happened in England and France. This thesis will show that Presbyterian ladies such as Lady Margaret Kennedy and Anne, third Duchess of Hamilton were influential in the negotiations in 1669 for liberty for Presbyterian clergy to preach.[57] Women in Scotland were also as likely to engage in rioting. In 1637, women led in the riot in St. Giles High Kirk in Edinburgh at the introduction of the Laudian prayer book.[58] This thesis will also show that wives of burgesses in Kirkcudbright in 1663 rioted upon the introduction of an Episcopalian curate.[59] Women in Scotland certainly had less political opportunities than men but there were ways by which they could overcome this. Their willingness to do so suggests that women were prepared to act in a pro-active way far removed from the theoretical position that men sought to give them in the political sphere.

The legal position of women in Western Europe in the Early Modern period was coloured by the increasing influence of Roman law. Merry Weisner has shown that Justinian's Code, in particular, stated that women were marked by physical and mental weaknesses and therefore could only be regarded as subordinate to men.[60] Practically this worked out in a woman taking a subordinate role in a married relationship in, for example, losing the ability of making contracts on her own.[61] Such a position was not entirely negative, as women in many European countries could not be sued for any civil crime of their own.[62] However, if it is borne in mind that a wife's goods (apart from her movables) were under the control of her husband, both were effectively punished for crimes committed by the former. Other aspects of married life were more unfavourable to women. It is evident that a clear double standard existed in parts of Europe in cases of unfaithfulness in marriage. In France, an adulterous woman could be imprisoned for two years yet if the husband was

---

[56] N. Zemon Davies, "Women in Politics", in, *A History of Women in the West* Vol. III, pp. 180-1.
[57] See chapter ten.
[58] G. Donaldson, *Scotland James V-James VII* (Edinburgh, 1998), p. 311. It should be noted, however, that Donaldson felt that these riots were organised and that women were only tools of an aristocracy aggrieved by Charles I's policies.
[59] See chapter four.
[60] Weisner, *Women and Gender*, p. 38.
[61] Ibid, p. 38.
[62] Ibid, p. 37.

guilty of the same crime, the wife had no opportunity to take things further.[63] In addition, in France, a husband had "virtual impunity from law" if he murdered his adulterous wife.[64] The law as to adultery in Spain was similar with the husband being regarded as innocent if he killed both his wife and her partner.[65] This severity was not limited to Catholic countries. In England, a woman who murdered her husband was judged guilty of petty treason and was sure to receive the death sentence.[66] It should be noted however, that in Louis XIV's reign (which included the Restoration period), adultery laws were not carried out stringently and few women were executed.[67] The subordinate position of women to men did not extend to criminal law. Women were in the same legal position as men and could be punished, for example, for treason in the same way as men.[68] In the case of witchcraft accusations, this led to women being charged and subsequently executed in far greater numbers than men across Europe during the Early Modern period.[69] The role of the widow in particular should be borne in mind here. A woman could be in a favourable position if her dead husband had been wealthy. She was able to participate in civic life as an autonomous entity and, if wealthy, often obtained a place of respect within the community.[70] However, if a woman was poor, widowhood left her far more prone to suspicion due to her unattached state being contrary to what was considered the normal married condition of women. This manifested itself continually in witchcraft accusations with for example, widows or spinsters, constituting two-thirds of women in Britain as a whole who were charged with witchcraft.[71] However, while many women were executed on witchcraft charges, many more gave vent to their political feelings in riots or slander knowing

---

[63] Gibson, *Women in Seventeenth Century France*, p. 64. Where the husband refused to have the wife back she was forced to have her head shaved, be clothed in sackcloth and remain in a convent for the rest of her life.
[64] Ibid, p. 64.
[65] Weisner, *Women and Gender,* p. 40. The law in Spain as to adultery went so far as to allow a husband who had found his wife committing adultery to restrain himself from killing her at the time and chose at his leisure the mode of execution. See Hufton, *Prospect* Vol. 1, p. 54.
[66] Weisner, *Women and Gender,* pp. 39-40.
[67] Ibid, p. 65.
[68] P. Crawford, & S. Mendelsson, *Women in Early Modern England 1550-1720* (Oxford, 1998), p. 37.
[69] See Hufton, *Prospect* Vol. 1, pp. 336-48 for a good summary of women, witchcraft and witch hunts in Early Modern Europe.
[70] Ibid, p. 221-2. Hufton shows here that the amount of the husband's estate (and correspondingly his wealth) which the widow was allowed to keep varied considerably from country to country.
[71] Ibid, p. 348.

that because of their gender they were more likely to escape judgement due to being regarded as less of a threat by men.[72] This lack of consistency is entirely in keeping with the confused developing nature of law all over Europe that was only codified with the conquests of Napoleon Bonaparte at the end of the eighteenth and beginning of the nineteenth centuries.[73]

The lack of political status appears also to be the case with the legal position of Scottish women. On becoming married, a woman took up a subordinate place under the control of her husband. According to Rosalind Marshall, the husband administered his wife's property, chose the wife's residence and the wife was unable to raise civil actions without her husband's consent.[74] This practically manifested itself in the case already alluded to where the Privy Council in January 1684, stated emphatically that common law meant that a woman's goods came under the control of her husband once married.[75] On a more positive note, while inheritance was generally on the principle of primogeniture, a daughter could be regarded as heir if there were no males.[76] It was also common practice for a widow to look after the part of her husband's estate that fell to the heir until he reached his majority.[77] The law concerning adultery in Scotland was evidently much more favourable to women than in other parts of Europe. In Scotland, women had legally the same opportunity as men to sue for divorce on the grounds of adultery.[78] There is no question of a wife when found guilty of adultery being incarcerated on the ground of law. While it is difficult to gauge the exact numbers in the Restoration period, if adultery is included as among the different reasons brought for a divorce, it is significant that in Scotland between 1658 and 1707 women actually brought more cases before the commissary court for divorce than men - the figures being 19 to 15.[79] In criminal law, it appears that women in Scotland were treated on an equal basis with men. Women were viewed as equally responsible for their actions and could be tried for crimes such as

---

[72] Ibid, pp. 52-3.
[73] Ibid, p. 261.
[74] Marshall, *Virgins and Viragos,* p. 89.
[75] *RPCS 1683-84,* pp. 342, 22 January 1684, p. 347, 23 January 1684.
[76] Houston, "Women", p. 130.
[77] Marshall, *Virgins and Viragos,* pp. 145-6.
[78] Ibid, pp. 94-104.
[79] Ibid, p. 97.

murder and theft.[80] In some cases, women were tried more regularly for crimes than men. That this was the case for child-murder seems to be the logical conclusion considering the disgrace of fornication in this period.[81] Women in Scotland were also more likely to be tried for witchcraft than men.[82] Eighty-five per cent of Scottish witches were women.[83] Reasons for this are varied. Lauren Martin has highlighted the link between women in Scotland being responsible for milking and production of ale and the likelihood of being regarded as a witch if something was wrong with these essential elements of life.[84] Grasping after wealth may also have been a factor. Louise Yeoman has pointed out that, in the period from 1590 to 1650, the majority of more wealthy women charged were mothers of sole female heiresses.[85] The basic conception of women as passionate and the ideal position of a woman as a wife subordinate to her husband may also account for the willingness to charge women, especially those regarded as untypical (outside the estate of marriage) such as widows.[86] However, the reasons for witch crazes are still the subject of debate.[87] It appears safe to say that women in Scotland were treated in civil matters according to the role constructed for them by men while in criminal proceedings they were regarded as more equal and this *could* lead to them being treated more severely. Women in Scotland were therefore in some respects in a more favourable position than in other parts of Europe.[88] Rosalind Marshall has admitted this and has stated that in cases such as divorce, women were given a "fair hearing" within the legal framework.[89]

---

[80] Ibid.
[81] Ibid.
[82] Ibid, pp. 158-9. See also J. Goodare, "Introduction", in, J. Goodare (ed.), *The Scottish Witch Hunt in Context* (Manchester, 2002), p. 7.
[83] Ibid.
[84] L. Martin, "The Devil and The Domestic: Witchcraft, Quarrels and Women's Work in Scotland", in, Goodare, *The Scottish Witch Hunt in Context,* pp. 73-89.
[85] L. Yeoman, "Hunting the Rich Witch in Scotland: High Status Witchcraft Suspects and Their Persecutors", in, Goodare, *The Scottish Witch Hunt in Context,* p. 110.
[86] Marshall, *Virgins & Viragos,* p. 159.
[87] Weisner, *Women and Gender,* p. 283.
[88] In common with other parts of Europe, Scots law in this period was still developing. Sir James Dalrymple of Stairs *Institutions of the Laws of Scotland* (1681) and Sir George Mackenzie of Rosehaugh's *Institutions of the Laws of Scotland* (1684) were designed to bring some uniformity to Scots law. However, these works were published relatively late in the Restoration period and their impact, while considerable, could not be expected immediately to change the practice of Scots law. See I.B. Cowan, *The Scottish Covenanters* (London, 1976), pp. 157-8. For a definitive outline of law in Scotland in the seventeenth century, see Walker, *A Legal History of Scotland* Vol. 4.
[89] Marshall, *Virgins and Viragos,* p. 98.

The economic opportunities open to women in Early Modern Europe were to some extent governed as much by their social status as their gender. Merry Weisner has shown that some materially wealthy women in Europe were able to participate in overseas trading groups such as the East India Company.[90] This was particularly the case where the wealthier woman was a widow and therefore able to take care of her own affairs without reference to a husband.[91] In England in this period, rich widows ran coalmines and traded wool wholesale.[92] However, fewer opportunities were open to women further down the social scale that had less wealth at their disposal. For example, guilds generally took account of a married woman's perceived loss of persona within a married relationship. The system of guilds of craft trades, in particular, was generally unfavourable to women. Journeymen in guilds often opposed women becoming members of craft guilds.[93] However, women could in some cases, still become members of guilds. Widows in several parts of Europe (such as France) were allowed to take their husbands' places in trade guilds on condition that they sought assistance from a journeyman or men.[94] There are also occasional examples of all female guilds such as that set up by Louis XIV in Paris in 1675.[95] In Germany, the wife and daughter could work within the family business of a male member of a craft guild.[96] There was also an arrangement extant in most cities in Europe, including England, where married women could declare themselves single (feme sole) for trading as a merchant.[97] Marketing and street vending particularly marked women in cities in the Early Modern period although this was often on behalf of husbands.[98] Married women with the least wealth were generally expected to support their husbands' income through activities such as spinning or by doing agricultural work at home while their partners were working elsewhere.[99] Due

---

[90] Wesiner, *Women and Gender,* p. 130.
[91] Ibid, p. 90.
[92] Ibid, p. 130.
[93] Ibid, p. 128.
[94] Gibson, *Women in Seventeenth Century France,* p. 105; T. Munck, *Seventeenth Century Europe* (London, 1990), p. 105. Munck also points out that there were instances of female plumbers, sailors and chimney sweeps.
[95] Weisner, *Women and Gender,* pp. 125-6.
[96] Hufton, *Prospect* Vol. 1, p. 91.
[97] Crawford & Mendlesson, *Women in Early Modern England,* p. 39; Weisner, *Women and Gender,* p. 37.
[98] Gibson, *Women in Seventeenth Century France,* p. 105; Crawford and Mendlesson, *Women in Early Modern England,* p. 28; Weisner, *Women and Gender,* p. 117.
[99] Gibson, *Women in Seventeenth Century France*, p. 113.

to the role of women being regarded as supporting a family income, their work was always valued less.[100] In rural areas, this could mean half the amount paid to men.[101] The role of poorer married women was however economically superior to that of the single girl in service. Around sixty-six per cent of women aged between twenty and twenty-four were servants in an age where from fifteen to thirty per cent of the population of cities were made up of servants alone.[102] Going into service involved placing oneself at the disposal of an employer for often a year with a salary paid at the end of contract.[103] Conditions of service could involve being subject to cruelty and certainly meant a loss of individuality for the person concerned. There were therefore generally decreasing economic opportunities for women according to their status in society.[104] However, it is evident that in some spheres such as craft guilds or merchant activities women were prepared to take every avenue available in order to assert their economic independence. Thus, while custom and law limited their economic horizon, there were ways in which women were prepared to overcome this.

In Scotland, the economic position of women in the Restoration period generally followed the pattern of women in Early Modern Europe. Scotland in this period was a predominantly agricultural society where nine out of ten people lived on the land.[105] In this rural society women were regarded as belonging to a household where there was usually a male breadwinner. Therefore, it was common for women to be paid less for doing the same work as men.[106] Gibson and Smout have shown that in 1696, Aberdeenshire male servants were paid (on average) £10.1s.per annum while female servants were paid £6.7s.5d.[107] They have further shown that in Greenlaw in Berwickshire, (in the same period) a female servant could earn £16 per annum while a male servant could earn between £26 and £32.[108] In the south-west of

---

[100] Weisner, *Women and Gender,* p. 106.
[101] Ibid, pp. 108-9.
[102] Ibid, pp. 110-3.
[103] Ibid, p. 110.
[104] Alice Clark insisted on this for women in seventeenth century England, regardless of social status. See A. Clark, *Working Life of Women In The Seventeenth Century* (London, 1968), pp. 295-6.
[105] T. Devine, "The Union of 1707 and Scottish Development", in, T. Devine, *Exploring the Scottish Past,* (East Linton, 1995), p. 39; I.D. Whyte, *Agriculture and Society in Seventeenth Century Scotland* (Edinburgh, 1979), p. 9.
[106] Houston, "Women", pp. 123-4; A.J.S. Gibson & T.C. Smout, *Prices, Food and Wages in Scotland, 1550 – 1780* (Cambridge, 1995), p. 289.
[107] Gibson & Smout, *Prices, Food and Wages in Scotland,* p. 289.
[108] Ibid.

Scotland women rarely earned more than half of men's wages.[109] The prospects of employment open to men and women also reflected gender distinctions. Rab Houston has shown that women were "only a small proportion of the tax-paying craft and trade occupations."[110] Women were therefore more likely to be found in service.[111] However, such figures can cloud a more complicated situation. For example, many women carried on their husbands' occupation after their death. Rosalind Marshall has referred to a case in 1685 where, an Agnes Brown took over her deceased husband's job as Haddington's postmaster.[112] Another woman, Agnes Campbell, took over her husband's printing business after his death.[113] Often the widow had at least an acceptable residence to live in. In the central area of Edinburgh, twenty per cent of householders in 1694 were women.[114] In many of these houses, widows took in lodgers in order to supplement their income.[115] Women also shared the work of farming, almost equally with their husbands (whether tenants or waged labourers).[116] Where the husband was forced to leave the farm to attend to his other business, the wife was left in control.[117] Therefore, while women in Scotland were to some extent restricted by gendered notions of their economic role in society, they overcame this in various ways.

The position of women in the religious sphere in Early Modern Europe arguably follows the same pattern as their role in the political, legal and economic spheres. Keith Thomas has argued in his work on Civil War sects that it is possible to regard women in the seventeenth century as having a greater degree of natural religiosity than men.[118] Three factors arguably contributed to this. Firstly, the continual threat of death through childbirth led to women being exercised about their spiritual well-being.[119] Secondly, the decreasing appreciation of religious

---

[109] Ibid, p. 290. These wages are based on agricultural labour. For a discussion of an urban area, see H.M. Dingwall, *Late Seventeenth Century Edinburgh: A Demographic Study* (Aldershot, 1994).
[110] Ibid, p. 122.
[111] Ibid, p. 123 note.
[112] Ibid, p.155.
[113] Walker, *A Legal History of Scotland*, Vol. 4, pp. 16-7.
[114] Smout, *History,* p.164.
[115] Ibid.
[116] Houston, "Women", in, Houston & Whyte, *Scottish Society* p. 120.
[117] Marshall, *Virgins and Viragos,* p. 144.
[118] K. Thomas, "Women and the Civil War Sects", in, T. Aston (ed.), *Crisis in Europe 1560-1660* (London, 1965), p. 321.
[119] Ibid.

enthusiasm beginning from the later seventeenth century led to a decline in the role of the father as responsible for the religious well-being of his family.[120] Thirdly, religion was the best vehicle for allowing women to take action independent of the influence of men.[121] In European countries (such as France) where Roman Catholicism was still the predominant religion, women continued to be encouraged to pursue a religious career as a nun.[122] While women were often forced to enter convents due to pecunious parents not being able to support them, nevertheless, many women still became nuns under the influence of religious exercise.[123] Several laywomen were also members of semi-formal sisterhoods and engaged in acts of charity.[124] In Protestant countries, the continuance of groups like Quakers was in large part due to the role and influence of women.[125] The Quakers were distinct from other groups in that they fully supported women having the right to preach. This was based on the theory that the subordination of women to men was a result of the Fall but that conversion placed women in a pre-Lapsarian state.[126] However, Quaker women were not completely equal with their male counterparts. By the 1670s, they had separate business meetings from men.[127] Many of the most striking earlier Quaker prophetesses also had their later writings censored by a committee of men before publication.[128] However, the Quaker movement provides one of the earliest examples of greater equality of women in religious systems. This increase in the interests of women in religion was not generally reflected in the official structure of the government of their churches. Nuns and semi-formal sisterhoods in Roman Catholic countries were still under the control of their male directors.[129] In Protestant countries, the prevailing influence of the teaching of reformers such as Calvin meant that no official place was allowed for women in the government of

---

[120] L. Stone, *The Family, Sex and Marriage in England 1500-1800* (London, 1977), p. 245.
[121] Weisner, *Women and Gender,* p. 214.
[122] Gibson, *Women in Seventeenth Century France,* pp. 209-20.
[123] Ibid.
[124] Ibid, p. 23; Hufton, *Prospect* Vol. 1, p. 382.
[125] Weisner, *Women and Gender,* p. 245.
[126] Thomas, "Women and the Civil War Sects", pp. 324-5.
[127] P. Crawford, *Women and Religion in Early Modern England* (London, 1993), p. 195.
[128] Ibid, p. 185.
[129] Gibson, *Women in Seventeenth Century France,* p. 223. Gibson points out the role of Vincent De Paul and Francis de la Sales in the earlier part of the seventeenth century in recruiting laywomen for semi-formal sisterhoods. See also Hufton, *Prospect* Vol. 1, p. 387.

state churches.[130] Therefore, it should be emphasized that the increased activity of women in religion did not equate to a generally increased place in the ruling structure of their church government in this period.

The lack of official representation of women in church government in this period does not mean that women had no influence on their chosen religion. In France, two Cistercian nunneries in the Paris area, which were devoted to the Augustinian teachings of predestination published by the Dutch Bishop Cornelius Jansen in 1640, played a significant part in the history of the latter part of seventeenth century France.[131] The influence of these convents was such that nuns of this order were continually persecuted in this period.[132] Madame Jeanne Guyon is a further example of a French Roman Catholic woman whose Quietest beliefs of inner reflection and absolute surrender to God led to her being pursued and imprisoned at this time.[133] Protestant women were no less active in France. Huguenots who refused to accept the Revocation of the Edict of Nantes in 1685 (particularly those subsequently named Camisards) were conspicuous by the large amount of women amongst them.[134] While such women were famous for their prophecies, they also were prepared to fight alongside their male counterparts against the French authorities' attempt to crush their resistance.[135] In England, while Episcopalian women were restricted to occasionally holding offices such as sexton, they became increasingly vocal in the latter part of the seventeenth century. Well-educated Anglican women such as Anne Conway and Dorcas Bennet became famous for their piety.[136] Post-Restoration women were also active amongst Protestant dissenters in hiring chaplains from clergy who were deprived of their parishes due to the Episcopalian church settlement.[137] They also allowed non-conformist meetings in their houses.[138] Several women such as Anne Bathurst expressed their religious

---

[130] Singen, "Calvin and The Social Order", p. 150.
[131] Gibson, *Women in Seventeenth Century France,* p. 229; Weisner, *Women and Gender,* p. 248.
[132] Ibid.
[133] Weisner, *Women and Gender,* p. 246. Guyon's theological works and autobiography can be viewed in, J. Guyon, *Experiencing the Depths of Jesus Christ/The Autobiography* (Nashville, 2000).
[134] Gibson, *Women in Seventeenth Century France,* p. 234.
[135] Ibid.
[136] Crawford, *Women and Religion,* p. 188.
[137] Crawford, & S. Mendelsson, *Women in Early Modern England,* p. 181.
[138] Ibid.

feelings in diaries that were later published.[139] In addition, women had an arguably more influential role to play in the sects. The greater proportion of women amongst Baptists arguably gave them greater influence than men when they exercised their right to vote on the choice of a new pastor.[140] In this period, female Quakers also continued to preach. One of the more prominent of these, Margaret Fell Fox, wrote tracts to support women preaching using examples such as "the message that Lord Jesus sent by these women of and concerning the Resurrection."[141] Quaker women missionaries even extended their influence as far as New England. One of these, Mary Dyer, was executed in Massachusetts in 1660.[142] Therefore, the prevailing impression of the role of women is that while there was generally little official position open to them, nevertheless, they played an increasingly influential role in the religious life of Early Modern Europe.

The religious life of women in Restoration Scotland follows the same pattern as that of women in other parts of Europe. Despite the Restoration controversy over respective forms of church government, Episcopalianism and Presbyterianism were almost identical as to form.[143] Both of these forms of church government allowed virtually no place for women in their ecclesiastical structure. Occasionally, a woman could vote as a head of a household on the appointment of a new clergyman.[144] Women who owned land could also "subscribe the call to the successful candidate."[145] Apart from this, none of these two religious systems offered any official role for women. The contrast with other countries, where Roman Catholicism was still the dominant type of religion, is striking. There was no equivalent in Scotland, since the onset of the Reformation, of closed or open nunneries where women were regarded as religious officials within a female hierarchy. Consequently, there are no direct comparisons to be made with the popularity of the Cistercian convents in France devoted to Jansenism.[146] Roman Catholic women in Scotland were more distinguished in this period for their

---

[139] Crawford, *Women and Religion,* p. 82.
[140] Ibid, pp. 184, & 200.
[141] M. Fell Fox, "Women's Preaching Justified" (1666), p. 3, in, K. Aughterson, *Renaissance Women: A Sourcebook of Constructions of Femininity in England* (London, 1995), p. 39.
[142] Crawford, *Women and Religion,* p. 163.
[143] J.C.L. Jackson, *Restoration Scotland* (Woodbridge, 2003), p. 109.
[144] Houston, "Women", p. 137.
[145] Ibid.
[146] Gibson, *Women in Seventeenth Century France,* p. 223.

willingness to contravene the penal laws against their religion.[147] Perhaps the most obvious example of this was the efforts of the Privy Council to pressure noblewomen such as the Countess of Traquair to ensure that their children were not educated as Roman Catholics.[148] In addition, Quaker women in Scotland do not receive the same prominence as their English counterparts in the history of the Restoration period.[149] Burnet refers in *The Story of Quakerism in Scotland 1650-1858* to Quaker women in Aberdeen and Edinburgh.[150] However, the secondary literature on this subject does not include references to Quaker women in Scotland preaching, before the Glorious Revolution. While Quakers were also subject to punishment under the penal laws against conventicles there is little record of these affecting women. Quaker women's sufferings in the Restoration period appear to have been restricted to attacks by members of the radical Presbyterian wing of Cameronians rather than the authorities.[151]

Presbyterian women in particular in Restoration Scotland were able to influence their churches through their enthusiasm and commitment. Various incidents that have already been cited in this thesis are evidence of this and can be restated here. In 1663, women in Kirkcudbright and Irongray were involved in riots that were designed to stop the Episcopalian curate being inducted into each parish. This was regarded as important enough by the Privy Council to merit three hundred troops being sent to that area.[152] Presbyterian women also sought to overcome Privy Council proclamations proscribing conventicle preachers by harbouring them in their home. Anna Duncan, Margaret Kello and Janet Crawford refused to give evidence as to their knowledge of the assassination attempt on Archbishop James Sharp. Because of this, they were sentenced to banishment.[153] Two other non-conforming Presbyterian women (Marion Harvie and Isabel Alison) were charged with harbouring the successful assassins of Archbishop James Sharp and were

---

[147] For a full outline of legislation regarding Roman Catholics in Restoration Scotland, see A.I. MacInnes, "Catholic Recusancy and the Penal Laws 1603-1707", in, *Records of the Scottish Church History Society* Vol. 23 (1987), pp. 27-63.
[148] *RPCS 1669-72*, p. 449, 1 February 1672.
[149] For an outline of the penal laws in Restoration Scotland regarding Quakers, see MacInnes, "Catholic Recusancy and the Penal Laws", pp. 27-63.
[150] G.B. Burnet, *The Story of Quakerism in Scotland 1650-1858* (Edinburgh, 1952), p. 51 & p. 122.
[151] Ibid, p. 122.
[152] *RPCS 1661-4*, pp. 357-9 5 May 1663. See chapter four.
[153] *RPCS 1665-9*, pp. 500-1, 29 July 1663, p. 503, 30 July 1668. See chapter seven.

subsequently executed for refusing to renounce their faith.[154] In the 1680s, women were regarded as being the chief culprits in instigating and attending conventicles.[155] Presbyterian women such as Lady Henrietta Campbell, wife of Duncan Campbell, fourth baronet of Auchinbreck, wrote their spiritual experiences in diaries that were later published.[156] John Coffey has gone as far as to argue that the illegal character of Presbyterianism in the Restoration era gave more scope to women than when the Covenanters were in power between 1638 and 1651 and that "the conventicle… empowered the female sex."[157] This militancy in female Presbyterian dissenters was encouraged by Presbyterian clergy. It is clear from the sermons of Presbyterian preachers in the Restoration period, such as Alexander Peden, that women were encouraged to contravene the Episcopalian church settlement, even if it led to their death.[158] It should be noted however, that Peden encouraged men to do the same.[159] That both were urged to do this even if it meant death suggests that women were not simply urged to commit crimes against the Episcopalian church settlement because of a possibility of being treated more leniently. While there was no official place for women within non-conforming Presbyterianism, nevertheless, they at least equalled and at times surpassed men in their enthusiasm for their favoured form of church government.

The first chapter in this thesis outlined the proposal to analyse the experience of non-conforming Presbyterian women from the standpoint of the dissent they were involved in and their social background. The second chapter clarified that a gap exists in the historiography of this subject of the period between 1660 and 1679. This chapter has sought to outline the general conception of the role women were expected by men to play in Restoration Scotland and whether they subjected themselves to this role. It is clear that the prevailing theme of the position of women in Early Modern Europe was one of official exclusion from positions of influence. Due to the remnants of Aristotelian philosophy and the views of Protestant and Catholic theologians, women were expected to accept a subordinate role.

---

[154] Smellie, *Men of the Covenant,* p. 435.
[155] Houston, "Women", p. 137.
[156] This has been conveniently transcribed and published by David Mullan. See D.G. Mullan (ed.), *Women's Life Writing in Early Modern Scotland* (London, 2003), pp. 204-357.
[157] Coffey, *Politics, Religion and The British Revolutions,* p. 102.
[158] *Sermons Delivered*, p. 574.
[159] Ibid.

Willingness to do so meant that commendable feminine virtues such as obedience would be displayed whereas failure to do so meant they were judged to have unsatisfactory feminine traits of being a scold or overbearing. This constructed gender role manifested itself practically in the political, legal, economic and religious roles given to women. However, women generally were able to overcome this by exerting influence or finding ways to express themselves. For the purpose of this thesis, several important conclusions arise out of this chapter. Women in Scotland were regarded by the governing elite in the Restoration period as having a subordinate role due to alleged lack of control over their passions. While this thinking was also implicit in the minds of non-conforming Presbyterians, nevertheless, it did not have the same prominence. Women in Restoration Scotland also had no official political representation but were willing to seek to influence events in various ways according to their status in society. Furthermore, women in Restoration Scotland, in theory, could be punished for the same crimes as men. Witchcraft cases in particular show a willingness of the governing elite to do so. The position of women economically shows that some, particularly widows, were prepared to assert themselves independently of men. Finally, the willingness of women to overcome institutional constraints was encouraged within non-conforming Presbyterianism by conventicle preachers with the aim of disobeying the Episcopalian church settlement even if it involved death. Therefore, the prime aim of this chapter being to ascertain how women in Restoration Scotland were regarded and whether they accepted this, can be answered as follows. Women in every sphere of life showed their ability to overcome strictures and assert themselves on their own initiative. In doing so they *could* be punished in the same way as men. In turning to specific case studies this conclusion must be borne in mind.

Chapter 4

Riots in South-West Scotland in 1663: Kirkcudbright

On 10 May 1663, The Clerk of the Acts to the Navy Board, Samuel Pepys, wrote in his diary that he had heard while dining in the King's Head in London that James Hamilton, the Bishop of Galloway had been "outraged" by rioters. He concluded that it seemed possible that Scotland would explode as it had done in 1637 after the riot in St. Giles High Kirk in Edinburgh at the introduction of the Laudian prayer book.[1] The news that Pepys had heard is explained by letters written on 7 and 16 May to the Secretary of State for Scotland, John Maitland, second Earl of Lauderdale, by his "man" in Scotland, William Sharp. On 7 May, Sharp referred to the decision of the Privy Council in Scotland to send troops and horses to Kirkcudbright to suppress disorder.[2] Sharp further emphasized on 16 May that "some foolish women" were responsible for an incident.[3] Between Sharp writing these two letters, the Chancellor of Scotland, William Cunninghame, ninth Earl of Glencairn, wrote to Lauderdale disclosing the exact nature and extent of the riots.[4] Glencairn confirmed that women were involved in riots at the introduction of Episcopalian curates in not only Kirkcudbright but also Irongray.[5] The riots in Kirkcudbright and Irongray afford an opportunity to analyse the activity of non-conforming Presbyterian women in arguably their most violent expression. Such an outburst of emotion against the Episcopalian church settlement should provide clues as to the role women played in Presbyterian dissent. It will also help by providing an opportunity to analyse the social status of those involved to see if any relation exists between their background and the form of their dissent. The analysis of a violent form of protest also provides an opportunity to see whether women acted on their

---

[1] *The Diary of Samuel Pepys* Vol. 4 1663, R. Latham & W. Matthews (eds.), (London, 1971), pp. 130-1. A letter from Henry Coventry to James Butler, Duke of Ormond on 12 May refers to the same stories as Pepys. He also stated that these reports came on Sunday but "was then represented as a politic fiction and now being confirmed it is adjudged inconsiderable but it is by the least partial believed more than a spark, and amongst matter very combustible". See HMC *Ormond MSS* Vol. 36 (London, 1904), pp. 52-3.

[2] BL, Add. MSS 23119, fol. 26, William Sharp to Earl of Lauderdale, 7 May 1663.

[3] BL, Add. MSS 23119, fol. 27, William Sharp to Earl of Lauderdale, 16 May 1663.

[4] TFA, fol.1434, Earl of Glencairn to Earl of Lauderdale, 14 May 1663.

[5] Ibid.

own initiative or whether they were pressed by their male counterparts because of the prospect of being treated more leniently. Both riots occurred in the same area at the same time and arose out of the same problem. They will therefore, be analysed as one case study. Yet, as both riots were distinct in themselves, they will be discussed in separate chapters. The incident in Kirkcudbright was by far the biggest with most repercussion and will be dealt with first.

The riot in Kirkcudbright in 1663 occurred in a burgh on the south-west coast of Scotland that had a history of radical Presbyterianism and violent protest against Episcopalianism. This chapter will firstly discuss the long radical Presbyterian roots that existed in the burgh. It will then trace events in Kirkcudbright immediately prior to the riots in 1663 that arguably made a disturbance inevitable. An exact account of the riot will then be constructed using available primary sources in order to assess the role played by women. Thereafter, the response of the government to the incident will be discussed. After establishing a narrative account of the origin, nature and response to the riot, this chapter will address the social background of those involved. It will conclude by discussing whether women were merely used as pawns by men and whether the authorities were governed by gender considerations in punishing the rioters.

Roots of radical Presbyterianism in the Kirkcudbright area can be traced as far back as the sixteenth century.[6] Prior to his translation to Ayr in 1590, John Welsh served as minister of Kirkcudbright.[7] Welsh was famous for his long private prayers, extemporary revivalist preaching and unwillingness to accept Episcopalian innovations. The radical Presbyterian historian, John Howie of Lochgoin, has highlighted Welsh's impact on the Kirkcudbright area.[8] Welsh was succeeded in his ministry by Robert Glendoning. Glendoning's committal to radical Presbyterianism is evident in his willingness to suffer at an advanced age rather than accept Episcopalian innovations. This will be discussed more fully later.[9] While not a minister in Kirkcudbright, the Presbyterian mystic and political theorist, Samuel

---

[6] It is arguably problematic to seek to prove the existence of *continuous* radical Presbyterianism over the space of seventy years. However, Kirkcudbright certainly had important radical Presbyterian ministers during this period that left a direct impact on the population.
[7] J. Howie, *The Scots Worthies* W.H. Carslaw (ed.), (Edinburgh, 1870), pp. 119-39.
[8] Ibid.
[9] H. Scott (ed.), *Fasti Ecclesiae Scoticanae* Vol. 2 (Edinburgh, 1917), p. 416.

Rutherford's tenure in nearby Anwoth strongly accentuated the clerical committal to Presbyterianism in that area. It is important to stress the impact of Rutherford's influence on Kirkcudbright. Almost from his first days in Anwoth, Rutherford corresponded with Marion McNaught, the wife of William Fullarton (Provost of Kirkcudbright).[10] These letters are generally read for devotional reasons but John Coffey has argued that Rutherford's correspondence, particularly to Marion McNaught, are also filled with exhortations to exert influence on her husband to act on behalf of radical Presbyterianism.[11] Rutherford's letters indicate that there was a network of radical Presbyterians in Kirkcudbright in the 1620 and 1630s.[12] These included figures such as the Commissioner for the burgh of Kirkcudbright during the Covenanting wars, Provost John Carson, who is relevant to this thesis.[13] Rutherford also wrote to Lady Jane Kenmure, sister of Archibald Campbell, eighth Earl (later Marquis) of Argyle and apparently a relative of Marion McNaught.[14] Rutherford's letters and correspondents therefore indicate that a network of radical Presbyterians existed in the south-west of Scotland and particularly in the Kirkcudbright area.

Rutherford's letters are a useful source for analysing an incident in 1637 that indicated the desire in Kirkcudbright to refuse to submit to pressure from bishops to accept Episcopalian ministers. By the time Thomas Sydserff became Bishop of Galloway, Robert Glendoning (the Kirkcudbright minister) had reached an advanced age.[15] Glendoning refused to implement Episcopalian ceremonies and would not accept an "assistant" that Sydserff wanted to impose upon him in order to introduce

---

[10] *Letters of Samuel Rutherford* A.A. Bonar (ed.), (Edinburgh, 1891), p. 33, Samuel Rutherford to Marion McNaught, 27 July 1628. It should also be noted that Rutherford's brother George was schoolmaster and reader in Kirkcudbright at this point. See *Letters of Samuel Rutherford,* p. 265 note.
[11] J. Coffey, Politics, Theology and the British Revolutions: The Mind of Samuel Rutherford (Cambridge, 1997), pp. 98-102.
[12] D. Stevenson, "Conventicles in the Kirk, 1619-1637: The Emergence of a Radical Party" *Records of the Scottish Church History Society* 18(1972-4), pp. 99-114.
[13] *Letters of Samuel Rutherford*, p. 251, Samuel Rutherford to John Carson, 11 March 1637. Rutherford also expressed appreciation of John Carson during the difficult period in 1637 when both Rutherford and Robert Glendoning were under threat from Thomas Sydserff, Bishop of Galloway for refusing to submit to liturgical innovations. See p. 431, Samuel Rutherford to Marion McNaught, 8 July 1637. Carson's name and that of namesakes was further linked with such famous Presbyterians as Jean Brown and her son, the famous radical Presbyterian apologist, John (later of Wamphray). See pp. 94-5, Samuel Rutherford to Marion McNaught, 2 March 1634, pp. 480-1, Samuel Rutherford to Marion McNaught, 7 September 1637.
[14] Ibid, pp. 37-40, Samuel Rutherford to Lady Jane Kenmure, 27 July 1628. See also pp. 41, 136 note. Coffey has helpfully counted Rutherford's letters to Lady Jane Kenmure as fifty-six with forty-four being written to Marion McNaught.
[15] Sydserff was a supporter of Laudian innovations such as kneeling at communion. See *Letters of Samuel Rutherford*, pp. 145-6 note.

these.[16] At around this time, Rutherford wrote to John Ewart, William Fullarton and William Glendoning exhorting them to stand firm.[17] He also wrote to Robert Glendoning urging him to persevere until he was released by death. This was due to Glendoning failing in health and having arrived at the advanced age of eighty.[18] As a result of the magistrates' intransigence and unwillingness to incarcerate Glendoning, they were imprisoned in Wigton.[19] This state of impasse continued until the political upheaval of the Covenanting revolution of 1637. The people of Kirkcudbright showed their sympathy with the National Covenant in their petition on its behalf.[20] 1663 was therefore not the first time the people of Kirkcudbright had opposed the introduction of an Episcopalian curate.

In 1638, John McClellan was appointed minister of Kirkcudbright.[21] McClellan appears to have had impeccable militant Presbyterian credentials.[22] He was minister at Kirkcudbright until around 1650.[23] His principles and influence were such, that Thomas Wylie after having been deposed from his Kirkcudbright parish in 1662, reminded his parishioners of McClellan and linked him with John Welsh as being significant in the Presbyterian heritage of that burgh.[24] McClellan's presence coming swiftly after Rutherford's term ensured that there was a strong clerical line of exhortation in favour of Presbyterianism over at least twenty five years prior to the induction of Thomas Wylie, the last Presbyterian incumbent before the implementation of the Episcopalian church settlement. The civil war years saw Kirkcudbright taking an active part on the side of those who had signed the National Covenant. The surviving *Minute Book of the War Committee of the Covenanters in*

---

[16] Ibid.
[17] Ibid. See p. 262, Samuel Rutherford to John Ewart, 13 March 1637, p. 263, Samuel Rutherford to William Fullarton, 13 March 1637, pp. 265-6, Samuel Rutherford to William Glendoning, 13 March 1637. All three were town officers in Kirkcudbright. The Ewart mentioned here is John Ewart elder and not the younger who was involved in the 1663 incident.
[18] Ibid. See pp. 264-5, Samuel Rutherford to Robert Glendoning, 13 March 1637.
[19] *Letters of Samuel Rutherford,* pp. 145-6 note.
[20] J.D. Ogilvie, "The Kirkcudbright Petition of 1637", in, *Edinburgh Bibliographical Transactions Society* (Edinburgh, 1928), pp. 47-8.
[21] *Fasti* Vol. 2, p. 417.
[22] Ibid. McClellan was schoolmaster in Newtonards, County Down prior to becoming a minister. He was thereafter deposed and excommunicated before coming to Scotland. Stevenson has also shown that McClellan was linked in these years with John Livingstone and Robert Blair – two of the foremost militant Presbyterians in this period. See D. Stevenson, "Conventicles in the Kirk, 1619-37", pp. 108-11.
[23] Ibid.
[24] NLS, Wodrow Folios Vol. 32, fol. 84.

the Stewartry of Kirkcudbright affords much detail as to this.[25] It also has various mentions of names relevant to this case study. These include John Ewart elder, John Ewart younger and John Carson.[26] Other leading men in the area were also prominent in the conflicts of these years. Thomas McClelland second Lord Kirkcudbright, (a zealous Presbyterian) was colonel of the South Regiment.[27] He was at the Battle of Philliphaugh in September 1645 and was awarded £10000 from Lord Herries' forfeited estate.[28] He died in 1647.[29] Kirkcudbright also played a part in the Whiggamore raid of 1648.[30] Under John McClelland third Lord Kirkcudbright, who was a consistent supporter of Presbyterianism, a body was raised in support of this. This regiment was also sent into Ireland to participate in the continuing Scottish campaign there but met disaster at Parliamentary hands at Lessnegarvey on 6 December 1649.[31]

Thomas Wylie was appointed minister at Kirkcudbright around 1655.[32] Having already been minister at the neighbouring parish of Borgue a few years earlier, he is likely to have been well known in the area.[33] Wylie appears to have been a worthy successor to Welsh, Rutherford and McClellan. He had already proved his credentials with his role at the skirmish at Mauchline Muir in 1648.[34] It is important to dwell for a moment on this skirmish as it also involved Major General John Middleton (the future High Commissioner to the 1661 parliamentary session) in his role as commander of the forces being mustered for the Engagement of 1648 to free Charles I from imprisonment. The parish of Mauchline was opposed to the

---

[25] J. Nicolson, *Minute Book of the War Committee of the Covenanters in the Stewartry of Kirkcudbright in the years 1640 and 1641* (Kirkcudbright, 1855).
[26] Ibid. For example, see pp. 7-8, 6 July 1640. Both are mentioned as being cited with others in order to discuss the matter of borrowing money for the cause.
[27] Ibid, pp. 196-7. See also J. MacClellan, *Record of the House of Kirkcudbright* (Dumfries, 1906), pp. 33-8 for more details on the activities of the second and third Lord Kirkcudbrights' during this period. For Thomas McClelland second Lord Kirkcudbright's military exploits during the Covenanting wars, see E.M. Furgol, *A Regimental History of the Covenanting Armies* (Edinburgh, 1990), pp. 27, 56.
[28] MacClellan, *Record,* pp. 32-8; Furgol, *Regimental History,* pp. 150-2.
[29] MacClellan, *Record,* pp. 33-8.
[30] Nicolson, *Minute Book,* p.198.
[31] Ibid. For a summary of Scottish participation in combat in Ireland during the Covenanting wars, see Furgol, *Regimental History,* pp. 330-1.
[32] *Fasti* Vol. 2, p.417. After McClellan, and prior to Wylie, a John Craig was minister in Kirkcudbright. There appears to be no further information about him extant other than the brief reference in *Fasti.*
[33] Ibid, p.395.
[34] D. Stevenson, *The Battle of Mauchline Muir* ((Ayrshire Archaeological And Natural History Society, 1973).

Engagement and petitioned against it with Wylie's name heading the signatures.[35] Wylie also took a leading role in a meeting held at Mauchline Muir at this time that was attended by other well-known radical Presbyterian ministers such as William Guthrie and possibly John Neave.[36] This meeting, while ostensibly part of a communion season, was also attended by many men from Clydesdale who were fleeing the forced levies in that shire in connection with the Engagement. David Stevenson has documented the details of the skirmish that ensued between government troops and those who were assembled in his article on this subject.[37] It is only needful here to stress that Middleton was wounded in the back in the skirmish and Wylie suspected that this matter was likely to be held against him after the reintroduction of Episcopacy.[38]

Radical Presbyterianism continued in the Kirkcudbright area until the Episcopalian church settlement was introduced. In April 1661, the Synod of Galloway met to draw up a petition to the Parliament against Episcopacy. This meeting was stopped by James Stewart, second Earl of Galloway.[39] A brief confrontation took place between him and the moderator of the synod, John Park, before the meeting was closed.[40] In June 1662, the failure of the Presbytery of Kirkcudbright to abide by an order banning the meeting of Synods and Presbyteries, led to a feeling by Wylie that trouble was imminent. He therefore decided to try to have one last communion season with his parishioners before any trouble began.[41] This communion season began on 8 June. The importance of Wylie choosing such a form of service to conclude his ministry requires to be emphasized. L.E Schmidt has highlighted the fervour that marked such meetings. In the Restoration period, they were evangelical events where commitment was expressed to God that could lead to supporting Presbyterianism and opposing "Royal and Episcopal authority."[42] On 9 June, Wylie was informed that there was a possibility that Middleton would move

---

[35] NLS, Wodrow Folios Vol. 29, fol. 59.
[36] Stevenson, *Mauchline Muir*.
[37] Ibid.
[38] Ibid. See also NLS, Wodrow Quartos Vol. 35, fol. 133.
[39] Robert Wodrow, *History of the Sufferings of the Church of Scotland from the Restoration to the Revolution* Vol. 1 R. Burns (ed.), (Edinburgh, 1828), pp. 123-8.
[40] Ibid.
[41] NLS, Wodrow Quartos Vol. 35, fol. 129.
[42] L. E. Schmidt, *Holy Fairs: Scottish Communions and American Revivals in the Early Modern Period* (Princeton, 1989), pp. 38-41.

against the Presbytery of Kirkcudbright for keeping Presbytery meetings. On 13 June, Wylie was informed that only some of the Presbytery would be apprehended. Wylie continued with the communion season until Monday 16 June when an alarm of approaching troops was given. Wylie was advised to withdraw from Kirkcudbright before the troops arrived. After ascertaining that, not only was there a general order to apprehend four "Brethren" but also a special order to apprehend him, Wylie withdrew as he felt that he being distinguished would lead to him being punished more severely. When the troops eventually left Kirkcudbright, they also left orders for the magistrates of Kirkcudbright to apprehend Wylie. In order to escape capture, Wylie moved incognito between Edinburgh and Kirkcudbright at least until July. By 12 July, Wylie had written a vindication. His wife urged "friends" in Edinburgh to present this to Middleton. However, Middleton had specifically told the members of the Presbytery of Kirkcudbright who were imprisoned, that he particularly wanted to see Wylie and that Mauchline Muir would not be held against him. Towards the end of July, Wylie wrote a supplication to Middleton, which his wife was instructed to present. In August, Wylie was reunited with his wife who reported that she had spoken to Middleton two or three times and that he had guaranteed that Wylie's life would be safe.[43] The Glasgow Act of 1 October specifically mentioned Wylie and sentenced him to remove himself and family north of the Tay before November 1.[44] Wylie's wife appealed to Lady Cochran (a daughter of John Kennedy, sixth Earl of Cassillis and sister to the eminent Presbyterian, Lady Margaret Kennedy) who obtained more time from Middleton. Wylie met Middleton himself on 22 October, when the Commissioner came to Kirkcudbright. This meeting was amicable and Middleton expressed his respect for Wylie although they disagreed as to church government. Middleton also promised Wylie that he would be allowed to stay on the south side of the Tay although he later stated that the Privy Council would not grant it.[45] Wylie was sentenced to go north of the Tay in November 1662.[46]

---

[43] NLS, Wodrow Quartos Vol. 35, fol. 129.
[44] *RPCS 1661-4*, pp. 269-70, 1 October 1662. See also p. 21 of thesis.
[45] NLS, Wodrow Quartos Vol. 35, fol. 134.
[46] Ibid, fols. 134-5.

While Wylie was absent from his parish, local government began to break down. On 24 September 1662, John Ewart elder, John Ewart younger and Thomas Robson were amongst those elected as burgh councillors.[47] All refused to swear the Oath of Allegiance to Charles II.[48] On 5 October, John Ewart younger was elected Provost Subsequent excerpts in the Burgh Court minutes and Privy Council Report indicates that Ewart did not fulfil his duties. His brother Master William Ewart (who was a Baillie) presided in the Burgh Court. The lack of assistance from those elected may account for the small amount of business concluded by April 1663.[49]

In February 1663, the Privy Council also took steps to deal with other members of the Presbyterian ministry in Galloway. On 24 February, several ministers in Galloway, and at least thirteen in the Presbytery of Kirkcudbright, were ordered to remove themselves, their wives and families from their parishes before 20 March.[50] They were also to appear before the Privy Council on 24 March. Some of those in the Presbytery of Kirkcudbright had parishes in the near vicinity of Kirkcudbright, such as Samuel Arnot of Tongland.[51] On 3 March, the Privy Council ordered the Diocesan meeting of the Synod of Galloway to be postponed until the second Tuesday in May.[52] This was apparently due to "very grave and just considerations."[53] What these were are not stipulated. The proposed introduction of Episcopalian ministers into Galloway may have allowed at least a quorum to meet at the Diocesan meeting of the Synod of Galloway. It is important to see that the removal of the Presbyterian ministers was not an end in itself.[54] Their posts would soon be filled by ministers sympathetic to an Episcopalian church settlement.

---

[47] SOKM, *Burgh Court Book of Kirkcudbright 1658-1669,* fol. 66, 24 September 1662. This source is badly deteriorated in some places although the sense is almost always apparent.
[48] Ibid.
[49] Ibid; fol. 70, 8 April 1663. See also the judgement of the Privy Council regarding local government in Kirkcudbright in *RPCS 1661-4,* pp. 372-6, 9 June 1663. John Ewart younger was exempted from the Act of Indemnity in 1662 and fined £360. He was therefore regarded by the authorities as a radical Presbyterian who would not be sympathetic to an Episcopalian church settlement. See *The Parliaments of Scotland: Burgh and Shire Commissioners* Vol. 1 M.D. Young (ed.), (Edinburgh, 1992), pp. 232-3.
[50] *RPCS 1661-4*, pp. 338-9, 24 February 1663.
[51] Ibid.
[52] Ibid, p. 345, 3 March 1663.
[53] Ibid.
[54] There seems to have been concerted action in the early months of 1663 to move the church settlement on. Galloway, as a perceived bastion of radical Presbyterianism, was a particular focus of the government.

The prospect of curates being introduced into Galloway may well have been the impetus for two letters that Wylie sent to his Presbytery and parishioners in April 1663. On 15 April, Wylie wrote to the Presbytery of Kirkcudbright from Dundee.[55] He recalled their unity in the Lord's Work (in other words the promulgation of radical Presbyterianism). He also expressed his confidence in their united "judgement in affection in suffering for the cause of Christ." Wylie's letter also referred to the "inexcusable disloyalty were it not to espouse, avow and maintain and that upon all hazards the cause and quarrel of the prince of the Kings of the earth." Wylie also stressed the need for "as much real, pure unmixed zeal in the hearts of his servants for the maintenance of his (Christ's) prerogatives royal." He further acknowledged the sufferings of the Presbytery and, that as they were now deposed, their "silent pulpits" and their "expulsed families" would preach for them. After criticizing bishops, and affirming that Presbyterianism was consistent with loyalty to the King, Wylie asked the Presbytery to "remember my condition and the condition of my family." The tone and purpose of this letter appears to have been aimed at bolstering the Presbyterian clergy in the area of Kirkcudbright to stand fast in the defence of the favoured form of church government, even if it meant suffering.[56]

On the same day, Wylie also wrote a letter to the Congregation of Kirkcudbright.[57] Wylie immediately began by referring to the "sad and forced distance" between the people of Kirkcudbright and him. He also referred to them as the result of his labour there. Wylie further stressed the very real danger that "grievous wolves enter in amongst you not sparing the flock." He further recalled the "plenty and purity of ordinances" that they had received and reminded them of the labours of John Welsh and John McClellan. Because of this, Wylie exhorted his parishioners to be even more wary of "the violent intrusion" of "hirelings." Wylie went on to speak of the danger of "seminary priests" and the "unbloody sacrifice of the Mass" being set up amongst them. In doing so, Wylie is not referring to the Episcopalian curates, but the very fact that he mentioned elements of Roman Catholicism is evidence that he was using a powerful tool to persuade the people of

---

[55] NLS, Wodrow Folios Vol. 32, fol. 84, 15 April 1663 .The individual pagination of this source and others by Wylie is unclear. The whole source should be consulted for clarification of the page involved.
[56] Ibid. All above references are taken from this source.
[57] NLS, Wodrow Folios Vol. 32, fol. 82, 15 April 1663.

Kirkcudbright to cling to Presbyterianism. Wylie stressed that Presbyterianism was a "fixed determinate government" which God would not and could not change. Wylie ended his letter by stressing the kingly rights of Christ as opposed to any earthly king, and exhorting the congregation of the need "of submission and patience to endure sufferings" and "public mindedness for the house and work of God." Wylie's letter is a powerful exhortation to his parishioners on behalf of radical Presbyterianism. Having left them suddenly and subsequently gone into hiding for some time before being officially sent north of the Tay, the impact of such a letter to parishioners on the eve of having an Episcopalian curate forced upon them, cannot be over stated.[58] The dates of both of these letters is worthy of note. They were both written on 15 April. If the riot in Kirkcudbright took place at the end of April, (as will be argued) then there was ample time for these two letters to have an incendiary effect on the population of Kirkcudbright.

Establishing an exact account of the nature of the riot in Kirkcudbright in 1663 is more problematic than describing the background to the incident. The sources from which this can be ascertained consist mainly of accounts by the Presbyterian historians William Row, James Kirkton, John Blackadder and Robert Wodrow. Their versions can be briefly summarized. Blackadder, only briefly mentions Kirkcudbright and focuses instead on the riot in Irongray.[59] Kirkton follows Blackadder's account in only briefly mentioning Kirkcudbright and is not accurate in his details as to this.[60] More detail is provided by Row and Wodrow. Row indicated that John Jaffray, the prospective Episcopalian curate, came to Kirkcudbright and offered to preach. This led to a stir and opposition by some women.[61] Wodrow, writing sixty years after the event, followed Kirkton's version

---

[58] Ibid. All references are taken from the above source. In terms of the threat of Roman Catholicism it should be noted that some landowners in the area such as the Maxwells of Munches were avowed followers of Rome. There is no evidence, however, that they attempted to introduce Catholicism at this point into south-west Scotland. See NLS Wodrow Quartos Vol. 97, fols. 11-2 for a reference to the Maxwells of Munches being Roman Catholics.

[59] NLS, Wodrow Quartos Vol. 97, fols. 21-2.

[60] J. Kirkton, *A History of The Church of Scotland* R. Stewart (ed.), (Lampeter, 1992), p. 95. Kirkton stated that ten women were taken from Kirkcudbright and imprisoned in Edinburgh. These had to stand at the market place with papers on their head. This is incorrect. As the chapter will show, five were taken to Edinburgh, imprisoned and later underwent this sentence.

[61] W. Row, *The Life of Robert Blair & Supplement To His Life and Continuation of The History of the Times to 1680* T. McCrie (ed.), (Edinburgh, 1848), pp. 437-8. Comments on Presbyterian historians have been restricted to those alive at the time or shortly after.

(as he commonly does) but also records almost verbatim the Privy Council Register excerpts which make no mention of *ten* women from Kirkcudbright being pilloried.[62] There also appears to be a distinct lack of historiographical references by chroniclers who may have been more sympathetic to the Episcopalian or at least the Royalist cause. A pivotal source for this period in Restoration Scotland is the account by Sir James Turner, a veteran soldier and commander of the King's forces in south-west Scotland, of his incursions into Galloway and the later incidents which led up to the Pentland Rising. Turner referred to the Kirkcudbright incident as the precursor and reason for his first foray into this region.[63] He stated that the incident at Kirkcudbright was "a quarrel between the minister and some of the people of Kirkcudbright." [64] He also stated that some women were carried to Edinburgh, imprisoned in the tolbooth there, and Provost John Ewart younger was banished from Scotland for failing to appease the riot.[65] As has been seen, Pepys wrote in his diary that he had heard while dining in the King's Head in London that it seemed possible that Scotland would explode as it had done in 1637 at the introduction of the Laudian prayer book in Edinburgh.[66] However, Pepys also added that James Hamilton, the Bishop of Galloway had been "outraged" by rioters.[67] There is also a paucity of eyewitness accounts of what actually took place at Kirkcudbright. The official report of the Commission set up to deal with these riots only presented summary reports. In these reports, it is recorded that depositions were considered from witnesses.[68] However, no written record of these depositions appears to be extant. This, in effect, means that only a circumscribed report exists of these incidents. Outside of these official reports, there are isolated references in correspondence of statesmen that at best are reports from persons who were a great distance from the relevant areas at the

---

[62] Wodrow, *History* Vol. 1, pp. 363-9.
[63] Sir J. Turner, *Memoirs of His Own Life and Times* (Edinburgh, 1829), pp. 139-40. There appears to be no mention in Burnet's History. See G. Burnet, *History of My Own Time* 2Vols. O. Airy (ed.), (Oxford, 1897).
[64] Ibid, p. 139.
[65] Ibid.
[66] *Diary Of Samuel Pepys* Vol. 4 1663, pp. 130-1. The letter from Henry Coventry to James Butler Duke of Ormond on 12 May also referred to the Bishop of Galloway but there is no evidence that he was present. See HMC, *Ormond MSS*, pp. 52-3.
[67] Ibid.
[68] *RPCS 1661-4*, pp. 372-7, 9 June 1663.

time of the riots.[69] However, there is at least one reference that seemed to have been the result of interrogation of those involved. In a letter to Lauderdale, Sir John Gilmour, President of the Lord of Session, indicated that the burgesses from Kirkcudbright "looked through their fingers" in their houses while their wives were "most eminent and active" in the riot.[70] A petition from John Ewart is also extant which sought to mitigate his sentence by stating that he felt it his duty to keep his family in his house while the riot was going on outside. [71]

The various accounts of chronologers and eyewitnesses arguably suggest the following is an accurate account of the nature of the riot. It is difficult to place an exact date on which the tumult occurred in Kirkcudbright. However, an excerpt from the Burgh Court minutes of Kirkcudbright on 27 April indicates that they had received a communication from Chancellor Glencairn and that because of this they nominated William Ewart to "repair to Edinburgh" and respond to this letter[72] Glencairn's letter does seem to fix the tumult in the latter part of April.[73] According to the Privy Council Report, Glencairn sent a letter to John McClelland third Lord Kirkcudbright prior to the tumult taking place.[74] On being questioned by the Commission after the tumult, Lord Kirkcudbright confirmed that he had received this letter.[75] While this letter appears to be lost, the Privy Council Report indicates its contents. The report stated that Lord Kirkcudbright "acknowledges the receiving of my Lord Chancellors letter before the tumult, and that he refused to compesce the tumult upon his own particular interest..."[76] This implies notification had been given that a minister was to be presented by the government and bishop. A

---

[69] [69] BL, Add. MSS 23119, fol. 26, William Sharp to Earl of Lauderdale, 7 May 1663, fol. 27, William Sharp to Earl of Lauderdale, 16 May 1663; TFA, fol.1434, Earl of Glencairn to Earl of Lauderdale, 14 May 1663.

[70] EUL, Laing MSS Vol. 3, fol. 33, Sir John Gilmour to Earl of Lauderdale. Unfortunately, this is undated. By the substance of the letter, it appears to have been written sometime in mid May 1663.

[71] TFA, fol. 5252, August 1663. The date on which this written is also not mentioned but from the substance of the letter, it appears to be August 1663.

[72] SOKM, *Kirkcudbright Burgh Court Minutes,* fol. 71, 27 April 1663.

[73] According to the Privy Council records, Glencairn was appointed to deal with a riot in Neilston (near Glasgow) similar to those in Kirkcudbright and Irongray. The excerpt in question is on 14 April. This appears to be distinct from the tumults now being looked at and almost certainly earlier. Gilmour's letter to Lauderdale includes a reference to the Chancellor being in the West. He seems to have been there dealing with the matter in Neilston. See *RPCS 1661-4,* pp. 354-5, 14 April 1663.

[74] Ibid, pp. 372-7, 9 June 1663.

[75] Ibid.

[76] Ibid. This appears to suggest that Lord Kirkcudbright felt he had the right of presentation. It appears strange that someone attached to radical Presbyterianism should be adamant to secure his right of patronage as opposed to leaving this in the hands of the church session.

newsletter from Robert Mein to Henry Muddiman also suggested that the bishop felt the need of official support from the Privy Council in order to ensure that the curate's entry was peaceable.[77] The delivery of this letter may or may not be equivalent to Row's statement of John Jaffray, the proposed Episcopalian curate, "offering to preach."[78] The actual tumult appears to have taken place when Jaffray *persisted* to attempt to preach.[79] Mein's letter also intimated that "the parishioners declared that they would pull him out of the pulpit, if he attempted to preach" and that when "he persisted…a tumult arose, and the women especially would not let him go on."[80] This indicates that the place of the tumult was the church. It appears that the riot lasted for an extended period. Both John Carson and Lord Kirkcudbright were asked by James Thomson, commissar "to go with the rest to compesce the tumult."[81] John Ewart younger was also asked his advice by William Ewart and Robert Glendoning, baillies, on how to stop the riot.[82] None of those who were asked agreed to help. However, the time taken to speak to them suggests a lengthy period during which the riot took place. After these failed attempts to secure help, the remaining town officers seem to have gone to the place of the riot. As a result, the tumult ended.[83] This is the extent of the information available as to what took place at the riot.

The response of the Privy Council to the riot in Kirkcudbright was swift and authoritarian. According to Sir John Gilmour, Glencairn was notified of the tumult in Kirkcudbright while he was "in the west."[84] Glencairn's response was to summons "persons whose wives or children had chief hand in the tumult."[85] No specific meeting of the Privy Council was called and Gilmour had to justify to Lauderdale at length their reasons for not doing so.[86] According to the Burgh Court minutes of Kirkcudbright, the letter from Glencairn was discussed by the Town

---

[77] *CSPD 1663-4*, p. 131, Robert Mein to Henry Muddiman, 7 May 1663.
[78] Row, *Life of Robert Blair*, pp. 437-8.
[79] *CSPD 1663-4*, p. 131, Robert Mein to Henry Muddiman, 7 May 1663.
[80] Ibid.
[81] *RPCS 1661-4*, pp. 372-7, 9 June 1663.
[82] Ibid.
[83] Ibid.
[84] EUL, Laing MSS Vol. 3, fol. 33, Sir John Gilmour to Earl of Lauderdale (n.d.).
[85] Ibid. The reference to children should be noted. However, there is no further record of any involvement from children in the riot although a daughter of a local inhabitant was deemed one of the most responsible.
[86] Ibid.

Council on 27 April.[87] As a result, Master William Ewart was chosen to go to Edinburgh to answer Glencairn's letter.[88] Ewart was to carry a letter of explanation from the town officials in Kirkcudbright.[89] Adam Gannoquhin, John Halliday, John McStaffen, James Hunter, Alexander McClean, Alexander Keuchton, John Carson, Alexander McKay and Samuel Carmont (all from Kirkcudbright) were cited to appear before the Privy Council on 5 May.[90] All with the exception of James Hunter appeared.[91] They all subsequently denied being present or being involved in any way in the riot.[92] John McStaffen and Alexander McClean were ordered to give a guarantee that they present their wives before the Privy Council.[93] The rest were confined to Edinburgh Tolbooth and ordered to remain there until their wives appeared before the Privy Council.[94] On the same day, the Privy Council set up a Commission to deal with the tumult in Kirkcudbright. This was composed of George Livingstone third Earl of Linlithgow, James Johnston second earl of Annandale, James Stewart second Earl of Galloway, William Douglas Lord Drumlanrig and Sir John Wauchope of Niddrie.[95]

The terms of the Commission highlighted the lack of "settled magistracy and government within the …burgh of Kirkcudbright."[96] It went on to state that due to several persons who had been chosen as magistrates refusing to take up their office, no civil policy existed within Kirkcudbright and the inhabitants were at liberty to do what they wished without fear of restraint from any authority. Concerning the riot, the Commission was instructed to go to Kirkcudbright and to "call the persons who have either been committers, plotters of, assisters to or connivers at the insolvencies and abuses foresaid." After witnesses had been heard, if there were "just grounds", those guilty were to be secured and sent to Edinburgh or a bond taken for them to appear before the Privy Council when called for. The Commission was to further examine why there were no magistrates and find out if there were those who

---

[87] SOKM, *Burgh Court Book of Kirkcudbright,* fol. 71, 27 April 1663.
[88] Ibid.
[89] Ibid.
[90] *RPCS 1661-4,* pp. 357-9, 5 May 1663.
[91] Ibid.
[92] Ibid.
[93] Ibid.
[94] Ibid.
[95] Ibid.
[96] Ibid.

obstructed the establishment of lawful government within Kirkcudbright. Magistrates who had been chosen and subsequently refused office were to be imprisoned or take a bond under caution of penalty, if the terms were broken. The Commission was also to see that a formal election took place by those well affected in Kirkcudbright for the office of magistrate. If the Commission saw fit, the charter of the burgh was to be secured and exhibited before the Privy Council. The final part of the brief of the Commission was to aid and assist "the bishops of the respective dioceses for settling such ministers in these places as they shall ordain and appoint." In order to ensure that there was no resistance, the Earl of Linlithgow was to take one hundred horse and two hundred foot of the King's Guards. These were to have free quarters in Kirkcudbright with thirty shillings to be paid to each horseman and twelve shillings to each footman, daily. If any resistance arose, the Commissioners were given power to suppress it and call upon stewards and other civil officers for assistance.[97]

By 8 May, plans were in place for the Commander of the troops, Sir James Turner to uplift the excise of Ayrshire as he went through that county on his way to Galloway, presumably as a further means of funding the Commission.[98] From a statement of the Earl of Linlithgow on 12 May at Glasgow, to the Commissioners of Excise of Ayrshire, it is clear that he was proceeding in that direction to get to Kirkcudbright.[99] Certainly, by 7 May, the town officers of Kirkcudbright were aware that soldiers were imminent. Plans were therefore instituted in order to give them full quartering.[100] By 20 May, the Earl of Galloway and Sir John Wauchope of Niddrie had witnessed the remaining town officers of Kirkcudbright take the Oath of Allegiance to Charles II and the Declaration of Parliament against the Covenants.[101] On 22 May, the Earl of Galloway and Sir John Wauchope of Niddrie also attended

---

[97] Ibid. All the above information is taken from the terms of the Commission. In order to fund the military, the Earl of Linlithgow was to be advanced £6000. £1440 was also to be paid to the Earl of Linlithgow to meet his charges with £600 to Sir John Wauchope of Niddrie. These sums of money were to be met out of outstanding excise

[98] NAS, E 78/22/3, 12 May 1663.

[99] Ibid.

[100] SOKM, *Burgh Court Book of Kirkcudbright,* fol. 71, 7 May 1663. The reader may note the short time that it took for word to reach Kirkcudbright from Edinburgh. It will be argued later that this was in stark contrast to the delay in time when the sentence passed on the guilty women was communicated officially from the Privy Council to Kirkcudbright Burgh Court.

[101] Ibid, fol. 72, 20 May 1663.

the burgh court meeting.[102] At this meeting, John Ewart younger and Patrick Carson admitted being elected Provost and baillie at the previous election.[103] On interrogation, they both refused to accept the outcome of the election.[104] Because of this and because there were at least five other councillors "dead, sick and absent", eight persons were elected as councillors.[105] These all took the Oath of Allegiance and the Declaration against the Covenants.[106] In the ensuing elections, Master William Ewart was elected Provost with John Newall and Robert Glendoning elected as baillies.[107] These town officers together with the other magistrates gave a bond that they would live peacefully in loyalty to Charles II and protect the Bishop of Galloway and his ministers.[108] A penalty of £12000 was payable within a month if the Privy Council proved the terms of the bond had been transgressed.[109]

On 25 May, the Commission sat at Kirkcudbright. Twenty-three women were cited to appear along with Lord Kirkcudbright, John Carson and John Ewart. As a result of the investigations of the Commission, five women (four of them widows) who were deemed to have been most active in the riot, were ordered to be carried prisoner to Edinburgh and appear before the Privy Council.[110] Ten other women (many of them the wives of burgesses) were deemed to be accessory to the riot and were to be imprisoned in Kirkcudbright until they each found £1200 caution to appear before the Privy Council or Parliament when called.[111] The women gave these bonds on that day.[112] Lord Kirkcudbright was deemed accessory to the tumult for failing to appease the rioters and saying he would have done this if, *he* had presented the minister. He was therefore to be carried with a guard to Edinburgh.[113]

---

[102] Ibid.
[103] Ibid, fol. 72, 22 May 1663.
[104] Ibid.
[105] Ibid.
[106] Ibid.
[107] Ibid.
[108] *RPCS 1661-4*, pp. 372-7, 9 June 1663
[109] Ibid.
[110] Ibid.
[111] Ibid
[112] Ibid
[113] Ibid. An excerpt in the Privy Council records on 30 July confirms that Lord Kirkcudbright was not carried prisoner to Edinburgh. On that day a supplication was entered by him in which he claimed that due "to a most sad and dangerous indisposition" he was unable to appear before the Privy Council on 24 June. He now sought for his appearance to be dispensed with and "his bond retired and the term prorogued". The Privy Council decided to "dispense with his appearance" and to return his bond. See *RPCS 1661-4*, pp. 398-9, 30 June 1663.

This was also to be the case with John Carson for refusing help to Commissar Thomson to appease the riot.[114] John Ewart younger was also to be carried to Edinburgh for failing to give advice for appeasing the tumult as well as refusing to be Provost although he sat as a Commissioner of Excise.[115]

The report of the Commission was read out in the Privy Council on 9 June. At this point, five burgesses of Kirkcudbright who had appeared when called earlier were now allowed to go free, as their wives had found caution. They were freed on condition that they took a bond to submit themselves peacefully to the present government of church and state and to give due reverence to the bishop of the diocese, the magistrates of the burgh and the local Episcopalian minister.[116] They were also to promise to go to church and take the ordinances and to stop any riot that should arise if required by the magistrates.[117] No further action appears to have been taken during June against those who had been brought to Edinburgh. On 23 June, David Falconer (Lord Halkerton) and Sir Robert Murray were appointed to examine Linlithgow's accounts and the report of the Commission.[118] On the same day, the Privy Council ordered the keeper of the tolbooth to take notice of those who visited the prisoners and their conversation and behaviour.[119] This was due to reports of ministers and lay persons visiting the prisoners and praying with them to persist and that "God…(would) give them an outgate."[120] Also on the same day, one of the widows from Kirkcudbright (Jean Raynie) was granted the liberty of Edinburgh due to a doctor's certificate being provided which stressed the danger to her life, because of being bedridden and lacking fresh air. The same "favour" was sought by the other four women from Kirkcudbright and John Carson and John Ewart.[121] On 14 July, the Privy Council approved the service and report of the Commission and recommended the Exchequer to pay Linlithgow's accounts as they had been checked by Lord Halkerton and Sir Robert Murray. The Privy Council then decided to move further

---

[114] *RPCS 1661-4*, pp. 372-7, 9 June 1663..
[115] Ibid.
[116] Ibid, p. 377. These were Adam Gannoquhen, Jon Halliday, Samuel Carmont, Alexander McClean and Alexander Keochton.
[117] Ibid.
[118] Ibid, pp. 385, 23 June 1663.
[119] Ibid, p. 384.
[120] Ibid. It is worthy of noting here that Sir James Turner claimed that the women went home richer than they came. See Turner, *Memoirs*, p. 140. While this may be exaggerated, this excerpt from the Privy Council records does indicate the prisoners were a source of pity to Presbyterians in Edinburgh.
[121] *RPCS 1661-4*, pp. 372-7, 9 June 1663.

in dealing with the prisoners by adding James Graham, second Marquis of Montrose and Alexander Montgomerie, eighth Earl of Eglinton to Lord Halkerton and Sir Robert Murray. These were instructed to call the prisoners before them, to consider their temper and disposition, and to examine the report of the Commission.[122]

On 13 August, sentence was pronounced on the rioters. It is interesting to note that the men, who at the most only failed to help stop the riot, were dealt with first and punished more severely than the women.[123] John Carson and John Ewart were judged guilty of the riots and abuses. As a result, Carson was fined £5332. John Ewart was sentenced to banishment out of Scotland, to leave within twenty days and was not to return without licence from the King or Privy Council.[124] The five Kirkcudbright women brought to Edinburgh were sentenced to stand for two hours on two separate market days at Kirkcudbright market cross with each having a paper on their faces stating that their fault was contempt of the King's authority and rioting. If they failed or delayed in this, they were to be whipped through the town and banished from its liberties.[125] This appears to indicate that the Privy Council considered the failure of town officers to intervene more serious than the overt acts of the women involved. On giving a bond to obey the sentence, the prisoners were to be released.[126] On the same day, Alexander Keuchton and Alexander McClean (both Kirkcudbright burgesses) were to be freed from prison, providing they subscribed a band of relief in keeping with that of the Kirkcudbright magistrates for the "peaceable and loyal carriage" of all in Kirkcudbright.[127]

Unofficial and official steps were taken to mitigate these sentences. The Burgh Court at Kirkcudbright discussed the case of the women on 10 September. It was admitted that Sir Peter Wedderburne, Clerk to the Privy Council had written on 13 August detailing the sentence to be inflicted on the women. It therefore charged that the sentence should be carried out on the following day, 11 September.[128] On that day, the Burgh Court again met. Those present stated that the sentence had been

---

[122] Ibid, pp. 390, 14 July 1663.
[123] Ibid, pp. 401-2, 13 August 1663.
[124] Ibid. The subsequent mitigation of these fines will be discussed shortly.
[125] Ibid. The other women imprisoned in Kirkcudbright Tolbooth are not mentioned in any sentence. They were presumably released on failure of the Privy Council to prosecute further their case.
[126] Ibid.
[127] Ibid.
[128] SOKM, *Burgh Court Book of Kirkcudbright,* fol. 75, 10 September 1663.

carried out and that a report should be sent to the Privy Council to that effect. However, the report was also to mention, that the letter of 13 August detailing the sentence, was only received on the night of 10 September. Due to this, there were no more market days until after 15 September and therefore they could not make these persons undergo another day's punishment without further notice from the Privy Council.[129] This implies that it took Sir Peter Wedderburne four weeks to send a letter to Kirkcudbright. This seems highly unlikely and is in direct contrast to the few days it took the Commission to travel from Edinburgh to the Stewartry of Kirkcudbright. In showing leniency to the women, the town council of Kirkcudbright appear to have been marked by gender considerations in regarding them as objects of pity.

Carson and Ewart also sought to mitigate their sentence. Ewart admitted his omission in not suppressing the tumult but stated he felt it best to keep his family indoors and that this was the best he could do because he was not a magistrate.[130] He also sought to appeal against the refusal to take the Declaration against the Covenants as grounds for banishment. In his opinion, he was a private citizen and not in a public capacity. Ewart further testified to being weak due to consumption and having six children of nine and under, with his wife due to give birth. He also stated that he was responsible for the affairs of his father, had little substance of his own and had suffered under the Cromwellian occupation.[131] On 25 August, this petition was offered to the Privy Council.[132] However, the only positive result of this was to extend the time of preparation for banishment until 1 March 1664.[133] On the same day, Carson also petitioned for the mitigation or remission of his fine. Carson stated that he did not live in Kirkcudbright. He further stated that he was sorry for omission of duty but that this was through ignorance and not disloyalty as he thought he should not meddle in a public matter because he was not in a position of public trust. He also stated he was unable to pay the fine and the prospect of his family of being scattered. His fine was subsequently reduced to £2666 to be paid before

---

[129] Ibid, fol. 75, 11 September 1663.
[130] TFA, fol. 5252.
[131] Ibid.
[132] *RPCS 1661-4,* pp. 419-20, 25 August 1663.
[133] Ibid. Whether this was ever carried out will be discussed later.

Martinmas.[134] The dramatic change in the sentences meted out to Ewart and Carson appear to be attributable to intercession on their behalf by sympathetic friends. A letter by Ewart to Thomas Wylie on 27 August, which gave details of the reduced sentences, also stated that he had visited that day "the ladies at court" and thanked them for their frequent intercessions on his behalf. These "ladies at court", had told Ewart that Wylie's wife had been extremely active in soliciting for all the prisoners but in particular for him. Ewart also stated that he was free at the moment but Carson remained in prison because he was going to make another petition.[135]

It is difficult to ascertain from available sources whether all these sentences were executed. There are subsequent records of Ewart's attendance at the Conventions of Royal Burghs in 1689.[136] Correspondence of Lady Margaret Kennedy to Lauderdale indicates that in 1664 she appealed to him for mitigation of the sentence of Carson and Ewart. In early 1664, Lady Margaret wrote to Lauderdale, and begged him to answer the petitions of the Kirkcudbright prisoners because of the nearness of the 1 March deadline and that they had trusted solely on these petitions rather than taking any other action.[137] Ewart's sentence of banishment was to take effect from 1 March. He therefore appears to be the person referred to in this letter. A further letter of Lady Margaret's on 24 March appears to confirm this. In this letter, she referred to a letter of Lauderdale being brought by one of the "poor Kirkcudbright women" in the hope that "the answer of her husband's petition" was in it.[138] Lady Margaret urged Lauderdale in this letter to ensure that an answer was sent before 1 March.[139] A further letter of Lady Margaret to Lauderdale on 2 March

---

[134] Ibid. Carson (sometimes spelled Carsan or Corsan) was prominent on the Committee of War in 1648 and 1649. he also represented Kirkcudbright at three Conventions of Burghs in 1648 and 1649 during the radical Presbyterian regime. Like Ewart, he seems to have been singled out by the authorities as having radical Presbyterian sympathies. See *Parliaments of Scotland: Burgh and Shire Commissioners* Vol. 1 M.D. Young (ed.), p. 144.

[135] NLS, Wodrow Quartos Vol. 29, fol. 253, John Ewart to Thomas Wylie, 29 August 1663 The subsequent text will indicate that these ladies at court probably included Lady Margaret Kennedy.

[136] See J. Robinson, *Burghal Life in Kirkcudbright In The Olden Time* (Kirkcudbright, 1912), p. 70 for an account of representation from Kirkcudbright at the Convention of Royal Burghs in this period. Ewart seems to have lain low during the whole of the reigns of Charles II and James VII.

[137] *Letters of Lady Margaret Kennedy to John Duke of Lauderdale* C.K. Sharpe (ed.), (Edinburgh, 1829), p.10-11, (n.d.). This letter is undated, but according to its statements appears to be from early 1664. The lack of full dates on Lady Margaret's correspondence will be discussed more fully in the case study relating to her.

[138] Ibid, p.14, 24 February 1664.

[139] Ibid.

suggests that not only Ewart had petitioned but also Carson.[140] There is no further reference of this in the Privy Council records although (as already stated) Ewart did mention in a letter to Wylie at the end of August 1663 that Carson was going to petition again for further mitigation of their fines.[141] In the letter on 2 March, Lady Margaret stressed how concerned she was for Carson. This was due to him being too sick to travel into Edinburgh to enter into prison and not able to pay the £2666. As a result, Lady Margaret thought the fine would be exacted and the "poor people will be ruined." This was particularly galling to her, as she appears to have told them they need not take any other action but depend on her assistance.[142] In a further letter to Lauderdale on 19 March, Lady Margaret, in strongly worded sentiments, gave more information as to the way the Kirkcudbright petitioners had taken for redress. Lady Margaret stated that she stopped them making application to the Privy Council because the sentence was so unjust that Charles II should remove the sentence. In this letter, Lady Margaret seemed to suggest that two previous letters of Lauderdale to her on 8 March and 12 March held out little chance of redress.[143] In the last letter extant, that Lady Margaret sent to Lauderdale dealing with this subject, she indicated that there would be no remission for at least Carson. Carson's fine of £2666 was still outstanding but Lady Margaret requested that the bond to the Exchequer should be obtained from the Exchequer and sent to her in order that she would satisfy an unnamed Edinburgh man who had acted as guarantee for the bond.[144] Correspondence between Lauderdale and Tweeddale in 1668 indicates that Lauderdale was successful in getting Carson's fine suspended in 1664.[145] Lady

---

[140] Ibid, p. 15, 2 March 1664.
[141] NLS, Wodrow Quartos Vol. 29, fol. 253, John Ewart to Thomas Wylie, 29 August 1663.
[142] *Letters of Lady Margaret Kennedy*, p. 15, 2 March 1664.
[143] Ibid, pp. 16-17, 19 March 1664.
[144] Ibid, pp. 19-20, 30 April 1664. This correspondence also throws some light on the "Edinbrow man" who was tormenting Carson. This man was Thomas Moncrieff. He had a minor post in the Treasury and was involved in a further scandal in relation to a foreign ship caught when coming from the West Indies in the mid 1660s. See SHS, *Miscellany* Vol. 6 (Edinburgh, 1939), pp. 189-91, Earl of Lauderdale to Earl of Tweeddale, 9 January 1669, pp. 197-8, Earl of Lauderdale to Earl of Tweeddale 30 January 1669. In the former letter, Lauderdale refers to "vile embezzlements made in the West India prize taken at Zetland..." In the latter letter, Lauderdale mentions Moncrieff's role in concealing evidence of a notebook detailing goods on the ship that appeared now to be missing.
[145] SHS *Miscellany* Vol. 6, pp. 150-2, Earl of Lauderdale to Sir Robert Moray and Earl of Tweeddale, 28 January 1668.

Margaret seems to have pursued Lauderdale for the next four years until Charles II officially absolved Carson from paying the fine.[146]

Having established the background, nature and response to the riot in Kirkcudbright, it is possible now to turn to an analysis of the social background of those involved. It is clear that in the Kirkcudbright incident, the women who were judged accessory to the riot were related to burgesses in the town.[147] The term burgess is wide enough to include wealthy merchants and poorer tradesmen.[148] However, both retained the social classification of burgess status as opposed to aristocracy or landless labourer.[149] In Kirkcudbright, the women involved were related to burgesses who were part of the fabric of a parish that was steeped in Presbyterianism and which was determined to oppose any deviation from this. However, it is important to note that those regarded as leaders in the riot either were widows or described as a daughter. Blackadder indicated that one of these (Agnes Maxwell) was an eminent Christian and the other four inconsiderable.[150] There is no record of any of the women being aristocrats even though Lord Kirkcudbright was present. The women involved did not originate from above the middle rank with those leading being amongst the lowest rank of Scottish society. This suggests that there exists a relation between the form of dissent and the social background of the women who participated in the riot. Women who were prepared to use violence as a means of opposing (or not conforming) to the Episcopalian church settlement arguably did so because it appeared to be for them the most suitable form of dissent. In contrast to this, it was a female member of the high aristocracy (Lady Margaret

---

[146] Ibid, pp. 155-7, Earl of Lauderdale to Sir Robert Moray, 27 February 1668. Lauderdale stated, "Yow have also the King's pleasure signified as to J. Carson's bond, of which you must give our wife notice your self'.

[147] See Appendix D. The designation of the status of these women by quoting their husbands occupation is not an unconscious attempt to underestimate their independence. As Logue has shown for a later period, women are generally referred to in the sources as the wives, widows or daughters of men. The historian has, therefore, to follow suit. See K.J. Logue, *Popular Disturbances in Scotland 1780-1815* (Edinburgh, 1979), p. 191.

[148] See J.K. McMillan, 'A Study of the Edinburgh Burgess Community and its Economic Activities, 1600-1680' (PhD: University of Edinburgh, 1984), pp. 23, 30.

[149] It is important to remember that a titled male could become a burgess. However, while having the right to buy and sell in a particular town or city, their social status was always that of aristocracy rather than that of burgess. It is noteworthy that Sir John Wauchope of Niddrie was made a burgess of Kirkcudbright while part of the Commission dealing with the riot. See SOKM, *Burgh Court Book of Kirkcudbright,* fol. 72, 22 May 1663.

[150] See Appendix D; NLS, Wodrow Quartos Vol. 97, fol. 21.

Kennedy) who used her influence through petitioning to have the sentences of the men reduced.

The lack of involvement of men begs the question as to how much the women involved acted on their own initiative.[151] It is clear that Sir John Gilmour asserted that the councillors imprisoned in Edinburgh "looked through their fingers while their wives were most eminent and active in the tumult."[152] This suggests that there *could* have been a strategy of using women to minimise the risk of punishment. However, the women who were eventually punished were not the wives of councillors but mostly widows. Also, the Commission was specifically ordered to enquire as to whether there were "committers, plotters of, assisters to or connivers at the insolences…"[153] There is no evidence that they found any proof to suggest that this was a premeditated action designed by men but using women. Ultimately, the main charges against the men involved were for failing to stop the riot and not for having part in it.[154] There does not appear to be evidence to prove that the women involved acted on anything but their own initiative.

The treatment of the women convicted suggests that the authorities were governed by gender considerations in passing and executing sentence. Initially there is no sign of this as the five women from Kirkcudbright deemed most responsible were taken to Edinburgh along with the men.[155] However, once the women arrived at Edinburgh the emphasis changed and the men were treated with more severity. Ewart and Carson were fined or sentenced to banishment for not appeasing the riot.[156] The women, who were regarded as leaders in the riot, were only sentenced to two days in the pillory.[157] The actual execution of the sentence on the women may also have been marked by gender considerations by the Burgh Court of Kirkcudbright. As has been already noticed, this body appear to have intentionally sought to restrict their appearance in the market place with a paper on their face on market day to only one occasion instead of two.[158] It appears at least safe to say that

---

[151] *RPCS 1661-4*, pp. 372-7, 9 June 1663
[152] EUL, Laing MSS Vol. 3, fol. 33, Sir John Gilmour to Earl of Lauderdale (n.d.).
[153] *RPCS 1661-4*, pp. 357-9, 5 May 1663.
[154] Ibid, pp. 372-7, 9 June 1663.
[155] Ibid.
[156] Ibid, pp. 401-2, 13 August 1663.
[157] Ibid.
[158] SOKM, *Burgh Court Book of Kirkcudbright,* fol. 75, 10-11 September 1663.

the women involved were treated more leniently while having a much more prominent role than the men involved and that gender considerations were involved.

In concluding this chapter it can be seen that he riot at the introduction of an Episcopalian curate in Kirkcudbright took place in the context of a parish which was steeped in radical Presbyterianism right up until the incident took place. Women were undoubtedly the overwhelming proportion of the rioters with men at best failing to appease the riot. No evidence is extant to suggest that women were mere pawns used by men. Those involved in the riot were of no higher status than wives of burgesses with those primarily involved lower down the social scale. In terms of the sentencing of the women, the authorities initially were marked by severity but later lapsed to leniency even though the women played a more prominent part in the riot. The Kirkcudbright riot therefore suggests a relation between violent protest and a middle to lower social strata of non-conforming Presbyterian women. It also indicates that women were prepared to act on their own initiative unmoved by the gender constructions of docility which the governing elite sought to impose on them. Where gender considerations did exist was in the same governing elite who were prepared to punish women far more leniently than men even though their part was more prominent and violent.

Chapter 5

Riots in South-West Scotland in 1663: Irongray

At approximately the same time as riots were occurring in Kirkcudbright an incident also occurred in Irongray, a country parish just outside Dumfries in south-west Scotland. As a much smaller parish that did not have burgh status, Irongray was not regarded as important as Kirkcudbright in the correspondence of statesmen at the time or in the punishments meted out. Nevertheless, these differing details from the incident in Kirkcudbright provide an opportunity for contrast and comparison of two riots that took place at approximately the same time yet in settlements that had a different social structure.[1] This chapter will firstly establish a narrative of the incident in Irongray. The chapter will then turn to analysis of the social background of those involved, whether women acted on their own initiative and whether the authorities were governed by gender in sentencing of those involved.

Due to the relative smallness and unimportance of the parish of Irongray there is not the same amount of information extant as to its religious history prior to the Restoration as there is regarding Kirkcudbright. From *Fasti Ecclesiae Scoticanae,* it appears that John Welsh became minister in 1653.[2] Welsh was the son of a Scottish Presbyterian minister, Josias Welsh, who was forced to leave Scotland due to the introduction of Episcopalian innovation such as kneeling in communion and who went to preach in Ulster for the sake of conscience. Welsh therefore had an immediate link with radical Presbyterianism.[3] Indeed, with forebears including the radical Presbyterian preacher John Welsh and John Knox, Welsh had a pedigree rich in fervency for his chosen form of church government.[4] The memoirs of the Presbyterian conventicle preacher, John Blackadder, indicate that Welsh followed in his parish a stringent Presbyterian pattern in relation to church discipline and joint

---

[1] As the chapter progresses it will be seen that as Irongray was a country parish, heritors (owners of land) were deemed responsible for the safety of the minister and the maintenance of order in the area.
[2] H. Scott (ed.), *Fasti Ecclesiae Scoticanae* Vol. 2 (Edinburgh, 1917), p. 287.
[3] See J. Howie, *The Scots Worthies* W.H. Carslaw (ed.), (Edinburgh, 1870), pp. 152-3 for a brief biography of Welsh's father, Josias Welsh.
[4] Ibid.

participation in communion seasons.[5] Blackadder appeared to regard Welsh, himself and a further local Presbyterian preacher, George Johnston, as a triumvirate within the Presbytery of Dumfries who sought to visit and instil in their flocks the need of righteous living, personal sanctification and a regard for the Presbyterian form of church government.[6] Therefore, Irongray like Kirkcudbright was also marked by a degree of noticeable radical Presbyterianism. By the advent of the Restoration, it had a clergyman who evidently held to these principles and was part of a small group of ministers who ultimately defied the introduction of Episcopacy through preaching at conventicles in houses and fields.[7]

According to Blackadder, immediately after the Act Recissory of 28 March 1661, the Presbyterian minister of Irongray found himself in difficulty with the authorities.[8] This was due to a former minister of Irongray called Patrick Brown, who had been deposed for immorality but still lived in the area and went to hear Welsh preach.[9] Brown reported to David McBrair (a local heritor) that Welsh had called the Parliament that passed the Act Recissory a "drunken Parliament."[10] As a result, this rumour was conveyed to Edinburgh and an order was sent to a local landowner (George Maxwell of Munches) in March 1661, to apprehend Welsh. Blackadder gave a graphic account of the details surrounding Welsh's arrest. Blackadder claimed that Maxwell arrived on Sunday evening but refrained from acting because it was a communion season with Welsh due to preach at Holywood (a neighbouring parish) on Monday. Welsh gave himself up to Maxwell on the following Tuesday.[11] Perhaps the most significant part of Blackadder's account is the claim the Irongray parishioners were extremely unwilling to let Welsh go and that he had to tear himself away from them. There may well be the element of exaggerated sentimentality in Blackadder's account but the emotion exhibited at Welsh's departure to Edinburgh is an indication of the attachment of his parishioners to him. On this occasion, Welsh went gladly but had it been otherwise it is plausible that the emotion of his parishioners may well have been channelled into more

---

[5] NLS, Wodrow Quartos Vol. 97, fols. 5-10.
[6] Ibid.
[7] Ibid.
[8] NLS, Wodrow Quartos Vol. 97, fols. 11-12. For Act Recissory, see pp. 19-20 of thesis.
[9] Ibid.
[10] Ibid.
[11] Ibid.

aggressive action. When Welsh arrived in Edinburgh, he was called before the Lords of Articles but acquitted because the witnesses against him were unable to agree on their testimony.[12] While Welsh was absent, James Douglas, second Earl of Queensberry and James Johnston, second Earl of Annandale forcibly dissolved a meeting of the Synod of Dumfries. This meant that it was hindered from formulating a petition for the ratification of Presbyterian church government and implementing an act disciplining ministers who conformed to Episcopacy.[13] That such an attempt was made suggests that the surrounding area were also dissatisfied with the state of ecclesiastical affairs.

The passing of the Glasgow Act on 1 October 1662, led Welsh to leave his parish as he was appointed after 1649 without patronage and collation,[14] Welsh immediately identified himself with another Presbyterian minister, Gabriel Semple, in the area of land owned by John Neilson of Corsock (a Galloway laird sympathetic to radical Presbyterianism).[15] Both ministers immediately preached in fields and were almost certainly the first in Scotland in this period to do so.[16] Welsh continued an itinerant ministry in association with Semple with Blackadder later joining them.[17] Unlike the letters which passed from Thomas Wylie to his parishioners in Kirkcudbright there does not appear to be extant any correspondence from Welsh to his Irongray parishioners immediately prior to April 1663. However, his open air preaching with others does suggest that ample opportunity was available to the parishioners of Irongray to continue to hear a radical Presbyterian ministry. Therefore, there were also conditions in Irongray similar to those in Kirkcudbright by the time an Episcopalian minister was about to be imposed on the parish.

The sources from which an exact account of the nature of the incident in Irongray can be ascertained are similar to that of Kirkcudbright. Presbyterian historians Blackadder, James Kirkton and Robert Wodrow all mentioned the riot in Irongray. These all gave varying reports of the exact nature of the incident at

---

[12] Ibid. The official records have all been searched but no record found of Welsh appearing before the Lords of Articles. However, Blackadder's account is graphic enough to establish that this did in fact take place.
[13] Ibid, fols. 10-12. See also R. Wodrow, *History of the Sufferings of the Church of Scotland from the Restoration to the Revolution* Vol.1 R. Burns (ed.), (Edinburgh, 1828), p. 123.
[14] *Fasti,* Vol. 2, p. 287. See p.21 of thesis for Glasgow Act.
[15] NLS, Add. MSS 3473, fols. 27-8.
[16] Ibid. Semple states that he preached first but Welsh joined in later.
[17] Ibid.

Irongray. Blackadder dwelt on the incident in Irongray and gave details of the actions of a group of women who opposed the Episcopalian curate even though he was accompanied by a group of the King's guard.[18] Kirkton followed Blackadder's account and mentioned a Margaret Smith as being head of the women.[19] Both of these regarded women as responsible for these riots although Kirkton also stated that no men or women of "fashion" dared to be present.[20] Wodrow followed Kirkton's version but also recorded almost verbatim the Privy Council Register excerpts that did not mention Margaret Smith.[21] Unlike Kirkcudbright, there are no mentions by Episcopalian or at least Royalist sympathisers such as Sir James Turner of the riot in Irongray. Mentions of Irongray were also conspicuously absent in the correspondence of statesmen who referred to events in south-west Scotland.[22] The emphasis was placed on what was happening in the burgh of Kirkcudbright. There is also a paucity of eyewitness accounts of what actually took place in Irongray. The official report of the Commission that dealt with this, only presented a summary report. In these reports it is recorded that depositions were considered from witnesses.[23] However, like Kirkcudbright, no written record of these depositions appears to be extant. The various sources collated together suggest that the following is an accurate account of what took place in the riot at Irongray.

At some point in April, the parishioners in Irongray were informed of the proposed entrance of the Episcopalian curate, Bernard Sanderson in place of Welsh.[24] As a result, several unlawful convocations of the people of Irongray took place at which William Arnot of Littlepark (a local heritor), was present.[25] According to Kirkton, Sanderson sought to take "peaceable possession" of his charge. However this being refused, Sanderson returned with a party of the King's

---

[18] NLS, Wodrow Quartos Vol. 97, fols. 21-2. Crichton's edition of these memoirs is, on this subject, an amalgamation of accounts of Blackadder and James Kirkton. The original manuscript has been cited throughout this chapter. See *Memoirs of the Rev. John Blackadder* A. Crichton (ed.), p. 118 note.
[19] J. Kirkton, *A History of the Church of Scotland* R. Stewart (ed), (Lampeter, 1992), p. 95.
[20] Ibid, p. 95. He therefore limits the kind of women involved to those who were poorer. This is an important point and will be discussed later
[21] Wodrow, *History,* Vol. 1, pp. 363-9.
[22] Sir John Gilmour only briefly mentioned Irongray in a letter to Lauderdale that dwelt on Kirkcudbright. See, EUL, Laing MSS Vol. 3, fol. 33, Sir John Gilmour to Earl of Lauderdale (n.d.).
[23] *RPCS 1661-4*, pp. 372-7, 9 June 1663.
[24] Ibid.
[25] Ibid.

guard.[26] Blackadder further indicated that messengers were sent ahead to intimate that Sanderson was coming to be admitted into his charge.[27] The Privy Council Report at this point indicated that this involved serving an edict that Sanderson be allowed to enter his ministry in Irongray and that he was joined with another Episcopalian minister called John Wishett who was to preach at his ordination.[28] Blackadder also stressed that a party of the King's guard was with them.[29] At this point, the Privy Council Report only provides the barest details as to what happened, particularly concerning the role of the women of the parish. It recorded that William Arnot of Littlepark (a local heritor) was condemned for failing to assist to hold the women involved in the riot at the serving of the edict.[30] It further stated that there "hath been a great convocation and tumult of women."[31] However there had been "no special probation of any persons particular miscarriage more then there being there present at the tumult."[32] Blackadder's account gives a much fuller picture. He stated that, when it was intimated by messengers that Sanderson was about to enter the church accompanied by soldiers, some women hid behind the fence in the churchyard and threw stones at the approaching party who were armed with swords and pistols. This led to the party with the curate retreating.[33] Kirkton added here that Margaret Smith was at the head of the women.[34] Blackadder further stated that one of the parishioners stood in front of the church door with a drawn sword and said, "let me see who will place a minister here this day."[35] The Privy Council Report confirmed this account and indicated that this was William Arnot and that Thomas McBrair hindered him from fully drawing his sword.[36] It is not exactly clear when this took place. However, from this source and Blackadder's account it appears to have taken place near the church door, within the churchyard, at around

---

[26] Kirkton, *History,* p. 95.
[27] NLS, Wodrow Quartos Vol. 97, fols. 21-2.
[28] *RPCS 1661-4,* pp. 372-7, 9 June 1663. Wishett appears to be another Episcopalian curate who was representing what existed of the Galloway Diocese at Sanderson's induction.
[29] NLS, Wodrow Quartos Vol. 97, fols. 21-2.
[30] *RPCS 1661-4*, pp. 372-7, 9 June 1663
[31] Ibid.
[32] Ibid.
[33] NLS, Wodrow Quartos Vol. 97, fols. 21-2.
[34] Kirkton, *History,* p. 95.
[35] Ibid.
[36] *RPCS 1661-4*, pp. 372-7, 9 June 1663. No details are available as to Thomas McBrair. He may have been another local heritor.

the same time as the women were throwing stones as the soldiers advanced with the curates and messengers towards the churchyard. The Privy Council Report also stated that George Rome (a local heritor) was in the vicinity but was unwilling to intervene to stop the tumult.[37] Therefore, like Kirkcudbright, other responsible persons in the area were nearby the riot at the time it took place but failed to intervene.

While this is arguably an accurate account, one question remains unanswered - the alleged role of Margaret Smith. There is no mention whatever of her either in the Privy Council Report or in the manuscript copy of Blackadder's memoirs. However, Kirkton seems certain that she took the leading role amongst the women. Kirkton goes on to state that she was the next day "brought before our lords, and banished to Barbados but she told her tale so innocently, that our lords were ashamed to execute it."[38] There is no account of this in official records. This does not in itself prove that Kirkton was mistaken. However, it is more likely that Blackadder, who lived only a short distance from Irongray (and who specifically mentioned the name of at least one of the Kirkcudbright women), would have mentioned Margaret Smith and her subsequent sentence. It is possible that the soldiers went to Edinburgh in order to inform the Privy Council from James Hamilton, Bishop of Galloway of what took place. They may well have taken one who they perceived to have been a ringleader. The subsequent sending of three hundred troops does indicate that the Privy Council viewed these riots as serious and could possibly have acted in a summary fashion in sentencing Smith to banishment. However, the lack of references in official records and Presbyterian historians in the vicinity at that time, at the very least throws doubt upon this. It is difficult to state absolutely that this did not happen. The lack of evidence to substantiate this almost leaves it in a similar position to that of the alleged martyrdom of Margaret Lachlison and Margaret Wilson at Wigton in 1685.[39]

The response to the incident in Irongray was part of a wider response in Kirkcudbright that was discussed in the last chapter. The heritors of Irongray were

---

[37] Ibid.
[38] Kirkton, *History,* p. 95.
[39] See remarks on Wigton martyrs by Cowan in E.J. Cowan, "The Covenanting Tradition in Scottish History", in E.J. Cowan & R.J. Finlay, *Scottish History: The Power of the Past* (Edinburgh, 2002)., pp. 130-7.

named at the end of a session that was primarily aimed at dealing with the disturbance in Kirkcudbright but there is no indication that any were present before the Privy Council at this stage.[40] On the same day, the Privy Council instructed the same Commission which was to deal with the tumults in Kirkcudbright also to deal with that in Irongray.[41] The terms of the Commission as to Irongray first dwelt upon the nature of the riot.[42] The Earls of Linlithgow, Galloway and Annandale, Lord Drumlanrig and Sir John Wauchope of Niddrie were also instructed to go to Irongray and to "call the persons who have either been committers, plotters of, assisters to or connivers at the insolences and abuses foresaid."[43] After witnesses had been heard, if there were "just grounds", those guilty were to be secured and sent to Edinburgh or caution taken for them to appear before the Privy Council.[44] The final part of the brief of the Commission was to aid and assist "the bishops of the respective dioceses for settling such ministers in these places as they shall ordain and appoint."[45]

On 22 May, while the Commission was dealing with the miscreants in Kirkcudbright, the Earls of Galloway, Annandale, Lord Drumlanrig and Sir John Wauchope of Niddrie concurred that the Earl of Linlithgow send a party to Irongray to attend the admission of the minister on the next Sunday.[46] Having dealt with the incident at Kirkcudbright, the Commission then sat at Dumfries on 30 May. The Commission called before them those thought to be responsible for the riot in Irongray.[47] While the Commission concluded that many women were involved in the riot, they could not prove that any were more responsible than others were.[48] However, they did discover William Arnot's part in holding meetings prior to the attempted introduction of the curate. They also discovered his willingness to stand with his back to the church door with a drawn sword. Arnot was found guilty of the

---

[40] *RPCS 1661-4*, pp. 372-7, 9 June 1663.
[41] Ibid.
[42] Ibid.
[43] Ibid.
[44] Ibid.
[45] Ibid.
[46] NLS, Add. MSS 9639, fol. 70, 22 May 1663.
[47] *RPCS 1661-4*, pp. 372-7, 9 June 1663. The relative unimportance of Irongray should be noted from this. At best, it was a hamlet with a church at the centre. Dumfries as being the nearest major town was arguably the most suitable place for the Commission to sit.
[48] Ibid. As was discussed earlier, this is of course in stark contrast to the account of Kirkton.

tumult and ordered to be taken to Edinburgh.[49] George Rome of Beoch was imprisoned in the area until he gave a bond for £3332 to appear before the Privy Council or Parliament when required. This was for failing to help in stopping the riot and therefore conniving at it.[50] Due to there being no proof of what women were responsible, the parish was to be quartered upon until the following Monday and each heritor to give a bond for £1200 to keep the peace. Those who failed to appear were to be apprehended by James Crichton, Sheriff of Nithsdale and to appear before the Privy Council or Parliament before 28 June.[51] The behaviour of the Commission and its troops seem to have commended them to the Town Council of Dumfries. On 1 June, they appointed a letter to be sent to the Privy Council signifying their "contentment, satisfaction and congratulation" concerning the Commission and particularly the Earl of Linlithgow's willingness that the soldiers quarters should be paid before they departed.[52]

The report of the Commission that was read out in the Privy Council on 9 June outlined what had taken place in the riot in Irongray and their steps to deal with this.[53] No further mention of William Arnot appears in the Privy Council Register until 23 June when he sought liberty from his imprisonment in Edinburgh Tolbooth.[54] The next reference to the Irongray tumult in the Privy Council Register was on 13 August. On that date, Arnot was fined £3332. If this was not paid he was to be banished. He was also to make public acknowledgement of his fault on two Sabbath days in the church at Irongray in presence of the whole congregation.[55] On 23 August, Arnot presented a petition that sought mitigation of his sentence. He stated that he had little substance; that his wife's life rent was arrested by creditors and that he had not acted out of disloyalty to the King but had been faithful to him during the "late revolutions." Arnot's sentence was mitigated to £666 but he had still had to perform his penance on two Sabbath Days in the church of Irongray.[56]

---

[49] Ibid.
[50] Ibid.
[51] Ibid. There appears to be no record of any other persons being apprehended under this order.
[52] DA, *Dumfries Town Council Minutes 1651-1663,* fol. 231, 1 June 1663. This has helpfully been transcribed by local historian, Mr A.E. Truckell.
[53] *RPCS 1661-4*, pp. 372-7, 9 June 1663.
[54] Ibid, p. 671, 23 June 1663.
[55] Ibid, pp. 401-2, 13 August 1663.
[56] Ibid, pp. 420-1, 23 August 1663.

Having established a narrative of the background, nature and response to the riot in Irongray, a framework now exists for analysis of the social status of those involved. It is clear that both men and women were involved in this riot but that the proportion and role of each varied according to gender. William Arnot (a heritor) was the sole male charged in taking part in the riot.[57] Kirkton claimed, "no man or woman of fashion durst appear."[58] However, Arnot is proof that at least a heritor was present. The composition of the female rioters in Irongray (apart from the sole reference to Margaret Smith that has seen to be problematic) is unknown. Kirkton stated that poorer women were involved.[59] If this is accepted as true, it would seem to suggest that women of a servant or cottar background were involved. Smout has shown that such persons made up the vast majority of the population in Scotland in this period.[60] While this may mean that, a lower class than the wives of burgesses in Kirkcudbright were involved it concurs with the status of the five women deemed most responsible for the riot there. This further confirms that women of such status were prepared to use this form of protest to voice their dissent while their more refined female Presbyterian counterparts were conspicuous by their absence. Kirkton appeared to confirm this in stating that such acts were the "extravagant practises of the rabble."[61]

From the narrative account, it is also possible to ascertain whether the women involved acted on their own initiative or whether they were part of a preconceived plan to thwart the admission of the curate without the help of men who would be likely to be punished more severely. Unlike Kirkcudbright there does seem to be clear evidence that meetings involving William Arnot had taken place before the riot in Irongray.[62] However, the Privy Council Report specifically mentions William Arnot's role in partially drawing his sword as a distinct episode from the "great convocation and tumult of women."[63] There is therefore no suggestion that the women were ordered or inspired by Arnot *at that time* to create a tumult in order to deflect attention from him. This is an important point as part of the original

---

[57] Ibid, p. 376, 9 June 1663; p. 420, 25 August 1663.
[58] Kirkton, *History,* p. 95.
[59] Ibid. The earlier reference to the reliability of Kirkton as a witness should be born in mind.
[60] T.C. Smout, *A History of the Scottish People 1560-1830* (London, 1977), p. 135.
[61] Kirkton, *History,* p. 95.
[62] *RPCS 1661-4,* pp. 372-7, 9 June 1663.
[63] Ibid.

Commission of the Privy Council was to "call the persons who have either been committers, plotters of, assisters to or connivers at the insolences of the abuses foresaid."[64] No plot of any kind appears to have been uncovered and the riot by the women seems to have been of their own making.[65]

In a similar way to the women convicted in Kirkcudbright, the treatment by the authorities of the women involved in the incident in Irongray suggests that they were governed by gender considerations. No women were punished for stoning government troops whereas William Arnot was fined ultimately £666 for drawing his sword.[66] However, *if* Margaret Smith existed, the story relating to her would suggest that the Privy Council was prepared to deal with her more severely but that ultimately the execution of the sentence was stopped due to her gender.[67] This follows the same pattern as the women involved in the Kirkcudbright riot although in their case it was the Town Council in Kirkcudbright who appear to have intentionally mitigated their sentences.[68] It is plausible that women acted on their own initiative because they felt they would not be punished so severely. However, if the case of Margaret Smith is genuine, she must have felt extremely nervous as to whether this would hold true before she was finally relieved of her sentence of banishment to Barbados.

This chapter has shown that like its counterpart in Kirkcudbright, the background of the riot that took place in Irongray in April 1663 stemmed from an affectionate respect from the parishioners for their deposed Presbyterian minister and hatred for the proposed Episcopalian incumbent. Women were clearly the main actors in the riot in Irongray. While meetings had taken place prior to the riot and one male was fined for drawing his sword, there is no evidence that the women acted under his orders. It is unclear whether any woman was more responsible than others due to conflicting accounts concerning the role of Margaret Smith. However, it is clear that the women involved all came from a low social standing. Gender

---

[64] Ibid. Thus if any prior order was given to the women as part of a plot it was not apparently discovered by the Commission.
[65] Or at least no evidence is provided to point to the contrary.
[66] RPCS 1661-4, pp. 372-7, 9 June 1663; pp. 401-2, 13 August 1663; pp. 420-1, 23 August 1663.
[67] Kirkton, *History,* p. 95.
[68] SOKM, *Burgh Court Book of Kirkcudbright*, fol. 75, 10-11 September 1663.

considerations appear to have marked the authorities in their willingness to regard the more violent actions of women as less serious than those of the men

In concluding this case study, several comparisons and contrast to are apparent between the riots in Kirkcudbright and Irongray. Both places had radical Presbyterian credentials and a close relationship with their Presbyterian ministers. In Kirkcudbright, there is no evidence that the riot was anything other than spontaneous while in Irongray there were meetings prior to the tumult taking place but no evidence that a riot was planned. This conclusion as to a lack of planning is in contrast to the judgement of historians such as Gordon Donaldson and Michael Lynch who claim that the riots in Edinburgh in 1637 at the introduction of the Laudian prayer book were planned.[69] In both Kirkcudbright and Irongray, women were by far the greatest proportion of those who took part in the riots although in the latter a male heritor did draw his sword. That women were prepared to take a pro-active violent stance in defence of their favourite ministers on their own initiative is in keeping with the judgement of Kenneth Logue for a later period. Logue has shown that, in the period between 1780 and 1815, women were more likely to riot in relation to the imposition of ministers than on any other issue.[70] In terms of the social background of the women, it is clear that they were from burgess status and below. In Kirkcudbright, several women married to burgesses took part with the leading women being either widowed or unmarried while in Irongray the women involved were from a lower social standing similar to those who led in Kirkcudbright. This is in keeping with further remarks by Logue who has shown that the widespread armed revolt in Galloway over the enclosure of farmland in 1724 involved economically disadvantaged groups.[71] There is little substantial evidence that women were motivated by men in Kirkcudbright to riot. There *may* be reason for believing this was the case in Irongray due to the meetings there prior to the riot but this is circumstantial evidence at best. Gender considerations were evident in sentencing women both from Kirkcudbright and Irongray. Women were treated

---

[69] See G. Donaldson, *Scotland James V-James VII* (Edinburgh, 1965), p. 311 note; M. Lynch, *Scotland A New History* (London, 1991), p. 263.

[70] Logue, *Popular Disturbances,* pp. 199-203. The women studied by Logue rioted over patronage - the enforced introduction of a minister by a heritor with the right of presentation. The parallels with the cases studied here only emphasize the willingness of Presbyterian women to act in an overt way to demonstrate the strength of their beliefs.

[71] Logue, *Popular Disturbances,* p. 6.

more leniently in both places by the authorities even though their part was more serious. This is arguably part of a wider pattern. As Logue has shown, between 1780 and 1815, women were charged with less than half of the riots they were involved in.[72] There is also no evidence that women were used by men because of the likelihood of this. It is just as plausible that women rioted because they believed they would be treated more leniently. This judgement is in keeping with that expressed by Louise Yeoman in her work on the inner experiences of Presbyterians in this period.[73] Ultimately, both riots indicate a pro-active body of lower to middle social status non-conforming Presbyterian women who were prepared to act violently to show their dissent against the Episcopalian church settlement even if it meant suffering. This conclusion suggests that in the south-west of Scotland, in 1663, women did more than make up the numbers in Presbyterian dissent. They were the prime, virtually the only, movers to stop the imposed introduction of Episcopal curates.[74]

---

[72] Ibid, p. 199.
[73] Yeoman's judgement can be seen in L. Yeoman, 'Heart Work: Emotion, Empowerment and Authority in Covenanting Times' (PhD: University of St. Andrews, 1991), pp. 259-60.
[74] See *RPCS 1691*, pp. 140-1, 19 February 1691 for a complaint as to the enforced removal or "rabbling" in Tinron of an Episcopalian minister by radical Presbyterians at the Williamite Revolution in 1688 and 1689.

Chapter 6

Edinburgh 1: House Conventicles in Edinburgh between 1660 and 1679 - The Role of Non-Conforming Presbyterian Women

The city of Edinburgh provides an excellent opportunity to chart the activities of female Presbyterian dissenters between 1660 and 1679. The reasons for this are relatively simple. In terms of its size, Edinburgh was at least ten times larger than any other town in Scotland in this period. As a capital city, Edinburgh was also the governmental, administrative and judicial centre of Scotland.[1] The Presbyterian General Assembly (or whatever approximated to it in a time of persecution) also usually met in Edinburgh.[2] The influence of the capital in secular and religious matters was therefore paramount. In assessing the roles of non-conforming Presbyterian women in Edinburgh from 1660 to 1679, three particular aspects of dissent will be analysed. These are: the role of Presbyterian women in hosting and attending conventicles; the part Presbyterian women played in harbouring outlawed Presbyterians at the time of the attempted assassination of Archbishop James Sharp in July 1668; and the role of Presbyterian women in June 1674 in petitioning the Privy Council for liberty for Presbyterian clergy to preach. As conventicling was the lifeblood of the Presbyterian dissenting community in Edinburgh, it will be discussed first before turning to the more specific aspects of non-conformity.

Presbyterians deprived by the Episcopalian church settlement of legally hearing their ministers did not live in a vacuum. Their remedy for overcoming this lack was to participate in conventicles - illegal meetings (generally of Presbyterians)

---

[1] See H. Dingwall, *Late Seventeenth Century Edinburgh – A Demographic Study* (Aldershot, 1994), pp. 13-21 for a discussion on population size and concentration in Edinburgh. Although this study is based on tax returns in the 1690s, the general picture as to population size and concentration arguably holds good for the Restoration period. See H. Arnot, *A History of Edinburgh* (Edinburgh, 1998), pp. 136-7 for an account of Edinburgh in the mid-seventeenth century. See L.A.M. Stewart, 'Politics and Religion in Edinburgh 1617-53' (PhD: University of Edinburgh, 2003) for a recent thesis which traces the activities of Presbyterians in Edinburgh in the earlier part of the seventeenth century. For a study of the burgess community in Edinburgh in the seventeenth century, see J.K. McMillan, 'A Study of the Edinburgh Burgess Community and its Economic Activities, 1600-1680' (PhD: University of Edinburgh, 1984). For a study which places society in Edinburgh in the context of other capital cities in the three kingdoms, see J.A. Ferguson, 'A Comparative Study of Urban Society in Edinburgh, Dublin and London in the Later Seventeenth Century' (PhD: University of St. Andrews, 1982).

[2] See J. Kirkton, *History of the Church of Scotland* R. Stewart (ed.), (Lampeter, 1992), pp. 189-93.

held in houses or fields with a minister and laity present. This chapter seeks to discuss the role of Presbyterian women in conventicles held in Edinburgh between 1660 and 1679 by firstly providing a chronological overview of conventicles in Edinburgh. Thereafter, the role of women in hosting and attending conventicles will be discussed. Having established the nature of the role of women in conventicling, their social background will then be analysed with the chapter concluding by gauging whether the authorities were marked by considerations of gender in punishing female conventiclers.

The sources available for a study of house conventicling in Edinburgh from 1660 to 1679 consist of official records, correspondence and accounts by Presbyterian historians. As house conventicling in Edinburgh came under the scrutiny of the Privy Council, the records of that body were invaluable in assessing the extent of the role of women in these illegal meetings. However, these often provide only a summary of events. The correspondence of Privy Councillors to the Secretary of State for Scotland, John Maitland, second Earl and first Duke of Lauderdale provide detail that is lacking in official sources such as useful information as to the background of those who attended conventicles. Analysis of accounts of conventicle preachers, such as John Blackadder, provides a Presbyterian viewpoint of illegal meetings in Edinburgh. These accounts, like official records and correspondence of statesmen, are open to bias. However, by consulting all three of these sources, a reasonably accurate picture can be constructed of house conventicling in Edinburgh.[3]

According to Blackadder, house conventicles occurred in Edinburgh from the time of the leading Protestor James Guthrie's execution in 1661.[4] As the 1660s progressed, several ministers from the south-west went to Edinburgh to find safety

---

[3] *Register of the Privy Council of Scotland Third Series 1661-1691* 16 vols. (P.H. Brown et al. (eds.), (Edinburgh, 1908 – 70). For an example of a detailed account of a conventicle in a letter to Lauderdale, see TFA, fol. 2068, Earl of Tweeddale to Earl of Lauderdale, 3 March 1669. Blackadder's account is the most detailed of accounts of Presbyterian ministers who preached at conventicles in Restoration Scotland. See *Memoirs of the Reverend John Blackadder* A. Crichton (ed.), (Edinburgh, 1826).

[4] *Memoirs of the Rev. John Blackadder*, pp. 134-5. These took place in Guthrie's widow's house. Guthrie was arrested in August 1660 for his part in a gathering of Presbyterian ministers who met together to draw up a petition on behalf of their favoured form of church government. This was termed a conventicle. See NAS, PA 11/13, *Register of the Committee of Estates* 23 August-13 October 1660 fol. 5, "Act prohibiting all unlawful, unwarrantable meetings or conventicles in any place in Scotland etc.", 24 August 1660. Guthrie was executed on 1 June 1661.

due to the incursions of troops into Nithsdale and Galloway to hinder continued conventicling. Perhaps the most important example of these was Blackadder himself.[5] The introduction into Edinburgh of so many non-conformist Presbyterian ministers particularly from the south-west led to an increase in house conventicles.[6] This came to the notice of the Privy Council. On 23 February 1664, it ordered the magistrates of Edinburgh to search the city for conventicles due to the "several private meetings" held there.[7] This was followed by a further act on 17 November 1664 which stipulated that all ministers deposed from their parishes since January 1661 were to leave Edinburgh within forty eight hours and reside six miles from there or any other cathedral church, three miles from a royal burgh and twenty miles from their former parish.[8] This seemed to have had only a temporary effect. The Presbyterian minister, William Row, stated that by late 1665 several deposed Presbyterian ministers were still hiding in Edinburgh and continuing to preach.[9] In December 1665, the Privy Council again sought to counteract the tendency of deposed Presbyterian ministers coming to Edinburgh. On 7 December, it reiterated that deposed Presbyterian ministers should not reside within six miles of Edinburgh.[10] House conventicles, however, continued to increase in the capital. From Whitsunday 1666 through to the Pentland Rising in November 1666, large house conventicles were held in new more spacious lodgings that Blackadder had taken at the head of the Cowgate.[11]

The Pentland Rising had the immediate effect of halting house conventicles in Edinburgh with Presbyterian preachers being forced to lie low in its aftermath.[12] However, the Pentland Rising also conversely led to the increase of proscribed Presbyterians surreptitiously entering Edinburgh in order to find a place of safety amidst its warren like streets.[13] Blackadder concluded that after the Pentland Rising,

---

[5] *Memoirs of the Rev. John Blackadder,* p. 118.
[6] Ibid, pp. 134-5.
[7] *RPCS 1661-4,* p. 511, 23 February 1664.
[8] Ibid, p. 624, 17 November 1664.
[9] W. Row, *The Life of Robert Blair & Supplement to His Life and Continuation of the History of the Times to 1680* T. McCrie (ed.), (Edinburgh, 1848), p. 482.
[10] *RPCS 1665-9*, pp. 107-8, 7 December 1665.
[11] *Memoirs of the Rev. John Blackadder,* p. 119.
[12] Ibid, p. 124.
[13] Ibid. Blackadder stated that he wrote to Presbyterians in the south-west of Scotland and urged that those pursued by government troops due to their involvement in the Pentland Rising should come to Edinburgh and find safety.

conventicles in Edinburgh increased to such an extent that "in many houses at once there would have been several rooms full at a time..."[14] Blackadder did not quantify the frequency and number of those attending these. However, it is clear from other sources that the authorities in 1667 were concerned about the number of deposed Presbyterian ministers and house conventicles in Edinburgh. In that year, Lauderdale and John Hay, second Earl of Tweeddale, pressurised the Provost of Edinburgh, Sir Andrew Ramsay, to remove deposed ministers from Edinburgh and halt house conventicles. Ramsay claimed to be successful in this but Blackadder and the Privy Council records paint a different picture.[15] On 23 January 1668, Ramsay appeared before the Privy Council.[16] He stated that the earlier order to search for deposed Presbyterian ministers had led most of them to leave Edinburgh.[17] However, this does not appear to have been accepted and on 10 February, the Privy Council recommended that deposed ministers should be "driven out of Edinb(urgh)."[18] The Privy Council also wrote to Lauderdale to ask him to inform Charles II that acts passed previously in relation to conventicles (and particularly with regard to Edinburgh) would now be put into vigorous execution.[19] The attempted assassination of Archbishop James Sharp, in July 1668, led to the Town Council of Edinburgh signing a bond that stipulated that the magistrates would need to pay £600 for each conventicle discovered in its jurisdiction.[20] This means that the Privy Council Register from 1669 becomes a major source for the activity amongst Presbyterians in Edinburgh in holding conventicles. At approximately the same time, Blackadder was pressed by Presbyterians in different areas to visit them and preach.[21] While Blackadder accepted these invitations and henceforth preached in

---

[14] Ibid, pp. 134-5.
[15] See NLS, Add MSS 81.1.14, fol. 25, Sir Andrew Ramsay to Earl of Lauderdale, 17 February 1667, fol. 29, Sir Andrew Ramsay to Earl of Lauderdale, 13 November 1667. See also Appendix to *Letters from Archibald Earl of Argyll to John Duke of Lauderdale* C.K. Sharpe (ed.), (Edinburgh, 1829), pp. 118-20, 22 August 1667. In the second of these letters Ramsay states that "those of the City are most peaceable and loyally inclined, free of conventicles..."
[16] TFA, fol. 1870, Sir Peter Wedderburne to Earl of Lauderdale. There is no date on this. The archivist has speculated 1667 but it appears to link with the next cited letter and is arguably therefore from January 1668. See also TFA, fol. 1884, Sir Robert Moray to Earl of Lauderdale, 23 January 1668.
[17] Ibid, fol. 1884, Sir Robert Moray to Earl of Lauderdale, 23 January 1668.
[18] Ibid, fol. 1891, Sir Robert Moray to Earl of Lauderdale, 10 February 1669.
[19] *RPCS 1665-9*, p. 414, 27 February 1668.
[20] Ibid, pp. 501-2, 29 July 1668.
[21] *Memoirs of the Rev. John Blackadder*, pp. 135-6.

most parts of Scotland south of the Tay, his base remained at Edinburgh and he always returned after conventicles to exercise his ministry in that city.[22] Other deposed Presbyterian ministers in Edinburgh, such as David Home, also continued to preach at house conventicles. The Privy Council appear to have been aware of this. On 10 December 1668, the Privy Council ordered the magistrates of Edinburgh to renew the bond that included the promise to suppress house conventicles.[23]

On 2 March 1669, the Privy Council held the Town Council of Edinburgh to the terms of their bond. It fined them £600 for a conventicle in the house of the widow of Archibald Paton (merchant), at which Home preached.[24] The magistrates of Edinburgh were apparently unwilling to open the doors of this house during the conventicle.[25] A committee of the council was formed to deal with this matter and one merchant was fined £200, two others £100 and one merchant and a surgeon were cited next Council day under "pain of rebellion."[26] While only a few names of those who attended this conventicle were given, two-thirds of those present were thought to be women with the most important of these being Rachel Johnston, Lady Crimond.[27] While Lady Crimond was questioned, there is no further notice of any action being taken against the women while almost all of the men appear to have been fined.[28]

In March 1670, the Privy Council required the magistrates of Edinburgh to renew their bond for suppressing of conventicles.[29] This was duly taken on 3 March.[30] On 1 April, Ramsay was ordered to seize all deposed Presbyterian

---

[22] Ibid, pp. 144-50.
[23] *RPCS 1665-9*, pp. 572-3, 10 December 1668.
[24] Ibid, pp. 614-5, 2 March 1669.
[25] Ibid; TFA, fol. 2068, Earl of Tweeddale to Earl of Lauderdale, 3 March 1669.
[26] *RPCS 1665-9*, pp. 615-6, 2 March 1669; p. 621, 4 March 1669; p. 626. 8 March 1669. The men fined were as follows: James Row (merchant) £100, George Mossman (merchant) £200, and John Rae (agent) £100. James Cleland (surgeon) and George Home (merchant) were cited to appear again on pain of rebellion.
[27] BL, Add MSS 23131, fols. 103-4, Earl of Kincardine to Earl of Lauderdale, 2 March 1669. Rachel Johnston was the wife of Sir Robert Burnet, mother of the churchman and historian Gilbert Burnet and sister of Sir Archibald Johnston of Wariston (one of the leading Covenanters of the 1640s).
[28] TFA, fol. 2068, Earl of Tweeddale to Earl of Lauderdale, 3 March 1669, fol. 2069, Earl of Tweeddale to Earl of Lauderdale, 5 March 1669, fol. 2070, Sir Andrew Ramsay to Earl of Lauderdale, 6 March 1669.
[29] BL, Add. MSS 23133, fol. 131, Thomas Haye to Earl of Lauderdale, 1 March 1670.
[30] *RPCS 1669-72*, pp. 150-1, 3 March 1670; BL, Add. MSS 23133, fol. 34, Earl of Tweeddale to Earl of Lauderdale, 3 March 1670.

ministers in Edinburgh.[31] His search was unsuccessful and George Johnston was the only minister seized.[32] However, Alexander Bruce, second Earl of Kincardine, was sure that there were still many deposed ministers in Edinburgh.[33] He further stated that Edinburgh was becoming notorious as a base for Presbyterian dissent as ministers received correspondence and sent persons to preach in other parts of Scotland.[34] Row stated that after this search, conventicles continued in Edinburgh although not as frequent or numerous as before.[35] Other sources indicate that through the spring and summer of 1670 the process of purging deposed ministers continued with house conventicles to some extent still taking place. On 23 April, the Lord Lyon, Charles Erskine, informed Tweeddale that Ramsay was having no success in stopping illegal meetings due to deposed Presbyterian ministers refusing not to hold conventicles or keep out of Edinburgh.[36] Due to this, Ramsay resolved to order all dissenting Presbyterian ministers out of Edinburgh and discharge all inhabitants not to reset (or harbour) them.[37] Ramsay's actions were partially successful due to soldiers being ordered to quarter on such ministers who refused to keep conventicles or go to church until their families left town.[38] Ramsay wrote to Lauderdale on 10 May giving an account of his actions. He mentioned that, at the time of the search, twenty-seven deposed ministers were in Edinburgh and that twenty submitted to the requirements to go to church and not to keep conventicles.[39] Of the seven who refused, five were quartered on but all left and Ramsay insisted that Edinburgh was presently free from the deposed Presbyterian ministers and conventicles.[40] By 12 May, Ramsay's promises concerning this issue seemed empty. On that day, the Privy Council fined the magistrates of Edinburgh £600 for a conventicle discovered in the house of the widow of Walter Hamilton (merchant).

---

[31] TFA, fol. 2145, Earl of Kincardine to Earl of Lauderdale, 7 March 1670. By the date of the Privy Council Register and other correspondence mentioned it appears that this date is a mistake for 7 April 1670. See also TFA, fol. 2155, Earl of Tweeddale to Earl of Lauderdale, 7 April 1670, fol. 2156, J. Sharp to Earl of Lauderdale, 7 April 1670. In the former, Tweeddale stated he moved this in Council.
[32] *RPCS 1669-72*, p. 161, 7 April 1670.
[33] TFA, fol. 2145, Earl of Kincardine to Earl of Lauderdale, 7 March (April) 1670.
[34] Ibid.
[35] Row, *Life of Robert Blair*, p. 535.
[36] NLS, Add. MSS 7004, fol. 127, Charles Erskine to Earl of Tweeddale, 23 April 1670.
[37] Ibid.
[38] NLS, Add. MSS 7004, fol. 35, Patrick Murray to Earl of Tweeddale, 28 April 1670.
[39] TFA, fol. 2171, Sir Andrew Ramsay to Earl of Lauderdale, 10 May 1670.
[40] Ibid.

Searches for deposed Presbyterian ministers continued through June but none were caught.[41]

There is nothing in the Privy Council records to suggest that these measures were continued as far as 1672. This may be due to the hopes of the government that Presbyterian ministers would accept the terms of the proposed Indulgence in that year which would allow them to preach under licence from Charles II without conforming to Episcopacy.[42] While Row stated that conventicles continued to a lesser extent in this period, the Presbyterian conventicle preacher James Kirkton highlighted the large number of Presbyterian ministers who were resident in Edinburgh between 1671 and 1672.[43] In late 1672, as many as thirty-two deposed ministers were in Edinburgh for discussions whether to accept the Indulgence.[44] These met in the chamber of the Presbyterian conventicle preacher, Thomas Hog.[45] It is not clear whether these ministers held house conventicles. However, other sources indicate that these were still taking place. In August 1673, the Privy Council moved to crush continuing house conventicles. On 6 August, it ordered the Commander of the King's Forces, George Livingstone, third Earl of Linlithgow, to patrol Edinburgh on Sunday from six in the morning until eight in the evening.[46] While there, some of the troops were to "go through the streets, vennells and closes of the town" and search for conventicles.[47] If any were found, they were to be apprehended but doors of houses were not to be broken down without the permission of the commanding officer or magistrates.[48] The soldiers were to receive the fine of

---

[41] NLS, Add. MSS 7004, fol. 107, Patrick Murray to Earl of Tweeddale, 23 June 1670; NLS, Add. MSS 7004, fol. 118, Earl of Kincardine to Earl of Tweeddale, 2 July 1670; BL, Add. MSS 23134, fol. 47, Earl of Rothes to Earl of Lauderdale, 30 June 1670. See also *RPCS 1669-72*, p. 666, 30 June 1670, for a charge given to Linlithgow to search Edinburgh and seize any who were involved in the Pentland Rising as well as any deposed ministers.
[42] See pp. 27-8 of thesis.
[43] Row, *Life of Robert Blair*, p. 535; Kirkton, *History*, pp. 189-93.
[44] Ibid.
[45] Ibid.
[46] *RPCS 1673-6*, p. 93, 5 August 1673.
[47] Ibid.
[48] Ibid.

£600 for each conventicle they discovered.[49] The troops seem to have met with little success as no house conventicles were discovered until 1675.[50]

In February 1675, the Privy Council again began to move against house conventicles in Edinburgh. On 25 February, the Privy Council ordered the magistrates of Edinburgh to answer for a conventicle in Leith Milnes and others that had taken place in the city.[51] On 11 March, the Privy Council fined the town of Edinburgh £1200 for three conventicles. Two of these were held in houses owned or rented by James Hamilton (merchant) and George Henderson with one being held in a Widow Nicoll's house.[52] Thirteen men and John Greig (an indulged minister) were fined for the conventicle at Leith Milnes.[53] The implication that no women were present at this conventicle appears unlikely. A further sweep by the Privy Council almost a year later suggests that not only did women host house conventicles but were also present at them in great numbers.[54]

In February 1676, the magistrates of Edinburgh were charged with six conventicles alleged to have taken place in Edinburgh since April 1675 - three before Michelmas and three after.[55] All six conventicles were alleged to have taken place in the house of women. The Privy Council judged that four of these conventicles had taken place. The women responsible for holding these houses conventicles were Lady Whitslaid, Mistress Stirling (widow of a deposed minister), Mistress Stewart (widow of a deposed minister), and Geilles Douglas (widow of James Hamilton, writer).[56] Those present at these conventicles were inhabitants and burgesses of Edinburgh. Colonel Gilbert Ker, two ministers called Hugh Craig and George Whitehead, Edward Gillespie and Robert Richison (Edinburgh merchants), Robert

---

[49] Ibid.
[50] The magistrates of Edinburgh were fined £1200 for conventicles in Magdalene Chapel and Cramond Kirk in June 1674. However, as these were not house conventicles they have not been dwelt on in this chapter. See *RPCS 1673-6,* pp. 204-5, 18 June 1674.
[51] Ibid, p. 358, 25 February 1675.
[52] Ibid, pp. 381-2, 11 March 1675. See also TFA, fol. 2507, Thomas Haye to Duke of Lauderdale, 11 March 1675. In the Privy Council records, it was claimed that conventicles had also taken place in other houses owned or rented by John Aitoun, John Blackadder and another anonymous person who had a house in Thomas Robertson's tenement next to Parliament House. The conventicles cited are restricted to those proved to have taken place.
[53] *RPCS 1673-6,* p. 383, 11 March 1676.
[54] In July 1675, the magistrates of Edinburgh were also instructed to ensure that no schoolmaster was allowed to teach who was not licensed. This was due to some deposed ministers doing so. See *RPCS 1673-6,* pp. 432, 22 July 1675.
[55] TFA, fol. 2634, Thomas Haye to Duke of Lauderdale, 17 February 1676.
[56] *RPCS 1673-6,* pp. 540-2, 24 February 1676.

Graham of Newark and Mr Cludden (late Provost of Dumfries) were all apprehended at these.[57] At the conventicle in Mistress Stewart's house, special notice was taken of the Presbyterian minister, David Home, George Mossman (merchant), William Dickson (writer), Lady Arnieston, Lady Ingilston and the wife of Doctor Burnet.[58] It was suspected that the vast majority of those present at these meetings were "merchants or women of that quality…"[59] The Edinburgh magistrates were fined £2400 for the four conventicles proved to have taken place. Lady Whitslaid was also fined £334 with Mistress Stewart, Mistress Stirling and the widow of James Hamilton all being fined £100 each.[60] House conventicles were clearly continuing in Edinburgh with women playing a prominent part. In November 1676, the Edinburgh magistrates discovered a house conventicle at which the Presbyterian minister, Patrick Amdersone officiated.[61] Several women were apprehended at this conventicle and punished severely.[62] Margaret Hadden (widow of the Presbyterian minister John Guthrie) for refusing to give evidence was held in prison until she found a bond for £667 to remove six miles from Edinburgh before 1 January. Bessie Muir (widow of the Presbyterian minister Alexander Dunlop) also refused to give evidence and was punished in the same way. Lady Saltcoats also refused to give evidence and was fined £200. Saltcoat's daughter, Mary Liddington, admitted she was at the conventicle and was fined £66.[63] The fact that the magistrates discovered this conventicle did not excuse them from the fine of £600 but did lead to this being given for provision of the poor.[64] The stringency of searches made by the magistrates continued until the end of the year with a further conventicle being

---

[57] Ibid. Colonel Gilbert Ker was well known for his earlier part in supporting the radical Covenanting regime in the late 1640s.
[58] Ibid.
[59] TFA, fol. 2634, Thomas Haye to Duke of Lauderdale, 17 February 1676.
[60] *RPCS 1673-6,* pp. 540-2, 24 February 1676.
[61] Ibid, p. 52, 16 November 1676.
[62] Ibid. The number of deposed Presbyterian ministers in Edinburgh in 1676 should be noted. A Presbyterian minister, Alexander Forrester, was charged in 1677 for being secretary to a meeting in Edinburgh in 24 May 1676 at which between fifty and sixty deposed Presbyterian ministers met in the nearest thing possible to a General Assembly during a period of non-conformity. See *RPCS 1673-6,* pp. 106-7, 8 February 1677.
[63] Ibid. See also TFA, fol. 2656, Charles Maitland to Duke of Lauderdale, 16 November 1676.
[64] *RPCS 1676-8,* p. 52, 16 November 1676.

discovered in December. On this occasion, the conventicle was in the house of Helen Inglis, widow of Francis Seaton.[65]

On 1 November 1677, James Row appeared before the Privy Council charged with hosting conventicles in his house in Thomas Robertson's tenement (next to the Parliament House), hindering the town major's entry to a conventicle and subsequently abusing him.[66] Row was fined £334.[67] He appears also to have had a coffee house in the same tenement block. While there is no record of this being used for conventicles, the magistrates of Edinburgh duly closed this by order of the Privy Council.[68] At the end of 1677, the Privy Council acted directly against deposed ministers preaching in Edinburgh. On 15 November 1677, it discharged the Presbyterian minister, James Feithie (chaplain of Trinity Hospital) from his post for keeping and being present at house conventicles and intercommuning with proscribed Presbyterian ministers that included John Welsh.[69] On the same day, the Privy Council began to move against proprietors and reminded Thomas Robertson that there was a proclamation that such would be responsible for a year's rent for any conventicle held in a house belonging to them.[70] The continuing diligence of the Town Council of Edinburgh in pursuing and prosecuting house conventiclers in Edinburgh was evident in May 1678. John Campbell, a Presbyterian minister, was sent to the Bass Rock on 31 May for preaching at two conventicles in Edinburgh on 12 and 19 May.[71] The Privy Council also ordered Thomas Weddell to pay £667 for being present at these conventicles and thereby contravening the conditions of a bond given in 1674, for his part in the Magdalene Chapel conventicle.[72] Weddell's wife was also present at this conventicle but her husband's punishment seems to have

---

[65] Ibid, pp. 83-4, 19 December 1676. On this occasion, the fine was to be given to the poor in Edinburgh.
[66] *RPCS 1676-8,* pp. 273-6, 1 November 1677.
[67] Ibid.
[68] *RPCS 1676-8,* p. 278, 6 November 1677; p. 283, 22 November 1677. See also ECA, Edinburgh Town Council Minutes Vol. 28, p. 207, 20 December 1676 for a decision that all coffee houses should be licenced. See also Vol. 29, p. 23, 7 November 1677, for the order to close James Row's coffee house. There is no evidence that this was a venue for Presbyterian dissenters to gather. However, coffee houses were clearly popular in the Restoration era as places where like-minded people gathered and discussed the latest news. See T. Harris, *Restoration: Charles II and his Kingdoms, 1660-1685* (London, 2005), pp. 16-7.
[69] *RPCS 1676-8,* pp. 280-1, 15 November 1677.
[70] Ibid.
[71] Ibid, pp. 463-5, 31 May 1678.
[72] Ibid.

been sufficient for both of them.[73] Dame Marjorie McCulloch (the wife of former Provost of Edinburgh, Sir James Stewart of Kirkfield) was cited to appear on 6 June for being present at these conventicles.[74] Her failure to appear led to her being denounced a rebel although this sentence was deferred for eight days.[75]

The lack of women apprehended at these conventicles in May 1678 contrasted with those caught in August at a conventicle in the house of Allan Cameron, a merchant in the Potterraw area of Edinburgh. Cameron's wife, the widow of Clerk of Penicuik, the wife of William Dickson (writer), Euphan Nisbett wife of James Forrest (glazier), Margaret Thomsone wife of Robert Gib (merchant), the wife of Andrew Burnet and Lady Aderny elder were all charged with being present at this.[76] On this occasion, the husbands of two of the women present were fined.[77] Deposed Presbyterian ministers at Edinburgh in this period lay low with many hiding in private houses.[78] Blackadder was forced with his wife to live for nearly a month in the garret on the seventh storey of an obscure house.[79] However, house conventicles continued to take place in Edinburgh. In February 1679, two Presbyterian ministers, James Dalrymple and John Mossman, had their cases continued with the last specifically charged with holding conventicles in the house of James Fae (merchant) on 9 February and Hugh Mossman's house at Leith over the preceding two months.[80] A large number of men and women were found to have attended the conventicle on 9 February.[81] In April 1679, George Turnbull (an Edinburgh baker) was fined £300 for three conventicles held in a house owned by him but possessed by Elizabeth Crawford.[82] There is no record that she was caught but a letter from Charles II designated her as Mistress Crawford and stated that she, along with John Kae, Mr Turnbull and his two sons and Michael Cameron (son to Allan Cameron) were to be pursued with a £667 reward for anyone who discovered

---

[73] Ibid.
[74] Ibid, pp. 470-2, 6 June 1678.
[75] Ibid.
[76] *RPCS 1678-80,* pp. 11-2, 13 September 1678. The wife of Andrew Burnet and the wife of Dr Burnet appear to be the same person.
[77] Ibid. These were the husband of Margaret Thomsone and the husband of Mrs Dickson.
[78] *Memoirs of the Rev. John Blackadder,* pp. 210-2.
[79] Ibid.
[80] *RPCS 1678-80,* pp. 137-9, 27 February 1679.
[81] Ibid.
[82] Ibid, p. 159, 2 April 1679. The £300 was arrived at by multiplying the annual rent by the amount of conventicles held.

them.[83] On 15 March, the Privy Council ordered the magistrates of Edinburgh to collect nightly a list of all the inhabitants of Edinburgh between sixteen and sixty. They also required that the wives and families of all deposed ministers or intercommuned persons, be put out of Edinburgh and its suburbs, on pain of a £1200 fine for each person found after 21 March.[84] On 15 May, the magistrates of Edinburgh were fined £600 for a conventicle held in the house of Margaret Muir (widow of the Presbyterian minister, James Durham) on 4 May.[85] Muir, her sister Janet (wife of the Presbyterian minister, John Carstairs) and their servants and children were imprisoned for this conventicle. They petitioned for freedom on 13 May.[86] The Privy Council granted this on 22 May.[87] The preacher on this occasion was William Hamilton. He seems to have escaped, as there is no record of action being taken against him.[88]

Having established a chronological outline of house conventicling in Edinburgh, a framework now exists for an analysis of the role of women in hosting and attending these illegal meetings. The house conventicles discovered by the Privy Council and those holding them and attending them are outline in Appendix E. These records indicate that the Privy Council proved that from 1669 to 1679 twenty-two house conventicles took place in Edinburgh.[89] Women were responsible for holding thirteen (or 59%) of these house conventicles with men being responsible for holding nine (41%).[90] This appears to suggest that conventicles in Edinburgh were more likely to take place in houses possessed by women. Therefore, while not holding official posts within Presbyterianism, women played a vital part in providing practical support particularly in periods where non-conforming Presbyterianism was necessary due to the Episcopalian church settlement.

Several qualifications should be noted before accepting absolutely the results indicated by this analysis of Privy Council records. Perhaps the most important of these is the difficulty of transferring the results culled from Privy Council records

---

[83] Ibid, pp. 143-4, 11 March 1679; p. 156, 15 March 1679.
[84] Ibid, p. 156, 15 March 1679.
[85] Ibid, p. 202, 15 May 1679.
[86] Ibid, p. 198, 13 May 1679.
[87] ECA, Moses Bundles No. 197, No. 7090, 22 May 1679.
[88] *RPCS 1678-80*, p. 202, 15 May 1679.
[89] Ibid.
[90] Ibid.

into a wider setting. The evidence from Blackadder's *Memoirs* indicates that house conventicling in Edinburgh was certainly far wider than those proved to have taken place by the Privy Council.[91] Another important factor is the possibility that the women mentioned were in some way constrained by Presbyterian men or ministers to have conventicles in their houses. There appears to be no evidence to substantiate this argument. On the contrary, Presbyterian ministers could be constrained to preach in houses by women. Lady Balcanqual's insistence that John Blackadder preach in her house in 1670 is an example of this.[92] A third qualification that can be suggested is that the magistrates and town major of Edinburgh were more likely to break up conventicles held in houses possessed by women due to the likelihood of violence if similar attempts were made on conventicles in houses possessed by men. Thus, when the conventicle held in the house of James Row in 1677 was broken up by the town major he was placed in danger of physical attack from male conventiclers.[93] However, in 1679 the town major was nearly killed in an incident at a conventicle held in a house possessed by Elizabeth Crawford.[94] In addition, whether or not a conventicle was held in a house possessed by a man or women did not preclude members of the opposite sex being present at it. In February 1676, both men and women of merchant status were noted as being present at a conventicle.[95] There does not seem to be any evidence to support the claim that the preponderance of conventicles in Edinburgh hosted by women were held in their houses for any other reason than their own free will.

In terms of the proportion of attendants at house conventicles in Edinburgh, it seems that women were more likely to attend than men. In the case of nine (or 41%) of the twenty-two conventicles dealt with by the Privy Council, no persons were specified as attending.[96] Yet it is clear that they must have done so or the persons in question could not be fined for holding a conventicle. In the other thirteen

---

[91] For example, the conventicles which took place in the house of the widow of James Guthrie. See *Memoirs of the Rev. John Blackadder,* pp. 134-5.
[92] Ibid, pp. 140-1.
[93] *RPCS 1676-8*, pp. 273-6, 1 November 1677.
[94] *RPCS 1678-80*, p. 159, 2 April 1679. Robert Johnston, town major of Edinburgh, was asked to go to a house where Presbyterians were waiting for him. He was subsequently shot for refusing not to stop disrupting conventicles. See *RPCS 1678-80*, p. 143, 11 March 1679.
[95] *RPCS 1673-6*, pp. 540-2, 24 February 1676; TFA, fol. 2634, Thomas Haye to Duke of Lauderdale, 17 February 1676.
[96] See Appendix E.

conventicles, women either were fined for attending or were recorded at being present at ten of these (45% of total).[97] Of the nine where those attending were not specified, six were in houses possessed by women (or 27% of total).[98] Therefore, women were present to some extent at (73%) of those conventicles in Edinburgh dealt with by the Privy Council. It is difficult to arrive at any degree of accuracy as to the proportion of women attending these conventicles compared to men. It has already been noted that those apprehended for attending conventicles do not necessarily equate with those who were actually present at conventicles. An example of this is the conventicle at James Row's house where those present escaped through a back exit before the town major could gain access.[99] However, there is evidence available for one conventicle of the relative amounts of women and men present. At the conventicle in Widow Paton's house in March 1669, thirteen or fourteen women were alleged to be present with five or six men also being there.[100] This suggests that women *could* be present in greater numbers at these meetings. Therefore, women were not only more likely to hold conventicles than men but such meetings could also proportionately have more women present than men.

It is noteworthy that the same persons sometimes appear more than once in Privy Council records as having attended conventicles. James Row is an example of this. He was fined for attending a conventicle in 1669 and again in 1677 for holding a conventicle and abusing the town major.[101] Privy Council records noted the wife of William Dickson had attended a conventicle while her husband was subsequently dealt with for also attending an illegal meeting.[102] Lady Crimond constantly surfaces in Privy Council records as a supporter of non-conforming Presbyterianism in

---

[97] Ibid.
[98] Ibid.
[99] *RPCS 1676-8,* pp. 273-6, 1 November 1677.
[100] *RPCS 1665-9,* pp. 614-6, 2 March 1669, p. 626, 8 March 1669. See also TFA, fol. 2068, Earl of Tweeddale to Earl of Lauderdale, 3 March 1669; BL, Add. MSS 23131, fols. 103-4, Earl of Kincardine to Earl of Lauderdale, 2 March 1669.
[101] *RPCS 1665-9,* pp. 614-6, 2 March 1669, p. 628, 8 March 1669; *RPCS 1676-8*, pp. 273-6, 1 November 1677.
[102] *RPCS 1673-6,* pp. 540-2, 24 February 1676; *RPCS 1678-80*, p. 11, 13 September 1678. These two references are obviously given with the judgement that it is the same person referred to in both texts. However, a note of caution is required here. In a city like Edinburgh, more than one person can have the same name and occupation. It is this factor that makes burgess rolls and testament inventories less useful than might at first appear.

Edinburgh.[103] This suggests that something in the nature of a gathered church was operating in Edinburgh in this period. John Coffey has highlighted the organisation of such a structure in the Kirkcudbright area in the 1620s and 1630s.[104] In that period of Presbyterian dissent, Samuel Rutherford's stalwart supporters were two women.[105] Of more relevance to this case study is Laura Stewart's assertion that Edinburgh had a gathered Presbyterian church operating in the same period as that of Kirkcudbright.[106] Women in Edinburgh, by their willingness to hold and attend conventicles in a period of non-conformity, appeared to have played the same role between 1661 and 1679. This further confirms Coffey's argument - in periods of non-conformity, the conventicle was the platform through which women chose to express themselves.[107]

An analysis of the social and marital status of the women dealt with for holding or attending house conventicles serves to highlight the origin of the female non-conforming Presbyterian community in Edinburgh. By describing the occupations of the women (or more particularly their husbands), a relation can be drawn between conventicling and the social background of those involved. The marital status and the occupations of the women (or their husbands) are in Appendix F. Of those women attending conventicles (including those who held them) it is unclear from the sources whether ten (or 32%) out of the thirty - one women mentioned were married or unmarried..[108] Of the rest, thirteen (42%) were widows and eight (26%) were married.[109] The lack of identity of the remaining ten means that it is difficult to quantify the proportion between those who were widows and those whose husbands were still alive. The occupational status of the husbands of the above women yields more results. Seven (35%) of the twenty women whose

---

[103] TFA, fol. 2068, Earl of Tweeddale to Earl of Lauderdale, 3 March 1669. See also *RPCS 1673-6*, pp. 259-60, 30 July 1674.
[104] J. Coffey, *Politics, Theology and the British Revolutions: The Mind of Samuel Rutherford* (Cambridge, 1997), pp. 39-45.
[105] Ibid pp. 98-9. These were Marion McNaught (wife of William Fullerton provost of Kirkcudbright) and Lady Jane Campbell (wife of Viscount Kenmure).
[106] L.A.M. Stewart, 'Politics and Religion in Edinburgh 1617-53', p. 102. Stewart's conclusions are similar to David Stevenson's. See D. Stevenson, "Conventicles in the Kirk, 1619-37: the Emergence of a Radical Party", in, *Records of the Scottish Church History Society* 18, (1972-4), p. 102-7.
[107] Coffey, *Politics,* p. 102.
[108] Ibid.
[109] Ibid.

marital status is specified were or had been married to ministers.[110] Four women (20%) were or had been married to merchants.[111] Two (10%) were or had been married to writers.[112] Two (10%) were or had been the wives of lawyers.[113] One (5%) was the wife of a glazier.[114] One (5%) was the daughter of a deposed minister.[115] One (5%) was the wife of a lorimer.[116] The occupation of two (10%) of these women's husbands is not clear.[117] Of those women whose marital status is not indicated, five (50%) out of ten were titled "Ladies" – most likely from the ranks of lower aristocracy.[118] One (10%) was the daughter of a "Lady."[119] Three (33%) have no titles to designate their social or economic status.[120] These occupations indicate a broad range of women from various backgrounds that can be sub-divided into five categories. These are: wives or widows of ministers, wives or widows of merchants, wives or widows of tradesmen, wives or widows of men from the legal profession and women from the lower aristocracy. Female Presbyterian dissent in Edinburgh was clearly centred on lower and middling social groupings. The high aristocracy was conspicuous by its absence.

Privy Council records can also be used to ascertain whether the authorities were marked by gender considerations in dealing with female conventiclers in Edinburgh. The first house conventicle for which the magistrates of Edinburgh were fined was in 1669. This conventicle took place in the house of the widow of Archibald Paton (merchant). At this point, the authorities seemed more intent to deal with men than women for attending conventicles. Three men who attended this conventicle were fined while Lady Crimond, although questioned, does not appear to have been further pursued.[121] There is little evidence that the Privy Council altered its attitude regarding women being involved in Edinburgh house conventicles until at

---

[110] Ibid.
[111] Ibid.
[112] Ibid.
[113] Ibid.
[114] Ibid.
[115] Ibid.
[116] Ibid.
[117] Ibid.
[118] Ibid.
[119] Ibid.
[120] Ibid.
[121] *RPCS 1665-9,* pp. 614-6, 2 March 1669, p.626, 8 March 1669; TFA, fol. 2068, Earl of Tweeddale to Earl of Lauderdale 3 March 1669.

least 1675. In 1670, the standard fine of £600 was inflicted on the magistrates of Edinburgh for a conventicle in the house of the widow of Walter Hamilton. No extra fine was inflicted upon this widow.[122] In 1675, the Privy Council still seemed more willing to deal with men than women for attending conventicles in Edinburgh. In that year, thirteen men and a minister were fined for attending a conventicle.[123] However, at another three conventicles (one held in the house of Widow Nicoll) no notice was taken of who was present other than unnamed deposed ministers who preached.[124] In February 1676, the Privy Council seemed prepared to adopt a harder line towards women involved in house conventicling in Edinburgh. On this occasion they not only fined the magistrates of Edinburgh for four conventicles proved to have taken place but also fined the women in whose house these had occurred.[125] This increase in severity at this stage was restricted to those who held conventicles. However, by November 1676, women were also being fined for attending conventicles. The Privy Council also went so far as to banish Margaret Haddon from Edinburgh for hosting a conventicle in her house and Bessie Muir for refusing to give evidence.[126] There was a lull in severe sentences meted out to women in 1676 and 1677. In December 1676, only the magistrates of Edinburgh were fined for a conventicle that took place in a widow's house.[127] Also, in November 1677, only James Row was fined for a conventicle in his house and abusing the town major.[128] In May 1678, the Privy Council apparently showed more leniency to women than men caught in attending Edinburgh conventicles. Three men were fined for attending two conventicles while four were banished to the plantations for refusing to give evidence.[129] This last sentence exceeded in severity anything meted out to women for attending conventicles in Edinburgh.[130] The women charged with attending these two conventicles were dealt with separately. Dame Marjorie McCulloch was denounced as a rebel for not appearing but had her sentence deferred

---

[122] *RPCS 1669-72*, pp. 150-1, 3 March 1670.
[123] *RPCS 1673-6,* p. 383, 11 March 1675.
[124] Ibid, pp. 381-2, 11 March 1675.
[125] Ibid, pp. 540-2, 24 February 1676.
[126] *RPCS 1676-8*, pp. 52-3, 16 November 1676.
[127] Ibid, pp. 83-4, 19 December 1676.
[128] Ibid, pp. 273-6, 1 November 1677.
[129] Ibid, pp. 463-5, 31 May 1678. The exact destination of their banishment was not specified.
[130] As will be shown shortly, the Privy Council did banish non-conforming Presbyterian women in Edinburgh for refusing to give information about the attempted assassination of Archbishop Sharp. This sentence was not, however, carried out.

for eight days.[131] Margaret Lamb's punishment seems to have been within the bounds of her husband's (Thomas Weddell) who had to forfeit a bond for £667.[132] On this occasion, the minister who preached at these two conventicles (John Campbell) was sent to the Bass Rock.[133] The willingness to punish husbands for the crimes of their wives was also evident in the decision to fine two men in August 1678 for their wives attendance at a conventicle.[134] This feature was to continue into the 1680s.[135] In 1679, Elizabeth Crawford seemed to escape punishment for three conventicles taking place in a house possessed by her. George Turnbull (her landlord) was fined £300 for these.[136] However, the Privy Council would have dealt with her had she not been in hiding as one of these conventicles led to the town major nearly being killed when he sought to break it up.[137] The Privy Council also required that the wives and families of all deposed ministers or outlawed Presbyterians be removed from Edinburgh and its suburbs on pain of a £1200 fine for each person found after 21 March.[138] Later in 1679, the Privy Council continued to deal with women in a salutary way for being involved in conventicles. Margaret and Janet Muir with their children and servants were all imprisoned in May 1679 for being present at a conventicle where William Hamilton preached.[139] As the last house conventicle dealt with by the magistrates of Edinburgh and Privy Council prior to the Battle of Bothwell Bridge in June 1679, this shows that the Privy Council were still willing to deal with women severely at this late stage. However, it should be noted that the persons in question were freed on petition for liberty.[140]

The stance of the magistrates of Edinburgh and the Privy Council towards Edinburgh women who held or attended house conventicles can be summarised as follows. While women were held responsible for house conventicles from 1669, by

---

[131] *RPCS 1676-8,* pp. 463-5, 31 May 1678, pp. 470-2, 6 June 1678.
[132] Ibid.
[133] Ibid.
[134] *RPCS 1678-80,* p. 11, 13 September 1678.
[135] See p. 55 of thesis for the case of Sir William Scott of Harden being fined for his wife withdrawing from church.
[136] *RPCS 1678-80,* p. 159, 2 April 1679.
[137] Ibid.
[138] Ibid, p. 156, 15 March 1679. The sentence on George Turnbull was passed on 2 April but the incident concerning the town major took place earlier and led to the reaction by the Privy Council mentioned here.
[139] *RPCS 1678-80,* pp. 198, 202, 15 May 1679.
[140] ECA, Moses Bundles 197, No 7090, 22 May 1679.

the end of the 1670s they also were receiving individual fines for holding them. Allied to this was more willingness to pursue them for their attendance at Edinburgh house conventicles. Yet women were never pursued to the same extent as men. This apparent disregard for the importance of the role of women in house conventicling in Edinburgh was also was evident in the sentencing of women. In this period, women were, at the most, banished from Edinburgh for refusing to give evidence while men for the same crime were banished to the plantations. Therefore, while women clearly played an important (perhaps the main) role in house conventicling in Edinburgh, they were less likely to be treated as severely by the authorities as men.

In concluding this chapter, it is clear that women played a major role in house conventicling in Edinburgh throughout the 1660s and 1670s. These women could be wives, widows or single. Women were more likely than men to hold conventicles with widows mainly being involved in this. While evidence of the proportion of men and women attending conventicles is limited, women at times could make up two-thirds of those present. There is no evidence to suggest that women acted on anything other than their own initiative as to this. Female Presbyterian house conventiclers came from various backgrounds but in general had a lower to middle social status with no high aristocracy involved. While women were punished by the Privy Council for hosting and attending conventicles, they were generally treated less severely than men. This implies that despite the major role of women in house conventicling in Edinburgh, the authorities were governed by a gendered view of their sex in meting out punishment.

Chapter 7

Edinburgh 2: Non-Conforming Presbyterian Women, the Harbouring of Outlawed Presbyterians and the Attempted Assassination of Archbishop James Sharp in 1668

The Presbyterian minister of Eastwood and historian, Robert Wodrow, concluded that Edinburgh was the normal hiding place of Presbyterians who were outlawed by the authorities due to their opposition to the Episcopalian church settlement.[1] With at least twenty-five thousand people living within an area measuring the mile length between the Castle and Holyrood Palace, the crowded tenement nature of Edinburgh appears to support Wodrow's conclusion.[2] This second part of this case study seeks to discuss the role of non-conforming Presbyterian women in harbouring (or resetting) their outlawed co-religionists in such a crowded city. It does so by analysing the events that surrounded the attempted assassination of Archbishop James Sharp in July 1668 and the subsequent interrogation and punishment of women who harboured those reputed to have been involved in this. This chapter will begin by setting out the legislation under which Presbyterians were outlawed by 1668 and the various sources from which an exact account of the incident can be taken. It will then seek to outline the course of events surrounding the assassination attempt and the reaction of the authorities. Thereafter, the response of Presbyterian women to questioning by the Privy Council will be assessed. This chapter will conclude by analysing the social background of these women and by assessing whether the authorities were governed by considerations of gender in punishing them.

After the uprising of Presbyterians from the south-west of Scotland in 1666 (which became known as the Pentland Rising), the Privy Council took steps to outlaw those who had taken part in the insurgency. On 6 June 1667, a proclamation was issued by the Privy Council that forfeited the land and property of those

---

[1] R. Wodrow, *History of the Sufferings of the Church of Scotland from the Restoration to the Revolution* Vol. 2 R. Burns (ed.), (Edinburgh, 1828), p. 116.
[2] H. Dingwall, *Late Seventeenth Century Edinburgh – A Demographic Study* (Aldershot, 1994), pp. 13-21.

involved in the uprising.[3] On 8 October, the Privy Council issued an indemnity to those who participated in the Pentland Rising but excluded several Presbyterians such as Colonel James Wallace who were regarded as leaders.[4] Those excluded from the indemnity were subsequently pursued by government troops. The Presbyterian conventicle preacher, John Blackadder, pointed out in his *Memoirs* that it was unsafe for Presbyterians excluded from the indemnity to remain in the south-west while government troops were searching for them.[5] He also urged such to come to Edinburgh where there would be a greater degree of safety.[6] This is in keeping with the earlier quoted judgement of Wodrow that Edinburgh was the normal haunt for proscribed Presbyterians.[7] Therefore, when an assassination attempt was made on Archbishop James Sharp in July 1668, it is evident that there were several suspects within the Edinburgh area who were being harboured by persons sympathetic to their cause.

Various historical accounts are available to draw upon in order to construct an accurate picture of events that surrounded the attempted assassination of Archbishop Sharp. Episcopalian churchman and historian, Gilbert Burnet, only gave very bare details as to the assassination attempt and chose to focus on the reaction of Sharp. Burnet failed to mention the subsequent events or the women who were pursued.[8] George Hickes (chaplain to Lauderdale) provided a version of details in a pamphlet entitled *Ravillac Redivivus*. This is a biased diatribe against Presbyterianism with various accusations of immorality that adds little to the historiography of this subject, although the substance of material as to the incident is similar to other accounts.[9] Presbyterian historians provide more details as to the assassination attempt. William Row highlighted this incident and gave several details as to the attempted assassin and the subsequent questioning of the women arrested.[10] James Kirkton's account was similar to Row although he also provided

---

[3] *RPCS 1665-9*, pp. 284-5, 6 June 1667.
[4] Ibid, pp. 344-6, 8 October 1667. It should be noted that James Mitchell, the attempted assassin of Archbishop Sharp, was one of those excepted from the indemnity.
[5] *Memoirs of the Reverend John Blackadder* A. Crichton (ed.), (Edinburgh, 1826), p. 179.
[6] Ibid.
[7] Wodrow, *History* Vol. 2, p. 116.
[8] G. Burnet, *History of His Own Time* Vol. 1 O. Airy (ed.), (Oxford, 1897), pp. 501-2.
[9] G. Hickes, *Ravillac Redivivus* (London, 1678).
[10] W. Row, *The Life of Robert Blair & Supplement to His Life and Continuation of the History of the Times to 1680* T. McCrie (ed.), (Edinburgh, 1848), pp. 518-20.

more details.[11] Wodrow, writing later, followed Kirkton but also interspersed his account with excerpts from the Privy Council Register.[12] Biographers of Sharp have unfortunately added little to the detail of the events surrounding this incident. Thomas Stephen mentioned the incident but was more concerned to criticise the accounts given by Presbyterian historians and Burnet. He made no mention of the steps taken by the Privy Council against the women.[13] Julia Buckroyd, who had a greater opportunity than any of the above to consult correspondence from the period, consigned the matter of the women to a footnote.[14] This chapter will seek to draw particularly on the account given by Kirkton but will also use evidence from the Privy Council Register. However, it will be distinct from other accounts in that it will draw particularly from extensive correspondence that historians have not yet consulted. This should help to provide an exact account of the assassination attempt on Sharp and the activities of the Privy Council in seeking to track down the culprit.

The attempted assassination of Archbishop Sharp took place on Saturday, 11 July 1668.[15] The perpetrator of the act was James Mitchell.[16] According to Kirkton, Mitchell was a Presbyterian preacher who lacked the usual education and ability which marked such clergy.[17] Mitchell was involved in the Pentland Rising and since then had been travelling under the alias of James Small.[18] The assassination attempt took place in the High Street of Edinburgh at the top of Blackfriars Wynd, after Sharp left his residence and entered his coach.[19] Mitchell fired a pistol from the opposite side of the coach. He missed Sharp but hit Alexander Honeyman, Bishop of Orkney, on the wrist as he entered the coach.[20] Thereafter, Mitchell crossed the street and presented a loaded pistol at persons who tried to stop him. He then went down Niddry's Wynd and up Steven Law's Close where he went into a house. In the

---

[11] J. Kirkton, *A History of the Church of Scotland* R. Stewart (ed.), (Lampeter, 1992), pp. 158-61.
[12] Wodrow, *History* Vol. 2, pp. 115-8.
[13] T. Stephen, The *Life and Times of Archbishop Sharp* (London. 1839), pp. 379-86.
[14] J. Buckroyd, The *Life of James Sharp Archbishop of St Andrews 1618-1679* (Edinburgh, 1987), pp. 90-1, p. 140 note 42.
[15] *RPCS 1665-9*, p. 487, 14 July 1668.
[16] Kirkton, *History,* p. 159.
[17] Ibid.
[18] BL, Add. MSS 23129, fols. 260-1, Earl of Tweeddale to Earl of Lauderdale, 30 July 1668.
[19] Kirkton, *History,* p. 158.
[20] Ibid, pp. 158-9.

house he changed clothes, removed his wig and went back on to the open street.[21] As a result of these actions, Mitchell escaped capture.

The reaction to the attempted assassination of Archbishop Sharp was governed by the circumstance of the leading Privy Councillors being out of Edinburgh when it occurred. Tweeddale had gone to Yester.[22] John Leslie, seventh Earl of Rothes, was at the wells in Moffat.[23] The initial responsibility for finding the attempted assassin therefore fell on the magistrates of Edinburgh. By 12 July, it was clear that their efforts to find the culprit had failed. Tweeddale therefore returned to Edinburgh and called a meeting of the Privy Council.[24] This met on 13 July to examine the incident and received a report from Andrew Ramsay, the Provost of Edinburgh, of the nature of the incident and the steps taken to find the perpetrator.[25] By that time, Archbishop Sharp had already confided in Tweeddale that he doubted whether the assassin would be caught.[26] An official Privy Council proclamation on 14 July commanded all state officers to search for and imprison the attempted assassin.[27] The proclamation also stipulated that any person discovering the culprit would be indemnified and pardoned, if accessory to the crime, and would receive a reward of £1334.[28] Any person apprehending the assassin was to receive £3334.[29] On the same day, the Privy Council further ordered Ramsay to conduct a strict search of Edinburgh to apprehend all who were in the Pentland Rising or could not give "a satisfactory account of themselves."[30] The Earl of Linlithgow, was also ordered to provide one hundred foot soldiers presently quartered in the Canongate, to assist the magistrates in their search.[31] By this time, failure to catch the assassin led to suspicion being cast on those who were active in searching. Tweeddale therefore stressed that Archbishop Sharp's coach and footman were present and his two

---

[21] Ibid; Burnet, *History* Vol. 1, pp. 501-2. See also Hickes, *Ravillac Redivivus*; Row, *Life of Robert Blair,* pp. 518-20; Wodrow, *History* Vol. 2, pp. 115-8; Stephen, *Life and Times of Archbishop Sharp*, pp. 379-86; Buckroyd, *Life of James Sharp,* pp. 90-1, p. 140 note 42.
[22] BL, Add. MSS 23129, fol. 227, Earl of Tweeddale to Earl of Lauderdale, 4 July 1668.
[23] Ibid.
[24] Ibid.
[25] Ibid. .
[26] NLS, Add. MSS 14406, fol. 60, Archbishop Sharp to Earl of Tweeddale, 12 July 1668.
[27] *RPCS 1665-9,* pp. 486-8, 14 July 1668.
[28] Ibid.
[29] Ibid.
[30] Ibid.
[31] Ibid, p. 489.

brothers in law at the lane head where Mitchell escaped.[32] Writing on the same day (14 July), Thomas Haye, Clerk to the Privy Council, was more specific in stating, "there is no person more to be blamed for the escape of the rogues then two of the Archbishops brothers in law."[33] By 21 July, it was clear that, while the searches had been ineffectual, the Privy Council was pursuing other means to apprehend the culprit. In a letter to Lauderdale, Rothes informed him of someone in custody who had Major Joseph Learmont (a leading actor in the Pentland Rising) in his house after the assassination attempt.[34] Major Learmont insisted that he was under an oath of secrecy not to discover the person responsible.[35] The person in custody was Robert Gray.[36] He was apprehended on 16 July due to information given against him by a former servant woman of his that he lodged "whigs" and knew the attempted assassin.[37] On being questioned, Gray (and possibly his wife) mentioned that Learmont, John Welsh of Cornelie (another leader in the Pentland Rising) and Mrs Duncan (widow of a Galloway minister) had dined in their house that evening.[38] The names of Mrs Crawford and Mrs Kello were also disclosed as harbourers of "whigs" and conventicle keepers.[39] The subsequent actions of the Privy Council indicated that it felt the women had more to hide. Certainly, the women were more obdurate than Robert Gray, in disclosing information. On 21 July, Thomas Haye indicated to Lauderdale that Duncan gave grounds for suspecting she knew who committed the act by her refusal to give evidence.[40] This refusal led to the Privy Council threatening to torture her with the boot the following day.[41] On the following day, Duncan was initially brought before the Privy Council in the morning and threatened with torture.[42] She was again brought in before the Privy Council at five in the

---

[32] BL, Add. MSS 23129, fol. 227, Earl of Tweeddale to Earl of Lauderdale, 14 July 1668.
[33] BL, Add. MSS 23129, fol. 229, Thomas Haye to Earl of Lauderdale, 14 July 1668.
[34] TFA, fol. 1972, Earl of Rothes to Earl of Lauderdale, 21 July 1668.
[35] Ibid.
[36] Kirkton, *History,* pp. 160-1.
[37] Ibid; HMC Laing MSS III (London, 1914), pp. 369-70, William Sharp to Earl of Lauderdale, 21 July 1668.
[38] Ibid. Duncan was sometimes referred to by her maiden name as Anna Ker. However generally she is referred to as Mrs Duncan and that title has been used in this chapter.
[39] Ibid. Mrs Crawford was also referred to at times by her maiden name of Janet Chalmers but usually by her married title. Therefore, Mrs Crawford has also been used as her title here.
[40] BL, Add. MSS 23129, fol. 240, Thomas Haye to Earl of Lauderdale, 21 July 1668.
[41] BL, Add. MSS 23129, fol. 251, Sir Andrew Ramsay to Earl of Lauderdale, 23 July 1668.
[42] BL, Add. MSS 23129, fol. 249, Earl of Tweeddale to Earl of Lauderdale, 23 July 1668.

afternoon. This time the Hangman was also brought in with the boot.[43] Duncan then partially disclosed that she did not know any of the four persons named to her but suspected "Small" (Mitchell) most.[44] The Privy Council continued to threaten torture without success in obtaining information.[45] According to Kirkton, torture was only restrained by Rothes intervening and saying, "it was not proper for gentlewomen to wear boots."[46] Duncan, Kello and Crawford were thereafter imprisoned.

On 29 July, Duncan and Kello were brought before the Privy Council for sentencing. By this time, it had become evident that Kello and Crawford were also refusing to give evidence although relating to different points. The Privy Council dealt with Kello first. The crime alleged against her was refusing to disclose her knowledge of the attempted assassin. Kello was banished to Virginia and fined £3334.[47] Duncan was next charged with refusing to disclose her knowledge of those in Edinburgh who had harboured proscribed Presbyterian dissenters. She was banished from the King's dominions and was not to return without licence, on pain of death.[48] On 30 July, Crawford was brought before the Privy Council. She was charged with refusing to disclose the identity of the attempted assassin and those who harboured renegades from the Pentland Rising. She was also sentenced to banishment to Virginia but not fined because of her lack of material wealth.[49] According to Kirkton, Kello lay in prison for months until her sentence of banishment was lifted although most of her fine was paid.[50] Crawford was released on 3 December on the grounds of ill health. Her sentence of banishment to the plantations also does not appear to have been executed.[51] Duncan was freed by the Privy Council on 7 January 1669 on condition that she did not reside within

---

[43] Ibid.
[44] Ibid.
[45] Ibid.
[46] Kirkton, *History,* p. 161.
[47] BL, Add. MSS 23129, fol. 260-1, Earl of Tweeddale to Earl of Lauderdale, 30 July 1668; *RPCS 1665-9*, pp. 500-1, 29 July 1668.
[48] Ibid.
[49] BL, Add. MSS 23129, fol. 262, Thomas Haye to Earl of Lauderdale, 30 July 1668; *RPCS 1665-9,* pp. 502-3, 30 July 1668.
[50] Wodrow, *History* Vol. 2, p. 118
[51] *RPCS 1665-9,* pp. 570-1, 3 December 1668.

Edinburgh or the Canongate. She also appears to have escaped the sentence of banishment.[52]

Having established a narrative of the nature of the assassination attempt on Sharp and the response of the government, this chapter will now turn to an analysis of the social background of the women pursued by the Privy Council. It is clear that all three women were well known dissenting Presbyterians in the Edinburgh area. Duncan was the widow of John Duncan, a former minister of Dundrennan in Galloway. [53] He was deposed by the Glasgow Act of 1662 for his failure to submit to the Episcopalian church settlement.[54] According to Wodrow, she had two little children at this time. This may imply she was young.[55] It is probable that she is the person that Blackadder lodged with when he came to Edinburgh after leaving the south-west in 1662.[56] Her link with Blackadder may well account for her being designated a conventicle keeper. She therefore appears to have been a typical member of a network of Presbyterians in Edinburgh practising their faith outside the law. Kello was the widow of an Edinburgh merchant burgess.[57] The fine meted out on her was because she was wealthy.[58] According to Kirkton, she hosted house conventicles where Presbyterian clergy such as John Welsh preached.[59] Crawford was the wife of John Crawford, messenger. On the same day as she was sentenced to banishment, an order was given by the Privy Council to apprehend her husband and others who were connected with the three women in Presbyterian dissenting activities.[60] As the three women were or had been married to a minister, merchant burgess and messenger it is evident that they came from a middle to lower social grouping within the social structure of Early Modern Scotland. The backgrounds of the three women are similar to two other women in the Edinburgh area who also

---

[52] Ibid, p. 582, 7 January 1669.
[53] HMC Laing MSS III, pp. 369-70, William Sharp to Earl of Lauderdale, 21 July 1668; BL, Add. MSS 23129, fol. 240, Thomas Haye to Earl of Lauderdale, 21 July 1668.
[54] H. Scott (ed.), *Fasti Ecclesiae Scoticanae* Vol. 2 (Edinburgh, 1917), p. 423. Duncan is inserted under the parish of Rerwick. This was formerly called Dundrennan. See p. 21 of thesis for Glasgow Act.
[55] Wodrow, *History* Vol. 2, p. 118.
[56] *Memoirs of the Rev. John Blackadder,* p. 118.
[57] BL, Add. MSS 23129, fol. 260-1, Earl of Tweeddale to Earl of Lauderdale, 30 July 1668; BL, Add. MSS 23129, fol. 262, Thomas Haye to Earl of Lauderdale, 30 July 1668.
[58] Ibid.
[59] Kirkton, *History,* p. 161.
[60] *RPCS 1665-9,* pp. 503, 30 June 1668.

harboured Presbyterians during the Restoration. Margaret Muir was widow of James Durham, one of the most famous Presbyterian clergy of the Interregnum period.[61] When the Presbyterian minister William Veitch entered Edinburgh at the time of the Pentland Rising, he immediately sought refuge in her house.[62] Muir's background is therefore similar to Duncan's and indicates the role that the widows of Presbyterian clergy could have in supporting those who shared the same views on church government. In 1679, the Privy Council denounced Elizabeth Crawford for keeping conventicles in her house and lodging Presbyterians.[63] As probably a widow (or spinster) with a rented lodging she may have been obliged to harbour Presbyterians due to her financial state. This further suggests the role that widows, in particular, had in harbouring Presbyterians. The incident of Robert Gray indicates that this should not be accepted as a universal rule. While in one place his wife was mentioned as being "a great whig", the consensus of opinion about him was that he had only embraced non-conforming Presbyterianism because of financial problems due to a downturn in trade as a merchant.[64] This is certainly consistent with his willingness to inform against fellow Presbyterians such as Kello, Duncan and Crawford. Yet, Gray's status as a merchant burgess does confirm that those likely to harbour Presbyterians in Edinburgh came from a middle to lower social grouping.

Having established the social background of those involved in harbouring Presbyterians, it is now necessary to discuss whether they acted on their own initiative. It is clear that all three women were marked by determination not to divulge any information that would incriminate their fellow Presbyterians. This was in marked contrast to Robert Gray and his wife who were quick to admit their involvement with Presbyterians and implicate others.[65] This determination to refuse to give evidence indicates that all three women were marked by a commitment to Presbyterianism that could lead them on their own initiative to hide proscribed dissenters. Duncan, in particular, remained obdurate even under the threat of torture. As she was alone when questioned by the Privy Council, there is no evidence that

---

[61] J. Howie, *The Scots Worthies* W.H. Carslaw (ed.), (Edinburgh, 1870), pp. 219-232.
[62] Veitch & Brysson, *Memoirs of Veitch & Brysson,* pp. 36-9.
[63] *RPCS 1678-80,* pp. 159, 2 April 1679.
[64] *CSPD 1667-8,* p. 507, 27 July 1668.
[65] BL, Add. MSS 23129, fol. 262 Thomas Haye to Earl of Lauderdale, 30 July 1668; Kirkton, *History,* pp. 159-61.

she was acting under the influence of men or anything other than her own convictions. It should also be noted that two of the women were widows. They were therefore part of a group of women who were known for their independent spirit in the Early Modern period.[66] There is therefore no evidence that the women in question acted on anything else than their own initiative.

In discussing whether the Privy Council was governed by gender considerations in dealing with Duncan, Kello and Crawford, it is evident that the method of questioning and sentencing of the women suggests that the Privy Council initially treated them as severely as they would in punishing men. Of the three women, only Duncan appears to have been threatened with torture.[67] Torture in order to extract a confession appears to have been limited in this period to Presbyterians involved in the Pentland Rising such as Hugh McKail and James Mitchell (when eventually apprehended).[68] Duncan was threatened with a form of torture called the boot that was also used on other Presbyterians.[69] While the Privy Council ultimately did not use torture, a letter from Tweeddale to Lauderdale on 23 July, indicates that it intended to do so. There is nothing in this letter to imply that the threat of torture was not sincere and only a ploy to force Duncan to answer questions.[70] Tweeddale stated that, when the Hangman appeared with his torture implements, Duncan mentioned that she suspected "Small" (Mitchell) most. However, he goes on to state that she steadfastly refused to give information as to where Major Learmont lodged after he left her house, even though she was "threatened sufficiently with the torture..."[71] Tweeddale did not state the reason for

---

[66] See chapter three, in particular, p. 61.
[67] BL, Add. MSS 23129, fol. 249, Earl of Tweeddale to Earl of Lauderdale, 23 July 1668.
[68] See, Wodrow, *History* Vol. 2, pp. 458-9 for the only two secular instances of this kind of torture in this period. See J, Howie, *The Scots Worthies* W.H. Carslaw (ed.), (Edinburgh, 1870), pp. 354-64 for an account of the Presbyterian, Hugh McKail's torture after the Pentland Uprising. While this account is hagiographical it does give details of McKail's principles and the torture inflicted upon him. See also Wodrow, *History* Vol. 2, pp. 454-73 for an account of Mitchell's torture.
[69] See note in Wodrow, *History* Vol. 2, p. 457 for a description of this device. Essentially, it consisted of a wooden box in which the leg was encased and into which wedges were driven by the Hangman leading to the breaking of bones. In *CSPD 1667-68,* pp. 531-2, August 13 1668, Henry Muddiman described it as "an exquisite torture which the Scots use to extort confession." See also R.D. Melville, "The Use and Forms of Judicial Torture in England and Scotland", in, *SHR* Vol. 7, (1905), pp. 225-48, for an overall description of judicial torture in England and Scotland in the Early Modern period.
[70] BL, Add. MSS 23129, fol. 249, Earl of Tweeddale to Earl of Lauderdale, 23 July 1668. Tweeddale states in this letter, that in the morning sitting of the Privy Council, it was "resolved to put her (Duncan) to the utmost trial by torture..."
[71] Ibid.

the threat of torture not being executed. However, Kirkton, stressed that Rothes (who was Chancellor) interrupted the proceedings and stated, "it was not proper for gentlewomen to wear boots."[72] Caution should be exercised before accepting this as there appears to be nothing in the other extant sources to substantiate it. However, it is clear from Tweeddale's letter that the Council climbed down from its previous stance and did not inflict the threatened torture.[73] If Rothes did in fact state this, this suggests that considerations of gender entered into his part in stopping the torture taking place.

The same initial severity and subsequent mitigation was also evident in the sentencing of the three women. The sentences of banishment inflicted on Duncan, Kello and Crawford were in keeping with those meted out to Presbyterian men involved in the Pentland Rising who had failed to take advantage of the indemnity.[74] The Privy Council initially appeared to be sincere in its desire to carry out the sentences of banishment. It took steps to find ships leaving Scotland on which to transport the women.[75] However, as time passed the sentences were not carried out and, according to Kirkton, only most of the monetary fine inflicted on Kello was exacted.[76] Therefore, in dealing with the three women, the Privy Council showed an initial willingness to treat Presbyterian women in the same way as their male counterparts. However, in common with the incident as to the threatened torture of Duncan, gender considerations by the authorities took over and as time progressed the willingness to show severity waned and Presbyterian women were ultimately shown more leniency than men

The events that surrounded the attempted assassination of Archbishop Sharp in July 1668 indicate that non-conforming Presbyterian women played a leading part in harbouring those who shared the same views on church government and who were regarded as outlaws by the authorities. Those responsible for harbouring Presbyterians generally came from a middle to lower social grouping. Widows

---

[72] Kirkton, *History,* p. 161. This may suggest that Rothes would not be so concerned for a woman from a lower social grouping to be tortured. However, Crawford (wife of a messenger) was never threatened with this.
[73] BL, Add. MSS 23129, fol. 249, Earl of Tweeddale to Earl of Lauderdale, 23 July 1668.
[74] See Wodrow, *History* Vol. 2, pp. 108-9, for a summary of those men recorded in the Privy Council records as banished to Virginia and Tangiers for refusing to sign the bond of indemnity for involvement in the Pentland Rising.
[75] *RPCS 1665-9*, pp. 502-3, 30 July 1668.
[76] Kirkton, *History,* p. 161.

particularly of Presbyterian clergymen were prominent amongst these. The predominance of widows and the willingness of Duncan, Kello and Crawford to suffer rather than yield to threats of torture or sentences of banishment suggest that they were not used merely as pawns of men. Gender considerations did however seem to mark the authorities in dealing with women who harboured outlawed Presbyterians. The Privy Council initially showed severity in threatening torture and sentencing Duncan, Kello and Crawford. However, as time progressed its willingness to execute these sentences seemed to wane and women were more likely to escape their sentences being fully executed.

Chapter 8

Edinburgh 3: Non-Conforming Presbyterian women and the Women's Petition of 1674

Non-conforming Presbyterian women in Edinburgh were not only involved in covert activities such as conventicling and harbouring outlawed members of their religious community. In June 1674, they gave an overt expression of their dissatisfaction of the Episcopalian church settlement by petitioning the Privy Council for liberty for Presbyterian clergy to preach. This took place at the institution of a new Privy Council. In order to approach their Chamber, the Privy Councillors had to make their way through the Parliament Close. This was an enclosed square with a relatively small entrance on the north.[1] Room was scarce at any time due to St Giles Cathedral Church and the tolbooth forming the north side of the square, the south and west sides being bounded by the l - shaped Parliament House and the east side and part of the south side having huge tenement buildings for their boundaries.[2] On 4 June, this confined space was packed by as many as two hundred women with fifteen of these delivering petitions requesting that unhindered liberty be given to Presbyterian ministers to preach. In response to the submission of what became known as the "Women's Petition", the Privy Council cited the women responsible and banished some of them from Edinburgh. This chapter will explore the background, nature and response to this incident in order to establish an accurate narrative account of the presentation of the Women's Petition. It will then turn to an analysis of the social background of the women involved in order to find any relation which may exist between this and the character of the incident which they were involved in. This chapter will conclude by discussing whether or not the women acted on their own volition and whether the authorities responded to this incident in a way that was governed by gender considerations. As the concluding section of the

---

[1] See, D. Fraser, *Edinburgh In Olden Times (*Montrose, 1976), pp. 103-7 for a reprint of a map of James Gordon of Rothiemay. This "Birds Eye View of Edinburgh" gives an excellent view of Parliament Close in the seventeenth century. The name of Parliament Close was simply that used by Edinburgh people for the official name of Parliament Square. See H. Arnot, *The History of Edinburgh* (Edinburgh, 1998), p. 137.

[2] "Slezers Theatrium Scotiae" (1693), in, R. Chambers, *Minor Antiquities of Edinburgh* (Edinburgh, 1833), pp. 35-40.

case study on non-conforming Presbyterian women, this chapter will finish by giving an overall conclusion of the role of female Presbyterian dissenters in Edinburgh.

Presbyterian historians regard events that led up to June 1674 as the background to the presentation of the Women's Petition. William Row claimed that field conventicles were frequent in May 1674 but that this was partly due to fears that this liberty would end with the institution of a new Privy Council.[3] In addition, Lauderdale, as High Commissioner, had previously adjourned Parliament. In doing so, he allowed no opportunity for complaints from opponents to his government of Scotland by peers led by the Duke of Hamilton, (who were regarded as friends of dissent). It was therefore felt that the only option left was for women to petition for continued liberty for Presbyterian preachers.[4] James Kirkton, (followed by Robert Wodrow) also mentioned the Women's Petition being delivered in a background of increased Presbyterian activity.[5] Kirkton further stressed the punishments inflicted on Presbyterian male conventiclers in this year. Therefore, because of the danger that men faced in petitioning, women took it upon themselves to do so.[6] There is little primary evidence to validate or prove these judgements as wrong. There appears to be no extant correspondence from those who took part in the petition. In addition, as they also refused to give evidence, no depositions are available. However, a copy of the original petition is available in the Wodrow Manuscripts in the National Library of Scotland.[7] The petition itself confirms in measure the account of Row. It stated, "for some short while bygone and in the time when his Majesty's Commissioner was amongst us your petitioners have without molestation enjoyed some small liberty by his Majesty's general connivance."[8] It is also clear from Row that Parliament was now dissolved and with a new Privy Council sitting

---

[3] W. Row, *The Life of Robert Blair & Supplement to His Life and Continuation of the History of the Times to 1680* T. McCrie (ed.), (Edinburgh, 1848), pp. 538-9.
[4] Ibid.
[5] J. Kirkton, *A History of the Church of Scotland* R. Stewart (ed.), (Lampeter, 1992), pp. 203-4, R. Wodrow, *History of the Sufferings of the Church of Scotland from the Restoration to the Revolution* Vol. 2 R. Burns (ed.), (Edinburgh, 1828), pp. 268-9.
[6] It should be noted that the Presbyterian minister Robert Law mentions this incident in his *Memorialls* but does not relate the background. See R. Law, *Memorialls* C.K. Sharpe (ed.), (Edinburgh, 1818), p. 67. Sir George Mackenzie of Rosehaugh also mentioned the incident but does not dwell on the background. See Sir G. Mackenzie, *Memoirs of the Affairs of Scotland from the Restoration of King Charles II 1660* (Edinburgh, 1821). p. 273.
[7] NLS, Wodrow Folios Vol. 32, fol. 231.
[8] Ibid.

on 4 June without many of the supporters of Hamilton, Presbyterianism appeared to be in great danger.[9] In order to meet this emergency perhaps as many as two hundred women gathered in Parliament Close on that day to petition for continued liberty for the Presbyterian ministry.

On 4 June, the Chancellor of Scotland, the Earl of Rothes, was given two letters by a Privy Councillor from Charles II ordering dissolution of the Parliament and further measures against conventicles.[10] After these letters were delivered to Rothes, the Privy Council met and after adjourning, dined at a private house. At this point, there were ten or twelve Councillors present.[11] News was then brought to the Privy Councillors that the Parliament Close was full of women with some of them wearing masks.[12] Having made their way to Parliament Close, the Privy Councillors disembarked their coaches and sought with great difficulty to get through the crowd of women to the stairs entering the Parliament House.[13] At this point, fifteen women sought to present doubles of a petition.[14] Particular emphasis was placed on the petition delivered with a speech to Rothes by Janet Fleming, the widow of the Presbyterian minister, John Livingstone.[15] Rothes, while listening to Livingstone's widow, was also intent on shielding Archbishop Sharp from verbal and possibly physical abuse.[16] Other petitions were not so well received. The President of the Court of Session, Sir James Dalrymple of Stair, threw down and trampled upon the one delivered to him.[17] After the Privy Councillors eventually entered the chamber, the Provost of Edinburgh, Sir Andrew Ramsay, and his baillies were sent for and rebuked for allowing such a concourse.[18] After this rebuke, Ramsay subsequently

---

[9] Row, *Life of Robert Blair*, pp. 538-9.
[10] TFA, fol. 2478, ? to Duke of Lauderdale, 4 June 1674. The author of this letter delivered the two letters mentioned to the Chancellor. The letter is unsigned and it is unclear who the author is.
[11] Ibid.
[12] Ibid. William Sharp brought the Privy Councillors this news. He was John Maitland, Duke of Lauderdale's "man" (in charge of his affairs) in Scotland and also the brother of Archbishop Sharp.
[13] Ibid.
[14] Kirkton, *History,* pp. 203-4.
[15] Ibid; Row, *Life of Robert Blair,* pp. 538-9. Kirkton and Row differ on how Rothes received this petition. Kirkton stated "He received it and civilly put off his hat." Row, however, stated, "the Chancellor slighting her, and refusing the supplication, was forced to take it from some others..." See also NAS, GD 406/1/2735, James Johnston to the Earl of Arran, 4 June 1674.
[16] Ibid; Mackenzie, *Memoirs,* p. 273. This will be further discussed, later in the chapter.
[17] Kirkton, *History,* p. 203. See also TFA, fol. 2478, ? to Duke of Lauderdale, 4 June 1674. The writer of this letter states that most of the Privy Councillors would not receive the petitions.
[18] Row, *Life of Robert Blair,* p. 539; Kirkton, *History,* p. 203; NAS, GD 406/1/2735, James Johnston to Earl of Arran, 4 June 1674; TFA, fol. 2478, ? to Duke of Lauderdale, 4 June 1674.

went out and assured the women of a favourable hearing to their petition. Upon hearing this, the women accepted the Provost's pleas, subsequently disbanded and the incident ended.[19]

All historians and correspondents who refer to this incident admit that the Parliament Close was so full of women that the Privy Councillors had great difficulty in getting to the Council Chamber.[20] However, there are different estimates of how many women were actually present. Row, in an unusually precise estimate, stated that one hundred and nine women were present in the Parliament Close.[21] The Lord Advocate from September 1677, Sir George Mackenzie of Rosehaugh, gave a considerably larger estimate. He stated that there were "many hundreds of women" involved.[22] These numbers are clearly diverse. They may reflect Row's Presbyterian and Mackenzie's Royalist sympathies. There is, however, a farther unpublished account of this incident. James Johnston (who looked after the Earl of Arran's affairs in Scotland) concluded that "about two hundred women" filled the Parliament Close.[23] Johnston's account of this incident is very detailed. His estimate suggests that the numbers given by Row and Mackenzie are either too low or too high. The number of one hundred and nine given by Row may be accounted for by the possibility that not all the women present were involved in petitioning. Several women who were questioned as to their presence in Parliament Close insisted that they were not there for petitioning but were caught up in the crowd without any knowledge of what was happening.[24] As will be seen, this seems particularly valid due to those definitely involved refusing to give their oaths and the conclusion of the Privy Councillors that those who had denied involvement were innocent. This may suggest that the number of one hundred and nine given by Row may be accurate as to Presbyterian women involved and that there was a large concourse of curious women caught up in the atmosphere surrounding the delivering of the petition.

---

[19] Ibid
[20] Ibid; Mackenzie, *Memoirs*, p. 273.
[21] Row, *Life of Robert Blair*, pp. 538-9.
[22] Mackenzie, *Memoirs,* p. 273.
[23] NAS, GD406/1/2735, James Johnston to Earl of Arran, 4 June 1674. The Earl of Arran was later to become James Hamilton, fourth Duke of Hamilton
[24] BL, Add MSS 23136, fol. 180, Earl of Kincardine to Duke of Lauderdale, 16 July 1674; TFA, fol. 2494, Thomas Haye to Duke of Lauderdale, 6 July 1674. Both Kincardine and Haye speak in general terms without giving examples.

A further question relating to the nature of the incident is the level of violence used by the women in presenting the petition. Charles Kirkpatrick Sharpe stated that the women in presenting their petition had a plan for murdering Archbishop Sharp.[25] Presbyterian minister and historian, Robert Burns, in his edition of Wodrow's *History* has shown that this claim is unfounded on the evidence cited by Sharp from Kirkton and Wodrow.[26] However, Sir George Mackenzie of Rosehaugh also stated that there was a "bloody design" to set upon Archbishop Sharp on a signal that Rothes sought to divert.[27] Mackenzie's account has already been shown to be unreliable as to numbers. It should however be noted that Row indicated that Archbishop Sharp was concerned as to his safety and therefore closely followed Rothes through the Parliament Close.[28] Kirkton agreed with Row but also stated that Archbishop Sharp was "reproached" as a "Judas and traitor."[29] He further stated that one of the women "laid her hand upon his neck and told him that neck must pay for it ere all was done…but this was all he suffered at that time."[30] The accounts of these Presbyterian historians may be open to the charge of bias. However, correspondence from an independent witness and even a Privy Councillor, indicate that the only form of violence used by the women was some mild jostling. James Johnston stated that there were "some fears, that the women had fallen upon the bishop and had beaten him."[31] However, he did not state that this took place but that Archbishop Sharp was called "Judas, traitor, betrayer of his country and Lord."[32] A Privy Councillor writing to Lauderdale on the day of the tumult mentions nothing as to a plan to attack Sharp or any physical assault being committed upon him. He simply stated, "the(y) railed at my Lord St. Andrews as he was on the stairs head calling him villain etc."[33] These accounts seem to suggest that while there were fears of Archbishop Sharp being attacked, the most physical contact made against him was a hand placed on his neck. Most of the abuse he suffered was verbal.

---

[25] Law, *Memorialls,* p. 67 footnote.
[26] Wodrow, *History* Vol. 2, p. 269 footnote.
[27] Mackenzie *Memoirs* p. 273.
[28] Row, *Life of Robert Blair,* pp. 538-9.
[29] Kirkton, *History,* pp. 203-4.
[30] Ibid.
[31] NAS, GD406/1/2735, James Johnston to Earl of Arran, 4 June 1674.
[32] Ibid.
[33] TFA, fol. 2478, ? to Duke of Lauderdale, 4 June 1674.

The immediate response of the Privy Council to the tumult was to summon and rebuke the Provost (Ramsay), baillies and town officers of Edinburgh. Thereafter, Ramsay went out of the Council chamber and spoke to the women in such a way that they soon dispersed.[34] The women who presented petitions were subsequently called to answer for their actions.[35] These refused to answer questions as to "who was the author of the petition, who advised them as to it and who was present."[36] Thirteen women who were deemed most responsible were nearly imprisoned.[37] This did not take place due to the Parliament Close being again full of women who were determined not to leave until all those questioned left with them. The magistrates were again rebuked for this and told that the "judicator" would be removed unless they ensured that the Parliament Close was kept free from women.[38] On 11 June, while the Privy Council met, the magistrates placed a company of militia in Parliament Close who ensured that it was kept free from women. Some women and their husbands were cited on 12 June to appear before the Privy Council. Upon failing to appear, they were ordered to be imprisoned. The militia was also ordered to search for them although none was found.[39] A letter from the Earl of Linlithgow to Catherine Murray, Duchess of Lauderdale, on 13 June, indicated that some women did in fact appear on 12 June. Linlithgow stated that when questioned, "some of them seem to be sorry for what they have done, and some others of them has left their shops and fled for fear of just punishment."[40] By 23 June, steps were still being taken to secure the women who presented the petition. On that day, Margaret Johnston (daughter of the radical Covenanter Sir Archibald Johnston of Wariston) gave herself up for trial. However, as she did not appear when called (although in the outer room of the Council chamber) she was imprisoned in the

---

[34] Ibid; NAS, GD406/1/2735, James Johnston to Earl of Arran, 4 June 1674.
[35] It is difficult to ascertain exactly what date this took place but it was at some point after 4 June and definitely before 12 June. Notice of this is taken from a letter of James Johnston to the Earl of Arran on 12 June where reference is made to this meeting taken place on "Wednesday last." There is no notice of this in the Privy Council records. See NAS, GD406/1/2375, James Johnston to Earl of Arran, 12 June 1674.
[36] Ibid.
[37] Ibid.
[38] Ibid.
[39] Ibid.
[40] BL, Add. MSS 35125, fol. 252, Earl of Linlithgow to Duchess of Lauderdale, 13 June 1674.

tolbooth.[41] An excerpt from the Privy Council records on 25 June indicates that Lillias Campbell and other women were also imprisoned in the tolbooth for not giving information concerning the circumstances surrounding the presentation of the petitions.[42] A committee consisting of the Earl of Linlithgow, George Keith eighth Earl of Marischal, George Sinclair sixth Earl of Caithness, John Fleming fourth Earl of Wigton and Sir Archibald Primrose (Lord Register) were instructed to meet and consider any addresses from the prisoners or those who did not appear when cited. Authority was given to this committee to either liberate or continue the case as it saw fit.[43] This first mention of the tumult in the Privy Council records is very moderate and suggests that there was a possibility of the matter being swiftly drawn to a close.

On 30 June, a letter from Charles II was read in the Privy Council. This letter mentioned "that seditious petition of many women and…their tumultuous carriage at the delivering of it…" This was mentioned in the same setting as armed resistance by non-conforming Presbyterians to government forces in Fife.[44] The purpose of this letter was to "renew" commands that the Privy Council "vigorously… prosecute the trial and punishing of those condemners of our authority."[45] The Privy Council were also required to use their "outmost vigour in finding out and bringing to just punishment the ringleaders of the foresaid seditious and insolent practises."[46] After consideration of this and Charles II's earlier letter of 19 May concerning the suppression of conventicling, the Privy Council wrote to Charles II and Lauderdale on 2 July outlining the measures being taken by them against Presbyterian dissent. They further assured that the "tumultuous" Women's Petition would be dealt with.[47] On the same day, a committee of the Earls of Linlithgow, Caithness, James Ogilvy second Earl of Airly and Lord Collington were to examine the magistrates of Edinburgh as to who was present at the tumult.[48] The women judged by the magistrates of Edinburgh to have been in the tumult were to be cited to appear before

---

[41] HMC, *Laing MSS I* (London, 1914), pp. 416-8, Thomas Haye to Duke of Lauderdale, 23 June 1674. The year in the report is 1679. However, this appears to be a definite mistake and the circumstances clearly place it in 1674. It should be noted from this letter, that Johnston was one of the women questioned earlier as to the tumult. She had gone into hiding and only now was willing to face trial.
[42] *RPCS 1673-6*, p. 208, 25 June 1674.
[43] Ibid.
[44] Ibid, pp. 211-2, 30 June 1674.
[45] Ibid.
[46] Ibid.
[47] Ibid, pp. 217-9, 2 July 1674.
[48] Ibid.

this committee.[49] On 3 July, the magistrates of Edinburgh were ordered to find out again what women were present at the tumult. This led to them questioning persons who had houses and shops in and around Parliament Close. The depositions concerning this were delivered to the Privy Council on 4 July. However, the only persons of "quality" noted were a sister of Lord Melvin's, Lady Crimond and the widow of John Denholme "an Edinburgh baillie."[50] The committee further reported to the Privy Council on 7 July and particularly mentioned the diligence of the magistrates and their request that they would not be put to their oaths. This appeared not to be carried by the Privy Council and the magistrates were again appointed to be brought before the committee to give evidence. The women named were thereafter cited to appear the following week.[51]

On 16 July, a number of women appeared before the Privy Council in connection with the tumult. On this occasion, the Privy Council records states almost nothing as to what transpired concerning these women.[52] However, a letter of James Johnston to the Earl of Arran on 14 July indicates that about fifty women were cited.[53] According to the Earl of Kincardine, those women proved to be "of the innocenter sort for all swore that they knew nothing of the thing though they were in the close, or that they were absent."[54] However, Thomas Haye told Lauderdale that most of the women cited did not appear. He further maintained that those who appeared either denied they were present at either of the tumults or stated that they were only accidentally in the Parliament Close and knew nothing of the petition.[55] Haye added that some who appeared, refused to give evidence and were referred to the same committee to examine them along with others who had been already questioned.[56] He further mentioned the case of Margaret Johnston who had been released from prison having given a bond for £333 as a condition to confine herself in a chamber in Edinburgh.[57] On 21 July, the Privy Council instructed the committee

---

[49] Ibid, pp. 224, 227, 2 July 1674. Unfortunately, this list does not appear to be extant although the women subsequently dealt with may be the persons in question.
[50] BL, Add. MSS 23136, fol. 174, Thomas Haye to Duke of Lauderdale, 4 July 1674.
[51] TFA, fol. 2490, Thomas Haye to Duke of Lauderdale, 7 July 1674.
[52] *RPCS 1673-6*, p. 235, 16 July 1674.
[53] NAS, GD406/1/2746, James Johnston to Earl of Arran, 14 July 1674.
[54] BL, Add. MSS 23136, fol. 180, Earl of Kincardine to Duke of Lauderdale, 16 July 1674.
[55] TFA, fol. 2494, Thomas Haye to Duke of Lauderdale, 16 July 1674.
[56] Ibid; *RPCS 1673-6*, p. 235, 16 July 1674.
[57] Ibid. This is also confirmed by the Privy Council records. See *RPCS 1673-6*, p. 235, 16 July 1674.

to examine any women connected with the tumult as to "their own accession and guiltiness." They were also "to examine them upon oath whom they knew to have accession to the contriving, drawing or writing of that seditious petition… who was present in Parliament Close with them, who had the petitions in their hands and who submitted them to the councillors."[58] Failure to give information was to result in imprisonment. The committee was to begin with Margaret Johnston.[59] The terse account in the Privy Council records does not reveal the conflict that took place in the that body on this issue. Correspondence from Airly and Kincardine to Lauderdale provides details concerning this, although from different points of view. According to Airly, when the matter was discussed in the Privy Council there were several objections to a motion that the women be put to their oaths concerning their involvement in the tumult.[60] Objections included stating that those involved were "silly women", the Council were at the "bottom of the business" and that they were in danger in proceeding in this way with this matter at this time.[61] Airly felt, as they had not found one person at the contriving of the petition, they were hardly at the bottom of the matter. He also stated that he had seen a petition under Margaret Johnston's hand when he was at Windsor.[62] Airly further revealed that the Earl of Athol had stated that if persons like Johnston were to be set free who were ringleaders, then the whole matter had been as well set aside.[63] Ultimately, Rothes gave a deciding vote that the women should be put to their oaths. Other Privy Councillors like Kincardine doubted the worth of this and stated that there was nothing significant about the petition other than the "fantastical folly of some outed minister or other."[64] However, the ruling vote of Rothes meant that the women in question would be brought to trial for their part in the presentation of the petition in the Parliament Close.

On 30 July, the Lord Advocate, Sir John Nisbet of Dirleton, appeared against seventeen women charged with taking part in the tumult.[65] Nisbet's charge related to

---

[58] *RPCS 1673-6,* pp. 241-2, 21 July 1674.
[59] Ibid.
[60] BL, Add. MSS 35125, fol. 259, Earl of Airly to Duke of Lauderdale, 23 July 1674.
[61] Ibid.
[62] Ibid.
[63] Ibid.
[64] TFA, fol. 2486, Earl of Kincardine to Duke of Lauderdale, 24 July 1674.
[65] *RPCS 1673-6*, pp. 258-61, 30 July 1674.

the tumults surrounding the offering of the petitions and the subsequent appearance of women when the Privy Council questioned some of the petitioners.[66] Nisbet further charged "divers" of the women and particularly Catherine Montgomery (widow of Presbyterian minister, Robert Blair) and Isobel Kennedy (wife of James Cleland, surgeon) with refusing to give information when questioned concerning the circumstances surrounding the tumult.[67] Ultimately, all of the women charged, failed to appear and were denounced as rebels.[68]

It is important to note that Nisbet did not charge at this time the women already imprisoned for being in the tumult or refusing to give information. Margaret Johnston was one of these. Upon petitioning in August for liberty on grounds of ill health, she was allowed to go out of the tolbooth for three hours every day after giving a guarantee for £667.[69] Further petitions by Bethia Murray, Margaret Johnston and Lillias Campbell on 2 October for liberty were granted on giving a guarantee for £1000 each that they re-enter prison on 10 November.[70] It seems clear that these women did go back to the tolbooth on that date. On 13 November, with thirteen other women, they appeared before the Privy Council for their part in the tumult. All these confessed their presence at the tumult and were subsequently banished from Edinburgh and Leith. They were to leave by 1 December.[71] On 3 December, Margaret Johnston and Lillias Campbell, had their sentence suspended for fourteen days.[72] This sentence does not appear to have been executed on Johnston until at least February 1675.[73] In that month, she petitioned the Privy Council and asked to leave the country rather than be banished from Edinburgh. She also sought financial assistance to do this and was granted £120. This effectively brought the response of the Privy Council to the Women's Petition to a close.

Having established an accurate narrative of the background, nature and response to this incident, this chapter will now turn to discussing the social

---

[66] Ibid.
[67] Ibid.
[68] Ibid. See also *RPCS 1673-6*, pp. 263-4, 31 July 1674 for a letter from the Privy Council to Lauderdale informing him of this.
[69] TFA, fol. 2505, Thomas Haye to Duke of Lauderdale, 18 August 1674.
[70] *RPCS 1673-6,* p. 291, 2 October 1674.
[71] Ibid, p. 295, 12 November 1674; NAS, GD406/1/5915, James Johnston to Earl of Arran, 13 November 1674.
[72] *RPCS 1673-6,* p. 306, 3 December 1674.
[73] Ibid, p. 622, 12 February 1675.

background of those involved. The background of all women involved in the tumult surrounding the presentation of the petition cannot be ascertained as those who were questioned refused to give information as to their accomplices.[74] In addition, some women present in the Parliament Close appear not to have been involved in the petition but were there merely out of circumstances. However, Row indicated that "a multitude of honest women in Edinburgh, especially outed ministers' wives and widows with some ladies..." were involved in presenting the petition.[75] Kirkton, gave a precise number of fifteen having participated in this. He also stated that most of them were ministers' widows.[76] James Johnston, stated that most of the women in the Parliament Close were dressed "in gentlewomen's habits."[77] The Privy Council Register mentions six women who were wives or widows of Presbyterian ministers and six women who were styled as "ladies" or related to gentry or aristocracy.[78] While the leading women in this incident either were related to clergy or were titled, the diversity of the women involved in the petition should also be noted. Those either charged or sentenced included the wife of a cooper in Leith, the wife of a surgeon and the wife of a hat maker.[79] However, wives and widows of clergy and "ladies" clearly led in the actual petitioning. The action of petitioning which required an erudite manner of speech was in keeping with the social grouping in Restoration Scotland that wives and widows of clergy and titled ladies came from. The absence of any real violence apart from jostling and name calling further indicates that those involved in petitioning were not seeking to act in a riotous manner in order to make known their feelings. Indeed, the demeanour of Janet Fleming seems to indicate that the petitioners were not involved in the name calling and jostling.[80] The more "genteel" social origins of the women involved with their background in the manse and prominent position in local communities appear

---

[74] See p. 140 of thesis.
[75] Row, *Life of Robert Blair,* pp. 538-9.
[76] Kirkton, *History*, p. 203.
[77] NAS, GD406/1/2735, James Johnston to Earl of Arran, 4 June 1674.
[78] See Appendix G. These women were strongly connected with Presbyterian dissenting activities Janet Fleming and Catherine Montgomery were widows of two of the foremost Presbyterian preachers in Scotland in the seventeenth century. See J. Howie, *The Scots Worthies* W.H. Carslaw (ed.), (Edinburgh, 1870), pp. 335-54, 367-77 for biographies of Presbyterian ministers, Robert Blair and John Livingstone
[79] See Appendix G.
[80] See particularly Kirkton, *History,* p. 203 for his judgement of Fleming's ability to speak "well."

therefore to be directly related to the way they chose to object to the Episcopalian church settlement.

In seeking to ascertain whether women presented the petition on their own initiative it can be argued that their unwillingness to give information was due to a desire to hide the identity of male colleagues. However, the refusal to give information was by this point in the Restoration a standard action on the part of Presbyterian dissenters.[81] Indeed, the historical accounts of Presbyterian historians suggest that men were not responsible for the petition and that women drew it up and presented it on their own initiative.[82] None of the Presbyterian chroniclers of this period indicates that these women were ordered by men to take this course. Kirkton (who was often in Edinburgh in this period) stated that "because men durst not, the women of Edinburgh would needs appear in a petition to the Council..."[83] It should also be noted that, as these Presbyterian historians wrote after the event, there was no need to shield anyone. In addition, the petition itself particularly pleads for liberty in Edinburgh. As several women of the town of Edinburgh addressed it, it seems legitimate to assume that they would feel the need of presenting a petition when liberty for Presbyterian clergy seemed in danger.[84] At least one prominent woman mentioned (Lady Crimond) was a well-known conventicler in Edinburgh.[85] They therefore had much to lose by a crackdown on their activities. Perhaps the most compelling argument in favour of the women devising the action is the quality and ability of those mentioned. Many were from the lower aristocracy or wives and widows of well-known radical Presbyterian clergy.[86] They therefore came from a social grouping that would arguably have the ability and confidence to devise and present such a petition. It is certainly evident that the spokesperson, Janet Fleming, was an erudite confident speaker who was willing to present her case to the highest state officer in Scotland.[87] Ginny Gardiner has shown that she traded as a merchant

---

[81] See chapter seven.
[82] Row, *Life of Robert Blair,* pp. 538-9; Law, *Memorialls,* p. 67; Wodrow, *History* Vol. 2, pp. 268-9.
[83] Kirkton, *History*, pp. 203-4.
[84] Ibid.
[85] See Appendix F.
[86] For example, Lady Crimond (Rachel Johnston) and Janet Fleming (widow of John Livingstone).
[87] Kirkton, *History*, p. 203.

while living in exile in Rotterdam.[88] If such a woman and her colleagues had the confidence and ability to do this, it seems reasonable to assume that they had the initiative and education necessary to devise such a petition.[89] As there is no direct confirmation available from depositions, it is therefore difficult to conclude absolutely as to whether women acted on their own initiative. However, the evidence brought forward here suggests that it is just as likely that they acted on their own impulse as being used by men.

In pursuing the women involved in presenting the petition, in the short term, the gender of those presenting the petitions made no difference in the way they were treated. The Privy Council evidently thought that the women were merely mouthpieces of men and as a result sought to discover who the "real" author of the petition was. On the day the petition was presented, an unidentified Privy Councillor wrote to Lauderdale and enclosed a copy of the petition. He further stated that, the references to Presbyterian clergy having liberty to preach while Lauderdale was in Scotland suggested, that "the hand of Joab is in it" and that the women were "set on" to deliver the petition.[90] This biblical reference alludes to the activity of the wise woman of Tekoah in the fourteenth chapter of the second book of Samuel. In this section, the woman speaks to King David in order that Absalom be brought back into favour after murdering his brother Amnon. The background of the dismissal of most of the supporters of Hamilton from the Privy Council suggests that, by blackening the reputation of Lauderdale as being soft on dissent, a way was being paved for the return to favour of his protagonist.[91] Certainly, the Privy Council proceeded to question those who presented the petition with the premise that someone else had penned the petition and had moved the women to present it.[92] The refusal of the women to answer any questions only seemed to heighten suspicion that others were

---

[88] G. Gardner, *The Scottish Exile Community in the Netherlands 1660-1690 " Shaken Together in the Bag of Affliction"* (East Linton, 2004), p. 24.
[89] Rab Houston has shown that female illiteracy was almost universal in mid-seventeenth century Scotland. However, he also pointed out that literacy increased after this and that daughters of professional men or aristocracy were most likely to have some writing skills. See R.A. Houston, *Scottish Literacy and the Scottish Identity* (Cambridge, 1985), p. 59.
[90] TFA, fol. 2478, ? to Duke of Lauderdale, 4 June 1674.
[91] See J. Buckroyd, *Church and State in Scotland 1660*-1681 (Edinburgh, 1980), pp. 107-15 for a full discussion on this.
[92] NAS, GD406/1/2735, James Johnston to Earl of Arran, 12 June 1674.

involved.[93] On 21 July, the Privy Council again instructed a committee to enquire of the women who were imprisoned for refusing to give evidence, as to who had "accession to the contriving, drawing, or writing" of the petition.[94] Therefore, the predominating feeling in the Privy Council was that the women were not acting on their own initiative but on behalf of others.

In sentencing the women involved in presenting the petition it can also be argued that, at least in the short term, the gender of those presenting the petitions made no difference in the way they were treated. According to James Johnston, the authorities would have imprisoned those who presented the petitions when they appeared before the Privy Council, had the crowd not intervened.[95] When Margaret Johnston eventually gave herself up, she was imprisoned because she did not leave the outer Council chamber to appear when called.[96] Lillias Campbell and Isobel Kennedy were also imprisoned. With periods of respite, they remained in prison from June and July to at least November 1674.[97] In addition, the sentence of banishment from Edinburgh for presenting a petition amidst a tumult suggests that the Privy Council was willing to act severely irrespective of the gender of those accused.[98] Where gender considerations may have come into play was in the way the sentence was executed. There is no record of any arbitrary measures being taken against the women who were banished to ensure that they left Edinburgh. Indeed, the Privy Council was prepared to grant stay of sentence for Margaret Johnston and Lillias Campbell (if for only fourteen days).[99] By February 1675, Johnston had still not left Edinburgh. On 12 February, Johnston sought financial assistance to leave the country instead of banishment and was granted £120 by the very Council that had banished her.[100] Therefore, the execution of the sentence on Johnston suggests that

---

[93] Ibid.
[94] *RPCS 1673-6,* pp. 211-2, 30 June 1674.
[95] NAS, GD406/1/2375, James Johnston to Earl of Arran, 12 June 1674.
[96] HMC, *Laing MSS I,* pp. 416-8, Thomas Haye to Duke of Lauderdale, 23 June 1674.
[97] Kirkton, *History,* p. 204; *RPCS 1673-6,* p. 208, 25 June 1674, pp. 241-2, 21 July 1674, p. 291, 2 October 1674, p. 295, 12 November 1674; TFA, fol. 2505, Thomas Haye to Duke of Lauderdale, 18 August 1674; NAS, GD406/1/5915, James Johnston to Earl of Arran, 13 November 1674.
[98] *RPCS 1673-6,* p. 295, 12 November 1674.
[99] Ibid, p. 306, 3 December 1674.
[100] Ibid, p. 622, 12 February 1675.

the authorities were likely to lapse over a period into a gendered view of the female sex that treated their actions less seriously than men.[101]

In concluding this chapter, it is clear that women were the leading actors in 1674 in presenting a petition for liberty for Presbyterian clergy. The women who presented the petition came from a background of the middle sections of society and lower aristocracy although women from a lower social background were present. While jostling and name-calling took place, no violence occurred and the action of the women in presenting the petition was in keeping with their social background. There is no direct evidence to prove that women were merely the pawns of men and at least as much evidence to prove the opposite. The Privy Council initially responded to this in an arbitrary manner but eventually were more inclined to show clemency. At all times gender considerations seemed to dictate that they suspected that women were merely the mouthpieces of men and were not responsible for their petition.

This chapter concludes this case study on non-conforming Presbyterian women in Edinburgh. The analysis of house conventicles in Edinburgh has shown a vibrant gathered Presbyterian church in Edinburgh with women playing a leading part. The preparedness of women to hold these events was far in excess of men. Their attendance at these conventicles could also outnumber men by as much as two to one. The social background of those involved in conventicling suggests that a lower to middle social grouping within Scottish society were involved in these. The subsequent chapters indicate where differences could be seen as to the social background of women who participated in other illegal religious activities. The women who were questioned after the assassination attempt of Archbishop Sharp indicates that women who had means and property (particularly widows) were more likely to harbour outlawed Presbyterians. The differences within female non-conforming Presbyterianism is perhaps most clearly seen by the *elite* of minister's wives, widows and gentlewomen that took part in the presentation of the Women's Petition in 1674. While women from different sections of society were present at

---

[101] It should be noted that there were moves in the Privy Council to finish the business on grounds that "silly women" were only involved. See BL, Add. MSS 35125, fol. 259, Earl of Airly to Duke of Lauderdale, 23 July 1674.

this incident, these came from social groupings that included ministers and lower aristocracy who took the lead. In none of these case studies can women be regarded as mere pawns of men. On the contrary, they showed a fervency and commitment that at times surpassed that of men. However, all three chapters do indicate that while the authorities could deal with Presbyterian women *initially* as severely as men, in time, this waned and they were eventually treated more leniently. Gender considerations clearly had a part to play in this, as the activities of women were often as serious as that of men. In summing up this case study, the activities of women and the Presbyterian dissenting community in general can be placed in the context of another recent study on religion in the capital city in the seventeenth century. Laura Stewart has shown that, in the thirty-five year period between 1617 and 1653, a close community of Presbyterians existed in Edinburgh who opposed liturgical innovations and whose contacts and influence extended to Lothian, Fife, Glasgow and the south-west.[102] This case study has shown that this was also the case between 1660 and 1679 and that women played a significant part within this community.

[102] L.A.M. Stewart, 'Politics and Religion in Edinburgh 1617-53' (PhD: University of Edinburgh, 2003), p. 102. Stewart's work builds on David Stevenson's work on radical Presbyterians. See D. Stevenson, "Conventicles in the Kirk, 1619-37: The Emergence of a Radical Party", in, *Records of the Scottish Church History Society* 18 (Edinburgh, 1972-4).

Chapter 9

Lady Margaret Kennedy: The Personal Life and Presbyterianism of Lady Margaret Kennedy

Sir George Mackenzie of Rosehaugh, in referring to Presbyterians in Restoration Scotland, stated that a female aristocrat, Lady Margaret Kennedy, was their "great patron."[1] This case study will seek to discuss Lady Margaret's personal background and activities on behalf of non-conforming Presbyterianism.[2] As a prominent character in the history of Restoration Scotland, there is more material to draw upon for a discussion of Lady Margaret than other non-conforming Presbyterian women. The extensive range of documents available in various archives concerning Lady Margaret have been used firstly to provide an exhaustive analysis of her personal background and Presbyterian viewpoint. Thereafter, having established Lady Margaret's place in the social structure in Restoration Scotland, the several incidents in which she participated in or appealed on behalf of Presbyterian dissent will be discussed. A relation will then be drawn between Lady Margaret's social background and the form of dissent expressed by her against the Episcopalian church settlement. This fresh analysis of the foremost Presbyterian women in Scotland in the 1660s, while an integral part of this thesis, should also substantially revise and enlarge articles by Osmund Airy and Martin Greig in order to provide an overall picture of her role in Restoration Scotland.[3]

---

[1] Sir G. Mackenzie, *Memoirs Of The Affairs Of Scotland From The Restoration Of King Charles II AD 1660* (Edinburgh, 1821), p. 165

[2] Lady Margaret Kennedy was usually referred to as "Lady Margaret." This title has been used throughout this case study.

[3] O. Airy, "Margaret Burnet" in, *DNB* Vol. 3, pp. 407-8. Airy has titled his article using Lady Margaret's married name. Greig provided an article on Lady Margaret for the recent Oxford Dictionary of National Biography. However, his treatment of Kennedy lacks the same detail and insight of Airy's work. Airy's article has therefore been used as a standard of comparison in this case study. See M. Greig, "Lady Margaret Burnet (nee, Kennedy), in, *ONDB* Vol. 8, p. 929. Airy's evidence appears to be based on published letters of Lady Margaret and the accounts of Mackenzie and Law. Airy also consulted the extensive correspondence of Lauderdale's in the British Library. However, it is questionable whether he viewed the unprinted correspondence of Lady Margaret in the National Library of Scotland. It is also virtually certain that he was unaware of the letters in the Tollemache Family Archive and did not consult the Hamilton Papers in the National Archives of Scotland.

This chapter seeks to analyse the personal life of Lady Margaret and her views on Presbyterianism. Key themes to be explored are: Lady Margaret's membership of the high aristocracy, her prestige through wealth and influence in the 1660s and her friendship with the Secretary of State for Scotland, John Maitland, second Earl of Lauderdale.[4] The exact character of Lady Margaret's views on Presbyterianism will then be explored through analysis of correspondence and papers written by her. Due to the extensive amount of source material available, narrative as well as analysis will be used with a conclusion providing a foundation for the discussion of her activities on behalf of non-conforming Presbyterianism.

Lady Margaret Kennedy was the eldest daughter of John Kennedy, sixth Earl of Cassillis and Lady Jean Hamilton, daughter of the first Earl of Haddington.[5] She was born (approximately) in 1625.[6] Little appears to be extant of Lady Margaret's upbringing. However, her future husband, the Episcopalian churchman and historian Gilbert Burnet, indicated the kind of education that she possibly received. According to Burnet, she was "…a woman of much knowledge, had read vastly; she understood both French, Italian and Spanish; she knew the old Roman and Greek authors in translation; she was an excellent historian and knew all our late affairs exactly well, and had many things in her to furnish out much conversation."[7] This appears to indicate that Lady Margaret received an education far in excess of her peers. In comparison, according to Rosalind Marshall, Anne, third Duchess of Hamilton's daughters were taught to read and write, learnt arithmetic, painted and wrote poetry. One of them may also have known Latin.[8] It is possible also that their mother may have learnt French.[9] However, Lady Margaret's knowledge of three foreign languages, classical authors in translation as well as more recent history sets her apart as possessed of an education far in excess of many of her Scottish female

---

[4] It is important to reiterate that Lauderdale did not become Duke until 1672. Lady Margaret was intimate with Lauderdale while he was still Earl. He has been referred to by this title in this case study.
[5] F. Hindes Groome, "Kennedy, John, sixth Earl of Cassillis", in, *DNB* Vol. 10, pp. 426-7.
[6] Accounts of Lady Margaret Kennedy usually follow Airy in placing her birth at around 1630 although placing a question mark after this. 1625 has been arrived at as the probable date of Lady Margaret's birth by accepting Gilbert Burnet's year of birth to be 1643 and also his statement as to his wife being eighteen years older than him. See O. Airy, "Gilbert Burnet", in, *DNB* Vol. 3, pp. 394-405; O. Airy, "Margaret Burnet", in, *DNB* Vol. 3, pp. 407-8.
[7] H.C. Foxcroft, *A Supplement to Burnet's History of My Own Time* (Oxford, 1902), p. 85.
[8] R.K. Marshall, *The Days of Duchess Anne* (London, 1973), pp. 146-7.
[9] Ibid, p. 22.

aristocratic contemporaries. This judgement is in keeping with the educated yet unsympathetic view of Sir George Mackenzie of Rosehaugh. While relating a slanderous story about Lady Margaret and Lauderdale, he nevertheless admitted, "her parts exceeded others of her sex."[10]

The length of time that Lady Margaret stayed with her parents is not immediately apparent. However, it is clear that her mother died relatively young and her father married for a second time in 1645.[11] Lady Margaret appears to have left her father's house shortly after the death of her mother, around 1643.[12] Evidence of this can be seen in the Duchess of Hamilton insisting that Lady Margaret "had lived in family above thirty years…" with her and her grandmother, Anna Cunninghame, Marchioness of Hamilton.[13] Lady Margaret left Hamilton Palace in early 1675 on the discovery of her marriage to Gilbert Burnet.[14] This suggests that she lived with the Duchess of Hamilton from at least 1645. The "over" in the Duchess of Hamilton's remarks may take this period as far back as 1642 or 1643. This would be in line with the date of Lady Jean Hamilton's death and the date in which the future Duchess of Hamilton came to Scotland with her father.[15] The fact that the Duchess of Hamilton stated that Lady Margaret lived in "family" not only with her but also with the Marchioness of Hamilton (her grandmother) confirms that she was certainly with the Duchess of Hamilton before 1647 - the year of the Marchioness's death.[16] If this statement is correct, then Marshall's account of the Duchess of Hamilton's adventures in Arran and in a house in the woods of Hamilton Palace during the Cromwellian regime suggests that Lady Margaret joined her in these movements.[17] The correspondence of Lady Margaret after 1660 leaves no doubt whatsoever that,

---

[10] Mackenzie, *Memoirs*, p. 165. A note of caution is required here. Lady Margaret may well have been educated in these things while a girl in the Cassillis household. However, her subsequent life did not involve the responsibilities of running an estate or looking after a family. She was therefore in a position to acquire this knowledge in adult life.

[11] Groome, "Kennedy, John, sixth Earl of Cassillis", in, *DNB* Vol. 10, pp. 426-7. The legend that Cassillis's first wife fell in love with a gypsy, absconded and was subsequently imprisoned by Cassillis has been contested by Groome in this article.

[12] Ibid.

[13] NAS, GD45/24/22, *Information for the Duchess of Hamilton against Kilmarnock,* p.4.

[14] H.C. Foxcroft, H.C., *A Supplement to Burnet's History of My Own Time* (Oxford, 1902), pp. 480-1 footnote.

[15] Marshall, *Days of Duchess Anne,* p. 20. For more information as to this, see J.J. Scally, 'The Political Career of James Third Marquis and First Duke of Hamilton' (PhD: University of Cambridge, 1993). See also BL, Sloane MSS 1007, (1677).

[16] Marshall, *Days of Duchess Anne,* p.23; NAS, GD45/24/22, *Information,* p.4.

[17] Marshall, *Days of Duchess Anne,* p. 26-7.

after the Restoration of Charles II to 1675, she lived mostly in Hamilton Palace interspersed with stays in Holyrood Palace.[18]

Lady Margaret's wealth was a subject of discussion during the Restoration period.[19] It is difficult to be conclusive as to the amount of her wealth as it is not clear whether the documents extant cover the whole extent of her transactions in this period. However, the documents available do give an insight into her financial status. For instance, in 1642, Lady Jean Hamilton bequeathed in her will £6667 to Lady Margaret.[20] A discharge given by Lady Margaret to her father in 1663 indicates that her mother's marriage contract also required that £20000 be given to her as eldest daughter.[21] Lady Margaret was also involved in a series of sasine and wadset contracts in 1653 and 1654.[22] These took place at approximately the same time as her sister Catherine was married to William, Master of Cochrane.[23] They suggest that financial provision was being made for her at the same time as her sister's future was being secured.[24] Lady Margaret's other natural sister, Helen, died in the early 1660s. She appointed £4000 to be at Lady Margaret's "command."[25] In 1663, the discharge already referred to also mentioned £4000 that was deemed the profit on the £20000 left to Lady Margaret through her mother's marriage contract.[26] In 1667, as Cassillis neared death, he willed that his two surviving daughters (Lady Margaret and Lady Catherine) should receive £667 each to buy a jewel.[27] By July

---

[18] The letters of Lady Margaret to Lauderdale are addressed either from Hamilton or Holyrood Palace and conclude when from Hamilton with her presenting the Duchess of Hamilton's service to Lauderdale. See *Letters of Lady Margaret Kennedy to John Duke of Lauderdale* C.K. Sharpe (ed.), (Edinburgh, 1828), for frequent examples of this.

[19] This refers to the steps taken by Burnet in delivering a deed to Lady Margaret the day before their wedding, renouncing all claims to her fortune in order to avoid accusations of marrying her for her wealth. See Bod. L, Add MSS D16, fol. 340, *The Life of The Author by The Editor Thomas Burnet Esq.*

[20] BL, Add. MSS 23113, fol. 7, *Will of Countess of Cassillis,* 10 November 1642.

[21] NAS, GD25/9/79/35 2A, *Discharge Of Lady Margaret Kennedy To The Earle Of Cassillis Her Father,* 15 April 1663.

[22] These are in the Ailsa Muniments (NAS, GD25). The relevant documents are GD25/5/46 abc, GD25/5/54, GD25/5/57, GD25/5/58, GD25/8/384, GD25/8/384a, GD25/8/397, GD25/8/383.

[23] See *SP* Vol. 2, pp. 443-502 for full account of the Kennedy family.

[24] The transactions mentioned appear to relate to the sixth Earl's at least partial honouring of Lady Margaret's mothers will and marriage contact. However, care must be taken before stating this absolutely in the absence of any available correspondence to confirm this.

[25] NAS, GD25/Box 79, *Testament of Lady Helen Kennedy,* 15 April 1661.

[26] NAS, GD25/9/79/35 2A, 15 April 1663. This may indicate that the land given to Lady Margaret (possibly relating to the £20000 owed to her) had yielded this much in rent that was now being paid by her father.

[27] NAS, GD25/9/79/34, *Testament of John Earl of Cassillis,* 29 November 1667.

1668, after Cassillis's death, his son and heir John Kennedy, seventh Earl of Cassillis, wrote to Lauderdale concerning provision for her brothers and sisters. He stated "Lady Margaret several years ago…got surety for all that she could pretend to either by virtue of her mother's contract matrimonial or by any legacy left to her sister."[28] This was written at a time when the seventh Earl of Cassillis was seeking to justify his financial ability to hold his title and his marriage to Lady Susan Hamilton - sister of the Duchess of Hamilton.[29] Lady Margaret obviously did not agree with the judgement of her brother and elicited the support of Lauderdale to petition the King for her portion of her father's estate.[30] By 19 January 1670, matters had been settled and Lady Margaret signed a discharge to her brother for all debts excepting £33333 relating to land and rents.[31] Lady Margaret confirmed signing the discharge in a letter to Lauderdale on 1 February 1670.[32]

The various sums appointed to Lady Margaret over the years are substantial. It is also important to remember that in her time at Hamilton Palace, Lady Margaret did not pay for board.[33] She appears therefore to be a woman who was in possession of a substantial fortune. However, the following qualifications to this should be borne in mind. Lady Margaret's rent from her holdings in Ayrshire was not regularly paid to her.[34] When this was the case, she was forced to borrow money from the Duchess of Hamilton.[35] She also was considered to have distributed substantial sums of charity to the poor.[36] Also, as already noted, the sums of money which John, sixth

---

[28] BL, Add. MSS 35125, fol. 186, Earl of Cassillis to Earl of Lauderdale 15 July 1668. This appears to confirm the argument in the text as to the transactions over land and the consequent interest given to Lady Margaret.
[29] *SP* Vol. 2, pp. 443-502.
[30] See TFA, fol. 3625, Lady Margaret Kennedy to Earl of Lauderdale, 3 March (no year is mentioned but as the sixth Earl died in April 1668, 1669 appears to be most likely), fol. 3630, Lady Margaret Kennedy to Earl of Lauderdale, (again no date is mentioned but the context appears to make this letter slightly earlier). See also NLS, Add. MSS 14406, fol. 122, Earl of Lauderdale to Earl of Tweeddale, 10 July 1669.
[31] NAS, GD224/173/Item 1, 19 January 1670. The sum of £33333 will be discussed in more detail shortly.
[32] NLS, Add. MSS 3136, fol. 147, Lady Margaret Kennedy to Earl of Lauderdale, 1 February 1670.
[33] For proof of this, see NAS, GD406/1/8109, Draft Letter of Duchess of Hamilton to the Countess of Dundonald, 4 August 1686. In this draft letter, the Duchess mentions this, while trying to explain why Lady Margaret had not left money to the Countess (Lady Catherine Kennedy), who was Lady Margaret's one surviving natural sister.
[34] Ibid.
[35] Ibid.
[36] Ibid. Lady Margaret also told Lauderdale when being forced to pay her fine for failure to attend church that the only time she gave money to soldiers was in charity. See TFA, fol. 1775, Lady Margaret Kennedy to Earl of Lauderdale, 6 March 1667.

Earl of Cassillis owed Lady Margaret may have been paid by grants of land which involved rent which was not always paid to her.[37] By the time Lady Margaret left Hamilton Palace in 1675, according to the Duchess of Hamilton, she had "some little furniture and…some money to the fore."[38] After Lady Margaret's death in 1685, a controversy arose over a disposition she had made prior to her death (but possibly in a state of imbecility), that disposed £33333 to various parties under the executorship of the Duchess of Hamilton.[39] This suggests that Lady Margaret had considerable sums at her disposal. However, this sum was linked with a bond and possibly a sasine given to her by William Hamilton, third Duke of Hamilton and his wife for this sum. It is questionable whether this sum was ever in Lady Margaret's hand and appears to have been owed to her by the Duchess of Hamilton who (as already stated) was the executor of her disposition.[40] In addition, when Lady Margaret died in 1685, she appeared to leave little in the way of furniture for a woman of her supposed standing.[41] These reservations suggest that Lady Margaret was wealthy on paper through ownership of land but with little in the way of available money. Therefore, for the period in which Lady Margaret lived with the Duchess of Hamilton, she not only possessed an excellent education but also had a considerable degree of wealth at her disposal - if her debtors were willing to pay. These two features indicate that Lady Margaret Kennedy was a woman of first importance in the high aristocracy in Restoration Scotland whose actions and opinions could carry considerable weight.[42]

---

[37] See p. 158 of thesis. It may be added here that Lady Margaret certainly had life rent when she died. This was inherited by Gilbert Burnet who made Thomas Burnet factor to these inherited lands. See NAS, RD3/64/110-1, *Factory, Burnet to Burnet*, 3 February 1686.

[38] NAS, GD406/1/8109, Draft Letter of Duchess of Hamilton to Countess of Dundonald, 4 August 1686.

[39] NAS, GD45/24/22, *Information.*

[40] See pp. 201-2 of thesis for more details as to this.

[41] See NAS, GD 406/1/8858, *List of things sealed up in a packet to be given to Dr. Fall"*, (n.d.) The list is as follows: "2 bracelets of diamonds; a long string of pearl; a bracelet of pearl and coral; a bracelet of turquoises; a bracelet of agates; 3 bracelets of hair; 5 pictures set in gold; 3 pictures in wood; a silver box in which are ten little gold rings of which two have little diamonds in them and a gold locket." It should be noted that Burnet in a letter to the Duchess of Hamilton stated that these were all the items *in his possession.* Burnet had fled to France immediately prior to Lady Margaret's death. His statement may imply that there were other items of Lady Margaret's, not in his possession.

[42] Unfortunately, Keith Brown's work on the aristocracy in Scotland in the later sixteenth and early seventeenth centuries is of little relevance to this work. However, he does comment on the Scottish aristocracy throughout the seventeenth century in his study of Scotland and Britain in that period. See K.M. Brown, *Noble Society in Scotland* (Edinburgh, 2000); K.M. Brown, *Kingdom or Province? Scotland and the Regal Union 1603-1715* (London, 1992), pp. 33-46.

While it is clear that Lady Margaret possessed "parts" and "wealth" in excess of many of her contemporaries, this does not explain in itself, her prominence in Restoration Scotland. Chroniclers and historians of that period generally mention Lady Margaret in connection with her friendship with Lauderdale. Gilbert Burnet, Sir George Mackenzie of Rosehaugh and Osmund Airy all mention her in connection with this.[43] The last two are most concerned with the possibly illicit character of this relationship - Lauderdale being married at the time to his first wife, Anne Home.[44] While this subject merits discussion, it only forms a small part of the details concerning the relationship between Lady Margaret and Lauderdale. One simple point will suffice to prove this. Lauderdale only visited Scotland in the 1660s on official parliamentary business. Almost the entire period of the correspondence between Lauderdale and Lady Margaret took place while he was resident at the Court of Charles II in London. Therefore, the greater part of the contact between Lady Margaret and Lauderdale was by letters that covered a range of topics far wider than any particular relationship that may have existed between the two.[45] However, the importance of this relationship is essential for understanding Lady Margaret's prominence in Restoration Scotland.

It is difficult to pinpoint the exact date when Lady Margaret's friendship with Lauderdale commenced. The earliest extant correspondence between the two dates from 1657. In a letter Lauderdale wrote to Lady Margaret on 18 March 1657, he referred to a letter he had written to her the week before, and also to a letter he had received from her.[46] This letter had caused Lauderdale to "begin again" in correspondence. While a polite "Madame" prefaced this letter, it is obvious that Lauderdale had enjoyed a friendship with Lady Margaret for some time previously (although possibly without any great degree of intimacy).[47] There are various reasons that may account for this friendship. Lauderdale was related to Lady

---

[43] Foxcroft, *Supplement to Burnet's History*, p. 84; Mackenzie, *Memoirs*, p. 165; Airy, "Margaret Burnet", in, *DNB* Vol. 3, pp. 407-8.
[44]Mackenzie, *Memoirs,* p. 165; Airy, "Margaret Burnet", in, *DNB* Vol. 3, pp. 407-8. It should also be noted that Charles Kirkpatrick Sharpe, in editing and adding notes to the Presbyterian minister Robert Law's *Memorialls,* quoted Mackenzie's views on this subject only to dispute his conclusion in his own inimitable way. See R. Law, *Memorialls* C.K. Sharpe (ed.), (Edinburgh, 1818), pp. 175-6 footnote.
[45] This point will be fully established as the chapter proceeds.
[46] NAS, GD406/1/2534, Earl of Lauderdale to Lady Margaret Kennedy, 18 March 1657.
[47] Ibid.

Margaret.[48] Lauderdale also served alongside Lady Margaret's father, the sixth Earl of Cassillis, during the various vicissitudes of the Covenanting period. While Cassillis did not assist Lauderdale in the Engagement, nevertheless, they retained their friendship.[49] In the aforementioned letter of Lauderdale to Lady Margaret in 1657, he requested her to tell her father he was his "humble servant."[50] Finally, it should be noted that Lady Margaret lived in a family setting with the daughter of James, first Duke of Hamilton, who was also the niece of William, second Duke of Hamilton. As the latter was intimately associated with Lauderdale at the time of the Engagement, this would have afforded opportunities for contact with Lady Margaret.[51]

The friendship between Lady Margaret and Lauderdale lasted from before 1657 to approximately 1670.[52] The correspondence between the two suggests that their relationship varied in intensity and was marked by dependence on each other for information. The correspondence in 1657 has already been remarked on for its relatively formal style. This continued initially into the early 1660s in connection with the vexed question of church government in Scotland. According to Burnet, in 1660, Lauderdale wrote a letter to Lady Margaret soliciting her help to persuade the Scottish aristocracy to come out in favour of Presbytery while acting in a way that showed their moderation and loyalty to the King.[53] Letters from Lady Margaret at this point are generally written to Lauderdale in cipher, are marked by veiled references to the actions of prominent persons in Scotland, and signed under the

---

[48] See *SP* Vol. 2, pp. 443-502; Vol. 5, pp. 302-3. The kinship networks of the Scottish lowland aristocracy should not be underestimated. While perhaps being of a less conspicuous nature than their Highland counterparts they were nevertheless important. Lady Margaret's great uncle, the fifth Earl of Cassillis, was Lauderdale's grandmother's second husband. The apparent remoteness of the relationship to modern eyes only serves to enforce the importance of family networks in seventeenth century lowland Scotland. See also Marshall, *Days of Duchess Anne,* pp. 32-3 where this point is made.

[49] For evidence of this, see the several letters of Cassillis to Lauderdale in the British Library, such as BL, Add. MSS 23116, fol. 15, Earl of Cassillis to Earl of Lauderdale, 6 April 1661.

[50] NAS, GD406/1/2534, Earl of Lauderdale to Lady Margaret Kennedy, 28 March 1657.

[51] W.C Mackenzie, *The Life and Times of John Maitland, Duke of Lauderdale, 1616-1682* (London, 1923), pp. 112, 115, 123, 150, 168, 188.

[52] At least, that is when the correspondence extant between the two ceased, possibly due to Lauderdale's second marriage to Elizabeth Murray, Countess of Dysart.

[53] G. Burnet, *History of My Own Time* Vol. 1 O. Airy (ed.), (Oxford, 1897), pp. 196-7. Both the Burnet family papers in the British Library and the drafts for the publication of his work in the Bodleian Library were searched without finding this letter.

pseudonym of Margaret Blacke.[54] At times, Lauderdale appeared prepared to share his views on public actions. In December 1663, he wrote to Lady Margaret and disclosed details concerning the political situation that arose out of Lords of Session Sir James Dalrymple of Stair and Sir James Arnieston of Dundas refusing to take the Declaration against the Covenants.[55] Relationships between Lady Margaret and Lauderdale were not always so cordial. There appears to have been a distinct cooling between them for a period when it seemed that Lauderdale was not seriously following Lady Margaret's wishes that he petition Charles II for the settlement of the Hamilton debts.[56] However, the correspondence continued with Lady Margaret assuring him that the difference of opinions between them did not mean she had broken her friendship with him.[57] That this was reciprocal was seen in 1667, in Lauderdale's intervention to ensure that the Duke of Hamilton did not evict Lady Margaret from Hamilton Palace.[58] In addition, in 1669, she expressed her affection for Lauderdale by telling him of her thankfulness that Sir William Bellenden's attempted assassination of him had been unsuccessful.[59] By 1671, correspondence between the two is far less frequent and there is none available after this. The courtship and marriage of Lauderdale to Elizabeth Murray, Countess of Dysart took place at this time. Due to this there seems to have been no further access available to Lauderdale by Lady Margaret. However, throughout the period between at least 1657 and 1671, Lady Margaret retained some degree of intimacy with Lauderdale. This meant that she was in a unique position to have access to the most important Scottish statesman of that period. Therefore, along with her education and wealth,

---

[54] See TFA, fol. 1792, Lady Margaret Kennedy to Earl of Lauderdale, 28 April 1661. This pseudonym may possibly be in contrast to Lauderdale's (John Read) and may relate to Lady Margaret's hair colour. Lauderdale was certainly a red head.

[55] NAS, GD406/1/2584, Earl of Lauderdale to Lady Margaret Kennedy, 13 December 1663. Earlier in the year, when Lauderdale attended the Scottish Parliament, Burnet appears to imply that Lady Margaret was one of the "court of ladies" who waited on Lauderdale when he was sick. See Foxcroft, *Supplement to Burnet's History,* p. 84.

[56] NAS, GD406/1/2602, Earl of Lauderdale to Lady Margaret Kennedy, 26 July 1665. In this letter, Lauderdale complained of Kennedy being in a "very ill humour."

[57] *Letters of Lady Margaret Kennedy,* p. 57, 13 October 1666. This appears to relate to Lauderdale's support for the Episcopalian church settlement which as shall be seen Lady Margaret, by her non-attendance at church, did not agree with.

[58] NLS, Add. MSS 7023, fol. 80, Earl of Lauderdale to Sir Robert Moray, 22 August 1667. Lauderdale goes as far as to say that "If he (the Duke of Hamilton) do it assure yourself I will resent such an injury done to such a friend as much as ever I shall be able."

[59] *Letters of Lady Margaret Kennedy*, pp. 69-70, 23 February 1669. These, of course, are only a selection of the correspondence between Lady Margaret and Lauderdale. They have been used only to establish that a close friendship did in fact exist.

this placed her in an almost uniquely advantageous position in Restoration Scotland that could be used to support and defend Presbytery against the Episcopalian church settlement.

The possibly illicit character of the relationship between Lady Margaret and Lauderdale was a subject of discussion in the 1660s and by others who have noted it since. Airy noted that Lady Margaret was commonly referred to by Lauderdale and Sir Robert Moray as one of their wives - the other being the Duchess of Hamilton.[60] This term of intimacy, while being nothing more to Moray than an innocent joke, may possibly have had a more serious meaning to Lauderdale. Several letters of Lady Margaret to Lauderdale include expressions that transcend mere common courtesies. As has already been noted, in 1663, Lauderdale wrote to Lady Margaret about state affairs and had been attended by her when he was sick. At this time, Lady Margaret had to remonstrate with Lauderdale for continually giving her gloves as presents.[61] The intimacy implied in this can also be seen in an expression of Lady Margaret's to Lauderdale in a letter written on 18 March 1665. In this letter, she criticised Lauderdale for telling her he thought, "so long for King his being away one day more nor for ever seeing me in your life."[62] In addition, on 21 October 1665, as the second Anglo-Dutch War (1664-1667) progressed, Lady Margaret implored Lauderdale to ensure that her father was not imprisoned. However, she added, "could my being put in the castle bring and keep Lauderdale contentedly to Scotland I would wish R(othes) should put me there ere Tuesday night."[63] A final example of the intimacy between Lady Margaret and Lauderdale can be seen in a letter dated 21 October 1667. In this letter, Lady Margaret stated that as there was a question mark whether Lauderdale would visit Scotland, "we go to Edinburgh only if you come."[64] These statements taken from the many letters that Lady Margaret wrote to Lauderdale over the period do suggest that an intimacy existed between them that transcended common courtesy and family relationships.

Others noticed the familiarity of the relationship between Lady Margaret and Lauderdale. Sir George Mackenzie of Rosehaugh drew attention to this in his

---

[60] See O. Airy, "Margaret Burnet", in, *DNB* Vol. 3, pp. 407-8.
[61] *Letters of Lady Margaret Kennedy*, pp. 8-9, 31 December 1663.
[62] Ibid, pp. 40-2, 18 March 1665.
[63] Ibid, pp. 52-3, 21 October 1665.
[64] Ibid, pp. 64-5, 21 October 1667.

Memoirs. He stated that this intimacy "had grown great enough to become suspicious, in a person who loved not, as some said his own Lady."[65] Mackenzie went on to relate an alleged incident that occurred when Lauderdale visited Edinburgh in 1669 which has ever since thrown doubt on Lady Margaret's character. Mackenzie stated, "the suspicion increased much, upon her living in the Abbey, in which no woman else lodged, nor did the Commissioner blush to go openly to her chamber, in his nightgown."[66] Lady Margaret's response when questioned about this was, that her "virtue was above suspicion."[67] While Mackenzie seemed to accept this (although only after relating the story) others such as Charles Kirkpatrick Sharpe threw scorn on it and consequentially questioned Lady Margaret's morality.[68] Airy, in response to this answered in a somewhat dismissive manner, stating simply that there was "no evidence to sustain" this charge.[69] However, Row (writing as a Presbyterian historian), confirmed that this did take place although he leaves out the reference to Lauderdale being in his nightgown when he visited Lady Margaret at night. He also adds that she went to Holyrood at Lauderdale's request with her "waiting maid and servant women."[70] There is also correspondence in 1675 from Anna Lindsay, Countess of Rothes to the Duchess of Hamilton that suggests that, contrary to Airy's assertion, there is at least a case to answer. Commenting on Lady Margaret's clandestine marriage to Gilbert Burnet, the Countess of Rothes stated that some were taking "a liberty to put all the bad constructions on the rest of the actions of her life that is imaginable."[71] This appears to confirm Mackenzie's story that Lady Margaret's actions with Lauderdale were the subject of gossip. The importance of Lady Margaret as possibly the foremost Presbyterian woman in Scotland in the 1660s necessitates a discussion as to whether there is any substance in the gossip of an illicit relationship between Lauderdale and her.

Mackenzie's anecdote also described the circumstances and place in which the incident between Lauderdale and Lady Margaret took place. Mackenzie referred

---

[65] Mackenzie, *Memoirs,* p. 165. The last clause relates to the coldness that contemporaries judged marked the relationship between Lauderdale and his wife.
[66] Ibid.
[67] Ibid.
[68] Ibid; Law, *Memorialls,* pp. 75-6 footnote.
[69] Airy, "Margaret Burnet", in, *DNB* Vol. 3, pp. 402-3.
[70] Row, *Life of Robert Blair,* p. 527. Mackenzie leaves this out and his reference to Lady Margaret being the only woman at Holyrood is obviously confined to women of standing.
[71] NAS, GD406/1/8672, Lady Anna Lindsay to Duchess of Hamilton, 13 March 1675

to Lauderdale going "openly to her chamber in his night gown."[72] Row confirmed that this took place while Lauderdale was in Edinburgh in 1669 as High Commissioner to Parliament.[73] Mackenzie and Row further clarified that the incident allegedly took place at Holyrood Palace.[74] Correspondence extant from this period indicates a likely reason why Lady Margaret was the only women resident in the Palace at the time of this Parliament. A dispute arose between Lauderdale and the Duchess of Hamilton over accommodation in Holyrood Palace.[75] This led Lady Margaret to write to Lauderdale. Although most of this letter is in cipher, Lady Margaret is forthright in telling Lauderdale that the rooms that he claimed would effectively mean the Duchess of Hamilton being put out of hers.[76] Lady Margaret also stated that her rooms were reserved though she doubted if she could use them if "G" (Anne, Duchess of Hamilton) was not there.[77] Lauderdale's concern as to this issue can be seen in a letter he wrote to John Hay, second Earl of Tweeddale, on 20 July. In this letter, he states that the Duchess grudged him the rooms that she gave to the former Commissioners, John Middleton, Earl of Middleton, and John Leslie, seventh Earl of Rothes.[78] Lauderdale enclosed another letter with this in which he enlarged on the subject and protested he was not seeking to turn "her Grace" out of her rooms in Holyrood Palace.[79] It is doubtful whether the Duchess of Hamilton stayed at Holyrood during the Parliament of 1669. However, it is virtually certain that Lady Margaret did, and that this was the occasion of the rumours referred to by Mackenzie. A discharge of Lady Margaret's acceptance of her brother Cassillis's settling the sums owed to her, was written at Holyrood Palace in January 1670.[80] This may well hold the key as to why Lady Margaret was willing to go to Holyrood even although it meant she was the only women resident at that time. The

---

[72] Mackenzie, *Memoirs,* p. 165.
[73] Row, *Life of Robert Blair*, p. 527.
[74] Mackenzie, *Memoirs,* p. 165; Row, *Life of Robert Blair,* p. 527.
[75] TFA, fol. 3630, Lady Margaret Kennedy to Earl of Lauderdale. There is no date on this letter but from other correspondence of Lauderdale's shortly to be quoted, it appears that it was written in June or July 1669.
[76] Ibid.
[77] Ibid.
[78] SHS, *Miscellany* Vol. 6 (Edinburgh, 1939), pp. 214-5, Earl of Lauderdale to Earl of Tweeddale, 20 July 1669.
[79] Ibid.
[80] NAS, GD224/173/1 Item 1, *Complete Discharge of Lady Margaret Kennedy to the Earl of Cassillis*, signed 19 January 1670 at Holyrood House. This was written while the Parliament was still sitting.

background to such a move was the succession of the seventh Earl of Cassillis to his title with the responsibility of taking over a new estate that was debt ridden while being newly wed to Lady Susan Hamilton.[81] This led him to prosecute his case with the possible result that debts owed by his father to Lady Margaret and other members of the Kennedy family would not be paid. By July 1669, Cassillis claimed an agreement had been reached with Lauderdale's consent as to the payment of outstanding debts.[82] However, Lauderdale refuted this and insisted that certain guarantees should be given not only to Lady Margaret but also to other members of the Kennedy family.[83] In August 1669, it was rumoured that Cassillis was going to London to present his case to the King.[84] Therefore, it was imperative for Lady Margaret to present her side to Lauderdale in order to secure her fortune. As Lauderdale could only be approached personally when in Scotland to attend the Parliament, then Lady Margaret arguably did not have any option other than to stay at Holyrood Palace if her case was to be successful. It is certain that Lauderdale was concerned as to how Lady Margaret felt about what she was owed.[85] This combined interest of Lauderdale and Lady Margaret may account for him sending for her to stay at Holyrood Palace while he was there at Parliament and for her willingness to overcome her early scruple and go. Further evidence of the unlikelihood of any illicit relationship can be seen in the correspondence between Lady Margaret and Lauderdale in early 1670. On 1 February 1670, Lady Margaret wrote to Lauderdale in a concerned strain hoping that he was not too sick from the journey south.[86] There is nothing in this letter that implies any kind of secrecy relating to an illicit relationship. It is not even written in cipher, although Lady Margaret regretted not doing so.[87] A letter of 15 February that also included expressions of thankfulness that Lauderdale had arrived safely at Court, gave no hint of any illicit relationship.[88] A further letter of 3 March was written in a completely different tone and is full of

---

[81] For details of the marriage negotiations surrounding this match, see R.K. Marshall, 'The House of Hamilton in its Anglo-Scottish Setting in the Seventeenth Century', (PhD: University of Edinburgh, 1970), pp. 137-42.
[82] NLS, Add. MSS 14406, fol. 122, Earl of Lauderdale to Earl of Tweeddale, 10 July 1669.
[83] Ibid.
[84] TFA, fol. 2115, Earl of Tweeddale to Earl of Lauderdale, 30 August 1669.
[85] NLS, Add. MSS 14406, fol. 122, Earl of Lauderdale to Earl of Tweeddale, 10 July 1669.
[86] NLS, Add. MSS 3136, fol. 147, Lady Margaret Kennedy to Earl of Lauderdale, 1 February 1670.
[87] Ibid.
[88] NLS, Add. MSS 3136, fol. 149, Lady Margaret Kennedy to Earl of Lauderdale, 15 February 1670.

expressions of bitterness.[89] This letter again relates to the money owed to Lady Margaret by her brother Cassillis.[90] This seems to emphasize how important this matter was to Lady Margaret. There is nothing in this letter that confirms any illicit relationship.

These letters indicate that there is nothing to suggest that anything of an illicit character took place between Lady Margaret and Lauderdale. Airy appears therefore to be correct in his judgement although wrong in the way he implies it does not merit consideration. This does not set aside the possibility of Lauderdale going to Lady Margaret's chamber in his nightgown. However, her maid in waiting and servant women, the circumstances relating to the Cassillis debt and the correspondence extant suggest, that if this did take place, it was probably lack of wisdom from a woman to give Lauderdale an interview in such attire.[91] This lack of wisdom does not appear to be untypical of Lady Margaret. Even Mackenzie noted in concluding the reports of these rumours that she was a woman whose "religion exceeded as far her wits as her parts exceeded others of her sex."[92] However, Lady Margaret certainly had a close relationship with Lauderdale and this combined with her wealth and social status suggest that she was in an almost unique position to promote her religious convictions in the highest quarters.

Having established Lady Margaret's credentials, this chapter will now turn to the distinctive Presbyterian viewpoint held by Lady Margaret during the 1660s. The background to Lady Margaret's views on church government was the two factions of Presbyterianism in Scotland entitled Resolutioners and Protestors that had existed in Scotland from the 1650s.[93] While both these factions adhered to the fundamental principles of Presbyterianism, (such as moderators of synods as opposed to bishops) nevertheless a distinction can be discerned in their attitude in deference to the monarch and the functions of state. The petitions delivered by Protestors headed by James Guthrie and the petition of the Edinburgh ministers at the beginning of the

---

[89] TFA, fol. 3625, Lady Margaret Kennedy to Earl of Lauderdale, 3 March (1670). There is no year given on this but there is a reference in the letter to bonds given to Lady Margaret by Cassillis. The context therefore indicates that it was written in 1670.

[90] Ibid.

[91] It should also be noted that, in 1663, Lady Margaret referred back to the enjoyment she had in Lauderdale's company at supper. Therefore, she had regularly entertained Lauderdale in the past without any gossip. See *Letters of Lady Margaret Kennedy*, p. 8, 31 December 1663.

[92] Mackenzie, *Memoirs*, p. 165.

[93] See p. 17 of thesis.

Restoration period confirm that this distinction continued.[94] Historians from the Restoration period have noted Lady Margaret's Presbyterian viewpoint. It has already been noticed that, Sir George Mackenzie of Rosehaugh in his *Memoirs* claimed that Lady Margaret was regarded as "the great patron of the Presbyterians, in which she was she was very bigot."[95] Mackenzie was noted for his defence of the divine right of monarchy and Episcopalianism as a religion compatible with this.[96] However, the deposed Presbyterian minister, Robert Law, in his *Memorialls* confirmed Mackenzie's estimate of Lady Margaret. Law stated that, she was "a lady of great repute for knowledge and religion, and zealously inclined against prelacy."[97] Both seem to regard Lady Margaret as being marked by a degree of true piety and determined Presbyterianism. However, they do not exactly indicate whether she favoured any of the two Presbyterian factions. Burnet, while providing more information in his account of his wife, did not exactly fill this gap. He stated on two occasions that she was a zealous Presbyterian.[98] However, he qualified this by stating that this was rather a result of detestation of the morals and behaviour of Episcopalian clergy and the contrasting piety of Presbyterian clergy than any particular views on church government.[99] As Burnet's friendship with Lady Margaret developed, he claimed that he "brought her off from the rigidity of the Presbyterian way."[100] Burnet's son, Thomas Burnet, appeared to support his father's judgement of Lady Margaret. He stated, "she was a lady of distinguished piety and knowledge" and "her own sentiments inclined towards the Presbyterians with whom she was in high credit and esteem, yet was she far from entering into the rigid and narrow zeal of some of their leaders."[101] There is no modern analysis of Lady Margaret other than short articles by Airy and Greig. It has already been argued that Airy's account is richer in detail than Greig's.[102] Airy's judgement is that Lady

---

[94] Buckroyd, *Church and State,* pp. 26, 29-30.
[95] Mackenzie, *Memoirs,* p. 165.
[96] See Sir G. Mackenzie, *Jus Regium* (London, 1684). Recently, Jackson has sought to analyse the Royalist aspect of Restoration Scotland with a particular emphasis on Mackenzie. See J.C.L. Jackson, *Restoration Scotland, 1660-1690* (Woodbridge, 2003).
[97] Law, *Memorialls,* pp. 175-6.
[98] Foxcroft, *Supplement to Burnet's History*, pp. 84, 475.
[99] Ibid, p. 476. The accuracy of this view is open to question. The subsequent examination of Lady Margaret's correspondence will support this conclusion.
[100] Ibid, p. 480.
[101] Bod. L, Add MSS D16, fol. 340, *The Life of The Author by The Editor Thomas Burnet Esq.*
[102] See p. 155 of thesis.

Margaret inherited from her father the "inflexible fidelity to Presbyterianism for which he was so well known" and that she was distinguished after the Restoration "as the steady and uncompromising friend of broad and liberal Presbyterianism."[103] This last clause appears to indicate that Lady Margaret was more sympathetic to the Resolutioner faction than the Protestors. The judgements of Law, Mackenzie and Airy all appear to be similar as to Lady Margaret with the last qualifying that it was "broad and liberal Presbyterianism" which she favoured - in other words that of the Resolutioners. Burnet's view is slightly different in that he stated that Lady Margaret's judgement as to Presbyterianism was based on moral rather than ecclesiastical grounds and declined through his influence. The extent of material now available relating to Lady Margaret means that the historian is arguably now in a better position to determine whether these viewpoints are accurate.

Correspondence extant from the advent of the Restoration period suggests that Lady Margaret at that time adhered to the Presbyterian form of church government in principle as well as practice. On 23 February 1661, Lady Margaret writing in coded language, nevertheless made it clear that she favoured "honest ploughmen" (Presbyterians). She added that the establishment of their form of church government would be beneficial to "Mr Honeman" (Charles II) particularly in view of their sufferings for him.[104] In view of the prospect of an act being passed which would rescind all parliamentary acts establishing Presbyterianism, Lady Margaret further felt constrained to approach Lauderdale and state her views on paper (possibly with the prospect of being seen by Charles II).[105] This letter opposed the prospect of an Act Recissory.[106] It also mourned the calling in of "the public registers…of the Kirk…" and the ban on judicatories (of the religious kind) meeting.[107] According to Lady Margaret, this did not distinguish between those

---

[103] Airy, "Margaret Burnet", in, *DNB* Vol. 3, pp. 407-8. Airy arrived at this conclusion by looking at the sources mentioned and by assessing Lady Margaret's church attendance and part in the conciliation policies of Lauderdale and Sir Robert Moray.

[104] TFA, fol. 3624, Lady Margaret Kennedy to Earl of Lauderdale, 23 February 1661. Lady Margaret often wrote in code and cipher. While the conclusion that is drawn here as to the persons meant may be open to dispute, the letter arguably does not make sense in any other way.

[105] TFA, fol. 3931, Lady Margaret Kennedy to Earl of Lauderdale. There is no date and no addressee on this letter. The context places it in early 1661 and being found in Lauderdale's papers at Buckminster Park, it seems certain that it was written to him.

[106] See, pp. 19-20 of thesis for details as to Act Recissory.

[107] TFA, fol. 3931, Lady Margaret Kennedy to Earl of Lauderdale (n.d.).

"who stood in the gap for many years of sore trouble and others."[108] This last reference appears to relate to the Resolutioner Presbyteries and the "others" more to relate to Protestor Presbyteries – these last always being suspected of compliance with the Cromwellian regime.[109] Lady Margaret went on to stress the need for a General Assembly to be held for the Scottish Church to put its own house in order.[110] The Presbyterians whose views she shared were also more than willing (according to her) to assert the monarch's "supreme power in all civil causes" and that his jurisdiction in ecclesiastical affairs would be the same as that of any "Christian Magistrate."[111] Any change from Presbyterian church government would hurt the "tender consciences" of Charles II's subjects and many Presbyteries although not as forward as others (she evidently meant Protestor Presbyteries) were ready to bear testimony to this.[112] These sentiments were penned well before the introduction of Episcopalian curates and show not only Lady Margaret's Presbyterian viewpoint but also her Resolutioner sympathies. A petition from the Edinburgh ministers (Resolutioner leaders) on 4 June 1661 is similar to Lady Margaret's and appears to confirm that her principles were the same as theirs.[113] Further letters of Lady Margaret from April 1661 support the viewpoint that she had Resolutioner views and was capable of acting on her own initiative. On 25 April, she was moved to write in favour of her father on his refusal to take the Oath of Allegiance to Charles II.[114] In this letter, she sought to establish that Charles II had declared that this oath related to his role as civil magistrate and was not connected with the doctrine or discipline of the church - in other words the traditional Presbyterian viewpoint.[115] However, there is no stress on Charles II having previously taking the Covenants as was found in Protestor petitions of that time.[116] On 28 April, Lady Margaret warned that as synods and presbyteries were hindered from supplicating, Presbyterians would find a

---

[108] Ibid.
[109] J. Buckroyd, *Church and State in Scotland 1660-1681* (Edinburgh, 1980), pp. 7-11.
[110] Ibid.
[111] Ibid.
[112] Ibid.
[113] BL, Add. MSS 23116 fol. 76, Edinburgh Ministers to Earl of Lauderdale, 4 June 1661.
[114] NLS, Add. MSS 3136, fol. 143, Lady Margaret Kennedy to Earl of Lauderdale, 28 April 1661.
[115] Ibid.
[116] See R. Wodrow, *History of the Sufferings of the Church of Scotland from the Restoration to the Revolution* Vol. 1 R. Burns (ed.), (Edinburgh, 1828), pp. 68-71 for the petition drawn up by the Protestors on 23 August 1660. In this petition, Charles II was reminded of his obligations to the Covenants that he had sworn at his coronation at Scone on 1 January 1651.

change in church government bitter and Charles II would lose his place in their hearts.[117] While these suggest that Lady Margaret had the same view as Resolutioners, a letter at the end of May 1661 indicated that her sympathies at least lay in saving Protestors from death. On 28 May, she pleaded in coded language to Lauderdale to "write to Mr Leng, and plead for Mr Gillespie."[118] Patrick Gillespie was well known for the strength of his Protestor views although his subsequent recantation may have moved Lady Margaret to write in such a way.[119] On 5 July 1661, Lady Margaret further mentioned in a concerned tone that she had heard of a purposed change in church government and the possibility of uniformity in worship with the English model.[120] On 31 December 1661, she made a special appeal to Lauderdale that he would not misrepresent the Presbyterians to Charles II. She also pleaded that if they were spoken against, that opportunity would be given to them to prove "their constant respect to his Majesty's person and authority and to evidence their peaceable deportment under the present change of church government."[121] This appeal was slightly tempered by the qualification that she and Lauderdale knew "of *some* of them, their great and sincere affection to the King's people and interest."[122] Lady Margaret's other writings already quoted appear to indicate that the *some* were the Resolutioner faction.

Nothing further is traceable of Lady Margaret's religious views until 1663. In that year, she appealed on behalf of her father that his local Presbyterian minister be spared from being deprived of his post for not submitting to the Glasgow Act.[123] Lady Margaret was careful in her tone and stressed the minister was resident "in a private place" and "was a good man and most peaceable."[124] It appears that Lady Margaret's noticeable commitment to Presbyterianism caused her to ask Lauderdale to help this minister by writing to Alexander Fairfoul, Archbishop of Glasgow "without prejudice" to her.[125] At the end of 1663, Lady Margaret also voiced her

---

[117] TFA, fol. 1792, Lady Margaret Kennedy to Earl of Lauderdale, 28 April 1661.
[118] *Letters of Lady Margaret Kennedy,* pp. 2-3, 28 April 1661.
[119] Ibid, p. 3 footnote.
[120] TFA, fol. 3629, Lady Margaret Kennedy to Earl of Lauderdale, 5 July 1661.
[121] *Letters of Lady Margaret Kennedy,* p. 7, 8 December 1661.
[122] Ibid.
[123] NLS Add. MSS 3136, fol. 151, Lady Margaret Kennedy to Earl of Lauderdale, 21 Jan. No year is given but as the Glasgow Act was passed on October 1662 this appeared to have taken place in 1663.
[124] Ibid.
[125] Ibid.

concern about the dismissal of Stair and Arnieston as Lords of Session for not taking the Declaration against the Covenants.[126] Lady Margaret's stance is interesting, as she never takes the ground in her correspondence of insisting Charles II was committed to the Covenants, yet she was willing to defend those who would not abjure these. In the penultimate of a series of letters on 19 March, written on behalf of the Presbyterians punished for refusing to stop the riot in Kirkcudbright in 1663, Lady Margaret showed not only her care for Presbyterians but also her hatred of Episcopacy. In this letter, she described the Archbishops of St. Andrews and Glasgow to Lauderdale as "your Pope and his mate." She further criticised their willingness to see Lauderdale "in the worst company imaginable than with any honest Presbyterian."[127] Such language contrasts sharply with Burnet's assertion that Lady Margaret only liked Presbyterian clergy because of their superior morals. However, in a letter of 30 April, she did stress the character of low morals that she claimed marked the Episcopalian clergy.[128] On 5 May, Lady Margaret insisted that stories as to the brutality of the military regime of Rothes were true and that the policies pursued by the Privy Council with him at the head were leading to the poor being punished in spite of a contrary order.[129] This, in effect, portrays Lady Margaret's charity for those suffering, irrespective of the form of their Presbyterian beliefs. Two days later, Lady Margaret interceded on behalf of William Adam (the Presbyterian minister of Ayr) who was in danger of being removed from his post due to factional politics in that town. This political controversy included a dislike for him for marrying a Kennedy. In this case, Lady Margaret felt his only failing was that he "went too much their way" – in other words was not as strong in his Presbyterian views as he should be.[130] On 28 June 1664, Lady Margaret again showed the breadth of her Presbyterian sympathies by appealing that the executed architect of the National Covenant, Sir Archibald Johnston of Wariston's forfeiture be passed to Gilbert Burnet (nephew of Wariston) in order to support his relations.[131]

---

[126] *Letters of Lady Margaret Kennedy,* pp. 8-10, 31 December 1663.
[127] Ibid, pp. 16-17, 19 March 1664. See also pp. 10-11, (no date is on this letter but from the context it appears to be from 1664), p. 14, 24 February 1664, p. 15, 2 March 1664, p. 19, 30 April 1664.
[128] Ibid, pp. 19-20, 30 April 1664.
[129] Ibid, pp. 21-2, 5 May 1664.
[130] Ibid, pp. 22-3, 7 May 1664.
[131] Ibid, pp. 31-2, 28 June 1664.

By 1665, James Sharp, Archbishop of St Andrews, complained of Lady Margaret's commitment to Presbyterianism. Sharp told the Duke of Hamilton that in allowing Lady Margaret to lodge at Hamilton Palace, "he had one in his house that wished them as little good as any in Scotland."[132] On 22 January 1665, Lady Margaret also appealed to Lauderdale to help another Presbyterian preacher, Matthew Mackail.[133] Her continued hatred for Episcopalianism can be further seen in a letter on 11 March 1665 in which she pleaded with Lauderdale "to endeavour to persuade King to part with bishops" as they were hated by all, rather than just Presbyterians.[134] She further stated that if they were retained, then they all would be lost.[135] This last appears to be an expression of concern that the policies being pursued by Rothes and the Privy Council were going to lead to an uprising of the lower sections of society that would destroy the fabric of society. Lady Margaret's letter on 11 March also indicated that she wanted Lauderdale to intercede with the new Archbishop of Glasgow, Alexander Burnet, on behalf of another unnamed Presbyterian minister.[136] A further letter on 13 March clarifies that this minister was, in fact, William Hamilton. He was "guilty" of baptizing Lord John Hamilton when James Ramsay, Dean of Glasgow, had already baptized the child.[137] This letter is significant in that Lady Margaret took this as a personal attack on her for being present at a church service for the first time in a quarter of a year.[138] This indicates that not only Lady Margaret's support of Presbyterianism, but also her opposition to Episcopalianism in abstaining from church services, was becoming well-known. A further letter of Lady Margaret's on 25 March again referred to the prospect of danger, if the policy of Rothes continued.[139] By 6 June 1665, Lady Margaret showed her willingness to participate in a fast ordered by the government although she tempered this by stating that there was a need for self-judgement and even then, the judgement of God may still be the country's portion.[140] The occasion of the second

---

[132] TFA, fol. 1506, Lady Margaret Kennedy to Earl of Lauderdale, 2 January 1665
[133] *Letters of Lady Margaret Kennedy,* pp. 27-8, 22 January 1665, p. 29, 22 March 1664.
[134] Ibid, pp. 36-7, 11 March 1665.
[135] Ibid. The reference to them all being lost, seems to suggest that Lady Margaret never lost her desire to remain part of a society dominated by the aristocracy.
[136] Ibid.
[137] Ibid, pp. 37-9, Lady Margaret Kennedy to Earl of Lauderdale, 13 March 1665.
[138] Ibid.
[139] Ibid, pp. 43-4, 25 March 1665
[140] Ibid, p. 45, 6 June 1665.

Anglo-Dutch war (1664-1667), which occasioned the order for a fast, also led Lady Margaret to express again her disdain for bishops.[141] On 17 September 1665, Lady Margaret continued to protest against the policies of Rothes and the Privy Council. On this occasion, her concern was expressed as to Presbyterians who had been fined for attending church services in Fenwick and Stewarton.[142] Lady Margaret claimed they had no option but to do this because of the vacancies in their own parishes.[143] Lady Margaret did show on 21 October 1665 that her dislike of the policies of the Privy Council did not mean that she did not support Charles II or was in favour of the Dutch. She did however temper these remarks by stating that she would prefer if Protestant countries were united together in the aim of countering "Popery."[144]

Lady Margaret gave a further insight into her piety and views on church government in a letter to Lauderdale, on 13 October 1666. In this letter, she looked to God alone to change Lauderdale's path as to these subjects.[145] It also appears that Lady Margaret intended going somewhere for a period and that Matthew Mackail (the Presbyterian minister) would be staying in a house near her, at her request.[146] Lady Margaret's support for Presbyterianism did not however extend to supporting the Pentland Rising. On 27 December 1666, she actually petitioned Lauderdale to grant one of the executed insurgents forfeited estate to one to whom he owed money.[147]

In 1667, Lady Margaret's dislike for the oppressive policies of the Privy Council came to a head. In two letters in February, she expressed her concern over the universal discontent in Scotland.[148] In Lady Margaret's view, Rothes was to blame for this although she felt that he was trying his best to shift the blame on to Lauderdale - so much so that Lauderdale would not be safe in Scotland.[149] Lady Margaret also felt that Rothes was noticing her dislike of his policy. On 6 March,

---

[141] Ibid, p. 46, 12 June 1665.
[142] Ibid, pp. 47-52, 17 September 1665.
[143] Ibid. What Lady Margaret conveniently leaves out is that many of those fined may well have by-passed other parishes with Episcopalian incumbents in order to hear Presbyterian ministers.
[144] Ibid, pp. 52-3, 21 October 1665.
[145] Ibid, pp. 57-8, 13 October 1666.
[146] Ibid. Lady Margaret appears here to be following the pattern of many of the Presbyterian nobility of the time, such as her own father Cassillis, in having her own Presbyterian chaplain.
[147] Ibid, p. 58, 27 December 1666. The insurgent was John Neilson of Corsock. He owed money to one Archibald Nisbet.
[148] Ibid, p. 59, 1 February 1667; p. 60, 2 February 1667.
[149] Ibid.

she told Lauderdale that Rothes was behind her being fined for not going to church.[150] Soldiers had been active in the Hamilton area to fine withdrawers from church that were known to have means sufficient to pay.[151] As Lady Margaret thought she was the only one who fitted this bill, she felt this was specifically aimed against her.[152] Lady Margaret's attendance at church will be discussed in more detail later. But it is necessary to state here that she began to attend sporadically after this time - which as Airy has pointed out was when the martial policy of Rothes was coming to an end.[153]

Lady Margaret's subsequent views on church government in the late 1660s can be ascertained in her part in the Indulgence negotiations of 1669 to allow Presbyterian clergy to preach without conforming to Episcopacy. While this will also be discussed later, an outline of her views can be given here. On 23 February 1669, Lady Margaret mentioned to Lauderdale she had formulated papers in relation to the proposed Indulgence, without divulging the content.[154] However, on the same day, Lauderdale wrote to Tweeddale and mentioned the content of Lady Margaret's first paper.[155] Lauderdale expressed anger that she sought favour for all Presbyterian ministers and that she boasted of their loyalty to Charles II.[156] This suggests that Lady Margaret's sympathies extended far beyond the Resolutioner faction and encompassed all Presbyterians. In March, Lady Margaret seemed to counter Lauderdale's conclusions by stressing that the Resolutioners would own the principles in her paper. She further stated that "the little people and some who are soberest of the other side" would also do so.[157] In a letter on 16 March, Lady Margaret condemned "all rebellion against the person and authority of King Charles the second."[158] She also stated that, "ministers who were once in that way…will quit it."[159] Lady Margaret further quoted someone (possibly Matthew Mackail) stating

---

[150] TFA, fol. 1775, Lady Margaret Kennedy to Earl of Lauderdale, 6 March 1667.
[151] Ibid.
[152] Ibid.
[153] Ibid; Airy, "Margaret Burnet", in, *DNB* Vol. 3, pp. 407-8. See also *Letters of Lady Margaret Kennedy,* pp. 64-5, 21 October 1667.
[154] *Letters of Lady Margaret Kennedy,* pp. 69-70, 23 February 1669.
[155] SHS *Miscellany* Vol. 6, pp. 203-5, Earl of Lauderdale to Earl of Tweeddale, 23 February 1669.
[156] Ibid.
[157] TFA, fol. 3626, Lady Margaret Kennedy to Earl of Lauderdale, March. The day and year of writing is cut off from the original. The context of the letter can only mean the year is 1669.
[158] *Letters of Lady Margaret Kennedy,* pp. 70-1, 16 March 1669,
[159] Ibid.

that liberty should not be given to Protestor ministers unless they "change their note."[160] In effect, Lady Margaret was indicating that her efforts for an Indulgence were primarily for the benefit of the Resolutioner faction. A letter which Lady Margaret received at this time (possibly written by a Resolutioner clergyman) also indicated that the main thrust for an Indulgence was by Resolutioners and that Protestors knew little or nothing about such moves.[161] By 18 March, Lady Margaret seemed to believe her excuses had been accepted and simply looked to Lauderdale for good to come from her papers.[162] Her link with the Resolutioner clergy was further stressed by her passing to Lauderdale, from Matthew Mackail and George Hutcheson (another Resolutioner minister), a list of ministers presumably to be indulged.[163] She further stressed that the liberty granted would not be abused.[164] According to Tweeddale, the Indulgence was a matter of great pleasure to Lady Margaret.[165] However, on 19 August, she showed that (in spite of her future husband's Gilbert Burnet's later assertions) this had not altered her views as to Episcopacy. In a letter to Lauderdale, she approved of a prophecy by an unnamed woman from Paisley that Charles II would bring bishops down.[166] Lady Margaret's piety further shone through on 24 August, in stating the need of repentance by the King and Court from their dissolute ways in order to escape judgement.[167] The last extant letter that reveals Lady Margaret's views on church government admitted that, since the Indulgence, more conventicles had been held but insisted that they were peaceable. She further stated that one, who preached, urged loyalty to the King but not to the Privy Council.[168] Lady Margaret evidently felt this was no handicap to the Indulgence and went on to propose two further ministers.[169]

Lady Margaret seemed to have played one further part in the negotiations over church government. This involved being asked along with the Duchess of

---

[160] Ibid.
[161] TFA, fol. 1869. There is no date on this letter and it is also unsigned but its content indicates a Resolutioner clergyman wrote it around March and April 1669.
[162] *Letters of Lady Margaret Kennedy,* pp. 72-4, 18 March 1669.
[163] Ibid, pp. 75-6, 1 May 1669.
[164] Ibid.
[165] NLS, Add. MSS 7024, fol. 141, Earl of Tweeddale to Sir Robert Moray, 15 July 1669
[166] *Letters of Lady Margaret Kennedy,* pp. 76-7, 19 August 1669.
[167] Ibid, pp. 77-8, 24 August 1669
[168] NLS, Add. MSS 7003, fol. 166-7, Lady Margaret Kennedy to Earl of Lauderdale, 26 September 1669.
[169] Ibid. These were John Mackgill of Dunbeg and Robert Hunter of Corstorphine.

Hamilton to influence former Resolutioners to accept proposals for an Accommodation.[170] These proposals were part of a series of measures initiated by Gilbert Burnet and Robert Leighton (former Bishop of Dunblane and soon to be Archbishop of Glasgow) to accommodate Presbyterian clergy within a modified Episcopalian form of church government which effectively meant that the bishop would take the form of a perpetual moderator. No correspondence of Lady Margaret's on this matter appears to be extant. However, Tweeddale's attempt to get her assistance to influence Resolutioners clergymen only enforces the judgement of her alliance to that faction.

Lady Margaret Kennedy's education, wealth and friendship with Lauderdale suggest that she held a prime place within Scottish aristocratic society in Restoration Scotland. She also possessed the means, contacts and personality to exert influence on behalf of Presbyterianism. It is clear that her Presbyterianism was in keeping with her place as part of the refined aristocratic circle of Scots nobles which she had lived amongst from the time she left the household of her father. Her fidelity to royalty was unquestionable and her Resolutioner standpoint meant that she desired to be faithful to Presbyterianism within a framework of church government that was sympathetic to Charles II. Lady Margaret's correspondence indicates that at least until late 1669 she was a Presbyterian, in principle. Her views were closer to those of the Resolutioner faction although she was not averse to pleading for any Protestors who were in difficulty. Interspersed in Lady Margaret's correspondence are indications that she was also pious. The extent to which Lady Margaret's social background and religious viewpoint affected her active stance in favour of non-conforming Presbyterians in the 1660s will be discussed in the concluding part of this case study.

---

[170] Buckroyd, *Church and State,* p. 97.

Chapter 10

The Activities of Lady Margaret Kennedy as a Non-Conforming Female Presbyterian Aristocrat

The discussion of Lady Margaret Kennedy's private life and Presbyterian viewpoint has portrayed an aristocratic lady of the first rank with an influential friend in Lauderdale and whose Presbyterianism was sympathetic to a Resolutioner standpoint. This chapter will build on this foundation and seek to explore the way in which these personal traits were exhibited on behalf of Presbyterianism in the 1660s. It will do so by specifically discussing three themes: Lady Margaret's solicitations on behalf of others; her role in resurrecting the Indulgence discussions of 1669; and her only true form of Presbyterian dissent in withdrawing from church services from late 1664 to early 1667. These three issues will then be examined in the light of Lady Margaret's aristocratic background and how far she acted on her own initiative. This chapter will conclude by discussing whether the response of the authorities to Lady Margaret's activities on behalf of Presbyterianism was governed by gender considerations.

Contemporaries of Lady Margaret, such as the Duchess of Hamilton and Gilbert Burnet, recorded their appreciation of her generosity towards those in need.[1] The acknowledgement of Lady Margaret's charitableness also extended to contemporaries who were unsympathetic to her such as Sir George Mackenzie of Rosehaugh. Mackenzie however restricted his judgement of Lady Margaret's generosity to her kindness to Presbyterians.[2] This chapter will now discuss the accuracy of these statements by examining them in the light of correspondence from Lady Margaret to Lauderdale, throughout the 1660s.

Lady Margaret commenced to intercede on behalf of others from the time Charles II was restored to his throne. Around 1660, she appealed to Lauderdale to

---

[1] H.C. Foxcroft, *Supplement to Burnet's History* (Oxford, 1902), pp. 85, 480; NAS, GD406/1/8109, Draft Letter of Duchess of Hamilton to Countess of Dundonald, 4 August 1686.
[2] Sir G. Mackenzie, *Memoirs of the Affairs of Scotland from the Restoration of King Charles II AD 1660* (Edinburgh, 1821), p. 165.

assist one of his tenants who had approached her and asked for his help.[3] In a further letter from the same period, Lady Margaret also recommended James Cunninghame for a position because of her friendship with his mother.[4] She also took the opportunity to recommend the person who delivered this letter.[5] These solicitations continued into 1661. On 19 September 1661, Lady Margaret pressed Lauderdale to delay presentation to Bolton Kirk, until an unnamed prospective minister for whom she had a high regard, became available.[6]

As the 1660s progressed, Lady Margaret also continued to show her concern to help both men and women she had pity on. On 24 February 1664, she referred to correspondence she had received from Lauderdale as to a gift for a Major Ker.[7] This reference appears to be clarified in a further letter where Lady Margaret stated that the gift was "that place Mr Melvill had, of master of the King's carriages." Lady Margaret was moved to plead for this because of the worthiness of Ker's wife (a Mrs Maxwell) and the need to secure her "a more tolerable life" in order for her to provide "a means of livelihood to her poor child if he live."[8] Lady Margaret appealed on virtually the same basis for Charles II to gift a place at a market day to a Mrs Givan.[9] Lady Margaret felt that this woman was worthy of receiving it because she was a widow and had children.[10] On 6 October 1664, Sir Robert Cunninghame informed Lauderdale that Lady Margaret and the Duchess of Hamilton had appealed on behalf of a writer called William Hamilton in order that his name might be taken out of the roll of fines.[11] This may also have also been the reason why Lady Margaret appealed twice in 1665 and 1666 to Lauderdale that he would help a Mr

---

[3] *Letters of Lady Margaret Kennedy to John Duke of Lauderdale* C.K. Sharpe (ed.), (Edinburgh, 1828), p. 5. There is no date but the form of address "My Dear Lord" appears to relate to a period at the beginning of the Restoration before intimacy developed between Lady Margaret and Lauderdale.
[4] BL, Eg. MSS 2410 fol. 28, Lady Margaret Kennedy to Earl of Lauderdale, 14 May. No year is mentioned in the date. For the same reasons as mentioned in footnote 3, it seems that this letter is from the beginning of the Restoration.
[5] Ibid.
[6] *Letters of Lady Margaret Kennedy,* pp. 3-4, 19 September 1661.
[7] Ibid, p.14, 24 February 1664.
[8] Ibid, p. 44, 4 April 1665.
[9] Ibid, p. 47, 8 July 1665.
[10] Ibid.
[11] EUL, Laing MSS III, fol. 17, Sir Robert Cunninghame to Earl of Lauderdale, 6 October 1664. See pp. 23-4 of thesis.

Auld who had presented a paper to the High Commissioner to Parliament in this period, John Leslie, seventh Earl of Rothes.[12]

In 1666, Lady Margaret was being used as part of a chain that commenced with the sixth Earl of Cassillis and ended with the Duke of Hamilton, in order that a Robert Hamilton would receive a Commission to collect taxes.[13] Later in 1666, Lady Margaret appealed to Lauderdale that the forfeiture of Neilson of Corsock, for his part in the Pentland Rising, be given to one of his debtors.[14] On two occasions in 1667, Lady Margaret interceded on behalf of Thomas Blair (a merchant of Ayr) whom she felt had been unjustly imprisoned by the Provost there.[15] In the second of these letters, Lady Margaret also pleaded on behalf of Archibald Douglas, Laird of Spot who had been involved in the murder of a relative of the fourth Earl of Home.[16] In October 1667, Lady Margaret appealed on completely different circumstances for employment to be found in Scotland for one Lockhart (possibly Sir William Lockhart, nephew by marriage to Oliver Cromwell).[17] These persons who Lady Margaret appealed for or interceded on behalf of, come from a variety of backgrounds but are all marked by need of some kind. None of them was interceded for because of their Presbyterianism.

While Lady Margaret seemed willing to intercede on behalf of various persons of different backgrounds, it is necessary to stress how much of her letters to Lauderdale were written on behalf of the Duchess of Hamilton and those connected with her family. Rosalind Marshall has shown the relative poverty of the House of Hamilton in this period (comparative to its status) and the efforts of the Duchess of Hamilton to alter this.[18] However, little attention has been given to Lady Margaret's efforts to revive the fortune of the House of Hamilton. This is remarkable as it is one of the leading subjects in the correspondence between Lady Margaret and

---

[12] *Letters of Lady Margaret Kennedy,* p. 36, 11 March 1665; p. 56, 22 June 1666.
[13] NAS, GD25/9/39B, Lady Margaret Kennedy to Earl of Cassillis, 2 April 1666.
[14] *Letters of Lady Margaret Kennedy,* p. 58, 27 December 1666. The debtor in question was Archibald Nisbet.
[15] Ibid, pp. 60-1, 12 June 1667, pp. 61-3, 13 June 1667.
[16] Ibid, pp. 61-3, 13 June 1667. See also the footnote for an extensive account of the criminal proceedings against the Laird of Spot.
[17] Ibid, pp. 64-5, 21 October 1667. The editor of these letters is responsible for the speculation as to who Lockhart was.
[18] R.K Marshall, *The Days of Duchess Anne* (London, 1973), p. 129-30.

Lauderdale.[19] Lady Margaret certainly felt that her support for the House of Hamilton was well-known and at times led to attacks on them because of hatred against her.[20] It is important to note that Lady Margaret's attempts to help the House of Hamilton stemmed more for regard for the Duchess than the Duke. This is stressed in a letter written by Lady Margaret in 1664 concerning papers relating to the Duchess's financial interest. [21] Lady Margaret was anxious that this matter should be attended to as the Duke had run up so much debt that the Duchess and her children had almost no money left.[22] She also drew attention to the Duchess's claim on the French Duchy of Chatelherault.[23] At times, Lady Margaret prosecuted the Duchess's cause in a forceful manner.[24] However, this was interspersed with a more sanguine tone. This was evident in the way that Lady Margaret, on the realisation that the debt due to the House of Hamilton would not be paid by ordinary means, sought to secure the post of Commissioner of Taxes for the Duke of Hamilton.[25] Even after such pleading, she still sought to insist that this would be granted with the proviso that the proceeds were to pay the debts of the House of Hamilton rather than be kept by the Duke.[26] The strength of this insistence was such that, before this was granted, Lauderdale remonstrated with Lady Margaret for her "very ill humour" in prosecuting this.[27] Lady Margaret, however, justified herself from this charge and sought to assure Lauderdale that she still felt the debt due to the House of Hamilton should be paid out of the Scottish Exchequer.[28] She further stressed that any precept

---

[19] The text following will cover the various letters in point.
[20] TFA, fol. 3627, Lady Margaret Kennedy to Earl of Lauderdale, 12 April 1661 or 1662. The year is not mentioned in the text. However, Lady Margaret signs herself as Ma; Blacke - the pseudonym used by her in the early part of the Restoration.
[21] NLS, Add. MSS 3136, fol. 153, Lady Margaret Kennedy to Earl of Lauderdale, 16 November 1664.
[22] Ibid.
[23] *Letters of Lady Margaret Kennedy,* pp. 30-1, 21 April 1664.
[24] NAS, GD406/1/2583, Earl of Lauderdale to Lady Margaret Kennedy, 20 October 1664.
[25] *Letters of Lady Margaret Kennedy,* pp. 37-9, 13 March 1665.
[26] Ibid, p. 42, 20 March 1665. For more on this subject, see NAS, GD406/1/2599, Earl of Lauderdale to Lady Margaret Kennedy, 4 April 1665. These letters describe the difficulties Lauderdale had in helping the debt due to the House of Hamilton be paid. See also *Letters of Lady Margaret Kennedy,* pp. 45-6, 10 June 1665 for a specific appeal by Lady Margaret that the Duke of Hamilton be appointed as Commissioner of Taxes as another way in which the debt due to them would be paid. See also TFA, fol. 1513, Lady Margaret Kennedy to Earl of Lauderdale, 23 January 1666 for an example of Lady Margaret seeking to push forward matters as to the collection of the taxes.
[27] NAS, GD406/1/2602, Earl of Lauderdale to Lady Margaret Kennedy, 26 July 1665.
[28] *Letters of Lady Margaret Kennedy,* pp. 47-52, 17 September 1665.

should have the Duchess's name on it rather than the Duke's.[29] Lady Margaret's solicitations for the Duchess of Hamilton appear less frequent in the mid to late 1660s. However, she did write a fierce letter to the Earl of Tweeddale in 1669, complaining that a further part of the debt due to the House of Hamilton had not been wholly paid.[30] Lady Margaret's care for the House of Hamilton at the end of the 1660s even extended to seeking Lauderdale's help to evict a tenant from Hamilton land.[31]

It is important to note that Lady Margaret's solicitations for the House of Hamilton were not limited to the Duchess or even the Duke. Over the course of the 1660s, she appealed on behalf of relatives of the Duke and Duchess - both near and far. These relatives included Lady Susan Hamilton, the Earl of Annandale, Lord and Lady Belhaven, the Laird of Airth, Thomas Hamilton of Bathgate and David Dunbar.[32] She also appealed on behalf of Sir Daniel Carmichael (whom Rosalind Marshall has stated was the most frequent visitor to Hamilton Palace in this period).[33] Lady Margaret further asked Lauderdale to help John Meine because he had been active for James, first Duke of Hamilton, in the Covenanting period.[34] While Lady Margaret seemed to appeal generally in favour of those connected to the

---

[29] Ibid, p. 53, 18 November 1665. See also p. 54, 1 February 1666 for evidence that Lady Margaret was successful in this.

[30] NLS, Add. MSS 7003, fols. 102-3, Lady Margaret Kennedy to Earl of Tweeddale, 31 July 1669. Although the archivist who documented this gave the year as 1668 with a question mark, the remainder of the letter deals with a conflict over rooms at Holyrood Palace for the forthcoming Parliament in late 1669. 1669 appears therefore to be the year in which this was written. See, p. 166 of thesis.

[31] *Letters of Lady Margaret Kennedy,* pp. 72-4, 18 March 9 1669. See also footnote for the speculation of the editor that the person in question was, "Lowrie alias Weir of Blackwood".

[32] See Appendix H. For Lady Susan Hamilton (sister of the Duchess of Hamilton) see *Letters of Lady Margaret Kennedy*, pp. 53-4, 18 November 1665. For the Earl of Annandale, see *Letters of Lady Margaret Kennedy,* p. 6, 3 October 1661. For Lord and Lady Belhaven, (the latter being the Duchess of Hamilton's aunt) see *Letters of Lady Margaret Kennedy,* pp. 24-6, 24 July 1664. For the Laird of Airth (whose daughter was married to a Hamilton) see *Letters of Lady Margaret Kennedy,* p.42, 20 March 1665. For David Dunbar (a relation to the first and second Dukes of Hamilton), see TFA, fol. 1465, Lady Margaret Kennedy to Earl of Lauderdale, 5 September (no year given) and *Letters of Lady Margaret Kennedy,* pp. 78-9, 24 September 1669. For Thomas Hamilton of Bathgate see *Letters of Lady Margaret Kennedy*, p. 12, 12 February 1664, p. 28, 24 January 1664, pp. 32-3, 29 June 1664, pp. 33-4, 27 September 1664, pp. 54-5, 12 March 1666, p. 55, 2 May 1666, pp. 75-6, 1 May 1669. Thomas Hamilton of Bathgate was a member of a junior branch of the House of Hamilton. For more as to Robin Kennedy, see Marshall, *Days of Duchess Anne,* pp. 66-7.

[33] *Letters of Lady Margaret Kennedy,* pp. 18-19, 23 April 1664; Marshall, *Days of Duchess Anne,* p. 107. It is necessary to point out that Lady Margaret's petition was in order that Carmichael might not have to pay his part of the roll of fines. This would mean effectively that he was being punished for past sympathies towards Presbyterianism. See pp. 23-4 of thesis.

[34] *Letters of Lady Margaret Kennedy,* pp. 68-9, 26 September 1668

House of Hamilton, she did not forget her own relatives. An example of this was evident in her solicitations on behalf of Lady Ardross, who Lady Margaret referred to as her favourite cousin germane.[35] A further example is evident in her appeal for an Alexander Knockgray who was being quartered on by troopers for refusing to pay taxes. Knockgray had been a domestic in Lady Margaret's father's household.[36]

Lady Margaret also appealed on behalf of several persons due to them suffering because they were Presbyterians. At the beginning of the Restoration period, she wrote to Lauderdale stating that, "the moonlight folk you see in my chamber are in great fear" that they would be misrepresented to Charles II.[37] That "the moonlight folk" were Presbyterians is clear from Lady Margaret's wish that they would have opportunity to show their respect to Charles II and live quietly under the change in church government.[38] This general appeal on behalf of Presbyterians is also seen in a letter of Lady Margaret's in September 1665. In this letter, she appealed on behalf of unnamed Presbyterians in Ayrshire who had been fined for attending church services that were outside their own parishes even though many of these parishes had vacant charges.[39]

The remainder of Lady Margaret's intercessions on behalf of Presbyterians are of a more specific nature. On 28 May 1661, she appealed to Lauderdale to help the Protestor minister, Patrick Gillespie, to escape from execution as he was married to a relative of hers.[40] At the same time, Lady Margaret also interceded with Lauderdale on behalf of her father who had gone to London to explain to Charles II why he had not taken the Oath of Allegiance.[41] Lady Margaret further interceded on her father's behalf on 21 January 1663 in order that William Cockburn, the Presbyterian minister at Kirkmichael, might continue as Cassillis's chaplain although

---

[35] TFA, fol. 1522, Lady Margaret Kennedy to Earl of Lauderdale, 17 February 1665.
[36] *Letters of Lady Margaret Kennedy,* p. 21-2, 5 May 1664.
[37] Ibid, p. 7, 8 December 1661.
[38] Ibid.
[39] Ibid, pp. 47-52, 17 September 1665.
[40] Ibid., pp. 2-3 , (n.d.). Gillespie was eventually spared from death.
[41] NLS, Add. MSS 3136, fol. 143, Lady Margaret Kennedy to Earl of Lauderdale, 25 April 1661. This was due to the explanation sought by Cassillis and others (which was refused) that the oath related to the King's authority in civil matters and only in religious matters as a Christian civil magistrate. Lady Margaret also appealed that her father be spared imprisonment during the second Anglo-Dutch War (1664-1667). See *Letters of Lady Margaret Kennedy,* pp. 52-3, 21 October 1665. Cassillis was spared this imprisonment.

he had not conformed to the Glasgow Act.[42] Lady Margaret's persistent and energetic appeal on behalf of Presbyterians was also evident in the case of John Carson who was convicted for not halting the riot in Kirkcudbright at the introduction of an Episcopalian curate in April 1663. Lady Margaret wrote frequently to Lauderdale between February 1664 and January 1668 before successfully having all sentences quashed.[43] During this period, she also made several appeals on behalf of other Presbyterians. These included asking that the radical Covenanter, Sir Archibald Johnston of Wariston's forfeiture, be given to Gilbert Burnet to distribute to the executed lawyer's relations.[44] Lady Margaret also appealed on behalf of Presbyterian ministers between 1664 and 1666 The first, William Adam of Ayr, was married to a Kennedy and had apparently been allowed to continue quietly in his charge, although a Presbyterian.[45] Lady Margaret sought the same favour for him that her father's minister had received.[46] She further sought the help of Lauderdale that a Presbyterian minister (William Hamilton) should not be punished for officiating at the baptism of Lord John Hamilton, at which she was present.[47] Lady Margaret further appealed that the Presbyterian minister, Matthew Mackail, might escape the wrath of the Archbishop of Glasgow, Alexander Burnet, for not conforming to the Episcopalian church settlement.[48] Shortly after the granting of the 1669 Indulgence, Lady Margaret appealed again for favour to be shown to another two Presbyterian ministers.[49] By the time Lady Margaret's friendship with Lauderdale was ending, she appealed to him on behalf of Barbara Cunninghame, Lady Caldwell and her children.[50] This last appeal of Lady Margaret's appears to be the only record of her interceding on behalf of a woman because she was a Presbyterian. However, during the course of the 1660s she consistently appealed on behalf of Presbyterians from a variety of backgrounds.

---

[42] NLS, Add. MSS 3136, fol. 151, Lady Margaret Kennedy to Earl of Lauderdale, 21 January 1663. In the text of this letter, Lady Margaret made it clear that she is interceding at her father's request.
[43] See pp. 92-4 of thesis.
[44] *Letters of Lady Margaret Kennedy*, pp. 31-2, 29 June 1664.
[45] Ibid , pp. 22-3, 7 May 1664.
[46] Ibid.
[47] Ibid, pp. 37-9, 13 March 1665
[48] Ibid, p. 29, 22 March 1664; p. 57, 13 October 1666. The latter letter indicates that Lady Margaret's personal interest in Mackail may have extended to wanting him to be her own private chaplain.
[49] NLS, Add. MSS 7003, fols. 166-7, Lady Margaret Kennedy to Earl of Tweeddale., 20 September 1669.The Presbyterian ministers were John Mackgill of Dunbeg and Robert Hunter of Corstorphine.
[50] *Letters of Lady Margaret Kennedy,* pp. 79-80, 2 May 1670.

An analysis of those whom Lady Margaret petitioned on behalf of in the 1660s throws up some surprising results. Of thirty-five people or groups of people which Lady Margaret interceded on behalf of, ten (28.5%) were connected to the House of Hamilton.[51] It has already been shown that Lady Margaret interceded on behalf of the Duchess of Hamilton on several different occasions. She also interceded on behalf of ten people (28.5%) who were associated in some way with her own extended family. These included five prominent Presbyterian ministers and her father.[52] Lady Margaret also interceded on behalf of ten people (28.5%) whose Presbyterianism is not readily apparent and who seemed to have attracted her sympathy simply because of their plight.[53] Of the thirty-five people or groups of people interceded for by Lady Margaret only five (14.5%) were Presbyterians with no apparent connection to her.[54] This seems to suggest that while Lady Margaret did intercede on behalf of Presbyterians she was more likely to do so if they were connected in some way to her extended family. Evidently, her sympathy extended far wider than those who shared her own religious beliefs. Arguably, her greatest interest was in securing the fortunes of the House of Hamilton, her own family and simple compassion for anyone in need. She therefore would appear not simply to be the "great patron of the Presbyterians" but a benevolent aristocrat whose interests related to helping her own extended family networks and friends and occasionally other unfortunates.[55]

While Lady Margaret petitioned on behalf of her own connections much more than simply Presbyterians, it should not be thought that she had no interest in supporting her favoured form of church government. Lady Margaret's role in the Indulgence negotiations of 1669 to grant liberty for Presbyterian clergy to preach without conforming to Episcopacy is an excellent example of the lengths which she went to in order to support Presbyterianism. This chapter will now turn to an analysis of Lady Margaret's role in these negotiations.

Before embarking on a discussion on Lady Margaret's discussion in these negotiations, it is necessary to reiterate the political situation in Scotland in the mid

---

[51] See Appendix H.
[52] Ibid
[53] Ibid.
[54] Ibid.
[55] Mackenzie, *Memoirs,* p. 165.

to late 1660s. The aftermath of the Pentland Rising and the subsequent dissolution of the Rothes military regime led to a new triumvirate controlling Scottish affairs - Lauderdale, Sir Robert Moray and Tweeddale.[56] The new regime led to a change in policy with the emphasis being more on negotiation with Presbyterians rather than force. This involved disbanding the military and issuing an indemnity to those who were involved in the Pentland Rising.[57] It also involved opening discussions with Presbyterian clergy for an arrangement whereby they would preach under licence from Charles II without conforming to the Episcopalian church settlement.

Efforts in 1667 to secure an Indulgence were effectively thwarted by the attempted assassination of Archbishop Sharp in July 1668 by the Presbyterian renegade, James Mitchell.[58] Gilbert Burnet sought to resurrect these discussions by espousing his own ideas that centred on a policy of a Commission dealing with unsuitable ministers in the western shires. These measures also were linked with ideas of Robert Leighton, for an "Accommodation."[59] This involved Presbyterian ministers being allowed to preach as long as they attended church courts where the bishop would be more regarded as a presiding moderator. Burnet linked this last idea with the need to fill vacant parishes in the western shires.[60] At this point in negotiations, a paper was presented in February 1669 proposing an Indulgence of all deposed Presbyterian ministers.[61] While this paper does appear to be lost, there is evidence to suggest it was written by Lady Margaret. On 23 February, Lauderdale wrote to Tweeddale and referred to a *second* paper that had come from Lady Margaret relating to proposals for an Indulgence.[62] It is clear from Lady Margaret's correspondence that she was playing, by this time, a prominent part on the

---

[56] This subject was dealt with briefly in chapter one. However, the nature of this chapter necessitates it being expanded here. See J. Buckroyd, *Church and State in Scotland 1660-1681,* (London, 1980), pp. 68-79 for a general outline of these policies. See also G. Burnet, *History of My Own Time* Vol. 1 O. Airy (ed.), (Oxford, 1897), pp. 496-509 for more details but with Gilbert Burnet's own role emphasized. Even Burnet does not appear to have been aware or willing to record every aspect of the Indulgence negotiations of 1669. As this section will show, a failure to address the role of individuals such as Lady Margaret in these negotiations means that, a less than full picture is given in these accounts.

[57] *RPCS 1665-9*, p. 334, 23 August 1667, pp. 344-6, 8 October 1667

[58] Buckroyd, *Church and State,* p. 75; Burnet, *History* Vol. 1, pp. 496-511.

[59] Ibid.

[60] Ibid.

[61] Ibid, p. 152, note 101. Buckroyd could not find the paper in question and was unable to specify who wrote it

[62] SHS, *Miscellany,* Vol. 6, pp. 293-4, Earl of Lauderdale to Earl of Tweeddale, 23 February 1669. This second paper may be the one referred to by Buckroyd.

Presbyterian side in the attempt to get an Indulgence granted. This second paper may be the one referred to in a letter she wrote to Lauderdale on the same day also on 23 February. In this letter, Lady Margaret advised Lauderdale that she had given her paper to the Duke of Hamilton who had not yet sent it to Lauderdale.[63] The implication in this is that Hamilton had shown or mentioned this letter to Tweeddale who had in turn mentioned it to Lauderdale. The content of these papers is not absolutely clear, as they do not appear to have been preserved.[64] However, reflections by Lauderdale and Lady Margaret give some indication of their content. Lauderdale, in his letter to Tweeddale on 23 February, indicated that the *first* paper that came from Lady Margaret "states all outed ministers as one party and pleads for all, bragging of their bypast loyalty."[65] Lady Margaret did not seem to have the same judgement as to her papers. In a letter to Lauderdale in March, she stated, "All that were for the Public Resolutions will own it, the little people and some that are soberest of the other side will do so too."[66] From this statement, it seems that Lady Margaret felt her paper was entirely sympathetic with an Indulgence policy especially aimed at Resolutioner clergy. More light on the content of Lady Margaret's papers is evident in a further letter she wrote to Lauderdale on 16 March. In this letter, she described her paper as "very long", and strongly asserted her hatred of "all rebellion against the person and authority of dear King Charles II."[67] She further asserted that one of the clergy involved in the Indulgence negotiation, Matthew Mackail, did not want Charles II to give any liberty to the Protestors "except they change their note" because they were not "good ministers, nor good subjects."[68] Therefore, while Lady Margaret's papers *may* have implied tacit approval for Protestors, she was really in favour of those who adhered to Resolutioner principles being granted an Indulgence. In the previously mentioned letter, she also provided an interesting insight into aristocratic thought. She related that, if Charles II would "fix the nobles and gentry…there need be no fear of

---

[63] *Letters of Lady Margaret Kennedy,* pp. 69-70, 23 February 1669.
[64] All repositories that contain Lady Margaret's correspondence have been searched without these papers being found.
[65] SHS, *Miscellany,* Vol. 6, pp. 203-4, Earl of Lauderdale to Earl of Tweeddale, 23 February 1669.
[66] TFA, fol. 3626, Lady Margaret Kennedy to Earl of Lauderdale, March 1669. The day on which this was written has become obscure on the text.
[67] *Letters of Lady Margaret Kennedy,* pp. 70-1, 16 March 1669.
[68] Ibid.

others."[69] This appears to indicate that Lady Margaret's reference to "the little people" accepting the principles of her paper needs to be qualified by her desire for an ordered Indulgence that would suit those of a higher social standing. The contents of Lady Margaret's papers therefore appear to have been an appeal for deposed Presbyterian ministers to have Indulgences to preach because of their past loyalty to Charles II. While it seemed to be embracing in its content, it specifically had in mind those who, in her view, were conspicuously marked by loyalty to Charles II - in other words, the Resolutioner clergy.

Charles II finally granted an Indulgence on 15 July 1669.[70] The question remains as to how far Lady Margaret was responsible for this. Lady Margaret's failure to specifically mention that she had the Resolutioner clergy pre-eminently in mind meant that Lauderdale was suspicious of its content and insisted that no general Indulgence would be granted.[71] Thereafter, Lady Margaret had to continually defend her views and request Lauderdale to make good use of her papers.[72] However, this does not prove that Lady Margaret had no influence in an Indulgence being granted. Negotiations for an Indulgence were undoubtedly interrupted in July 1668 after the attempted assassination of Archbishop Sharp.[73] Yet there was still a desire for progress on this issue. From the government side this seemed to be focused on the combined efforts of Tweeddale, Robert Leighton and Gilbert Burnet.[74] The pre-eminent part of their policies was for an Accommodation with an Indulgence playing only a minor part.[75] However, the main and perhaps the only way that many Presbyterians felt was open to them was for the granting of an Indulgence with other matters such as the attendance of Church Courts not an option.[76] The attempted assassination of Sharp arguably limited them in their ability to express this. Lady

---

[69] Ibid. This point while not sufficiently relevant to the present thesis to require development. is nevertheless important in understanding seventeenth century Scotland. The appeal of the Protestor faction and the subsequent Cameronian movement appears to have been largely to a class of Scottish lowlanders outside the bounds of the aristocracy.

[70] *RPCS 1665-69,* pp. 38-40, 15 July 1669. Forty-two Presbyterian ministers accepted this Indulgence. See, p. 25 of thesis.

[71] SHS, *Miscellany*, Vol. 6, pp. 203-4, Earl of Lauderdale to Earl of Tweeddale, 23 February 1669.

[72] TFA, fol. 36, Lady Margaret Kennedy to Earl of Lauderdale, 26 March 1669; *Letters of Lady Margaret Kennedy,* pp. 70-1, 16 March 1669, pp. 72-4, 18 March 1669.

[73] Buckroyd, *Church and State,* p. 75.

[74] Ibid, pp. 75-7.

[75] Ibid. See also Burnet, *History* Vol. 1, pp. 496-509.

[76] TFA, fol. 1869. This is undated and unaddressed but its content directly relates to the 1669 Indulgence negotiations

Margaret, as an intimate of those who were pursuing the government policy and with close contacts with Resolutioner clergy was the ideal person to revive the Indulgence negotiations. Therefore, the submission by Lady Margaret of her papers was arguably a necessary stimulus on behalf of those Presbyterian clergy who desired liberty to preach. After the submission of Lady Margaret's papers, the Indulgence (as Presbyterians desired it) was again a "live" issue. Shortly after, a delegation of Presbyterian ministers met Tweeddale before he went to London to advise him of their wishes.[77] It seems probable that these ministers also presented a petition.[78] Buckroyd mentioned this and stated she could not find the petition.[79] However, a lengthy letter of vindication of what appears to be this petition is in the Tollemache Family Archive.[80] It is undated and unaddressed but the fact that it begins with "Madam" and was found among letters of Lady Margaret suggest that it was meant for her and was written probably by a Resolutioner clergyman.[81] That this letter was almost certainly written to Lady Margaret appears to give the key to her role in this whole episode. She appears to have been in sympathy with the Resolutioner clergy in their aims and was acting as a go-between while also taking the opportunity to stress her own views. Evidence of this can be seen in Lady Margaret's reference to what she had heard Mackail say as to the Protestor clergy.[82] More compelling proof of this can be seen in the fact that Lady Margaret sent on to Lauderdale from Mackail and George Hutcheson (another Resolutioner minister) a list of clergy suitable for Indulgence.[83] However, not only did Lady Margaret act as a go-between, she also added other names of her own choosing to the list - albeit with Mackail and Hutcheson's permission.[84] Ultimately, when the Indulgence was granted, Tweeddale wrote to Sir Robert Moray and informed him that Lady Margaret had expressed her delight at this.[85] After the Indulgence was granted, Lady Margaret continued to press

---

[77] Buckroyd, *Church and State,* p. 77.
[78] Ibid, pp. 77-8.
[79] Ibid, p. 152 note 103.
[80] TFA, fol. 1869.
[81] Ibid. The basis for saying this is that it includes details of discussions with Remonstrator (Protestor) ministers as to the petition's content; defends the content of the petition and gives the reason why the petition was sent - to see what reception it would receive at Court and thus pave the way for a supplication in person by Presbyterian ministers.
[82] *Letters of Lady Margaret Kennedy,* pp. 70-1, 16 March 1669.
[83] Ibid, pp. 75-6, 1 May 1669.
[84] Ibid.
[85] NLS, Add. MSS 7024, fol. 141, Earl of Tweeddale to Sir Robert Moray, 15 July 1669.

for favour for Presbyterian clergy. In a letter of 26 September, she appealed to Tweeddale on behalf of John Mackgill of Dunbeg and Robert Hunter of Corstorphine, presumably for Indulgence.[86]

From the above, it is clear that Lady Margaret played an important part in the Indulgence policy. She resurrected the issue from a Presbyterian viewpoint in February 1669. She acted as a mediator between the Resolutioner clergy and Lauderdale and proposed specific clergy who she felt would qualify and benefit from such an Indulgence. Any further study of the 1669 Indulgence will not be complete without taking seriously the part played by Lady Margaret Kennedy.

It should be apparent that up until this point the emphasis of the discussion on Lady Margaret has been her role as a Presbyterian within the Episcopalian church settlement. Her appeals on behalf of Presbyterians and her proposals for an Indulgence for Presbyterian preachers do not amount to dissenting activity. There is also no evidence that Lady Margaret ever attended conventicles. However, she did engage in one feature of dissent during the 1660s. The introduction of an Episcopal church settlement led to Lady Margaret absenting herself from church services. This non-attendance eventually became so notorious as to merit the concern of Charles II.[87] This section will seek to outline Lady Margaret's position on church attendance from 1660 to 1667 and provide details of how often she attended church during these years. In order to ascertain the rationale behind Lady Margaret's pattern of church attendance prior to 1667 it is necessary to reiterate the various acts of Parliament and Privy Council that may have influenced her behaviour.[88]

Although Charles II indicated his desire to introduce Episcopacy in a proclamation of the Privy Council on 6 September 1661, the exact nature that it would take was not established until later.[89] On 11 June, an act of Parliament required that all clergymen who occupied posts without presentation from patrons

---

[86] NLS, Add. MSS 7003, fols. 166-7, Lady Margaret Kennedy to Earl of Tweeddale, 26 September 1669.
[87] Airy, "Margaret Burnet", in, *DNB* Vol. 3, pp. 407-8; SHS, *Miscellany,* Vol. 6, pp. 141-4, Earl of Lauderdale to Earl of Tweeddale, 8 October 1667.
[88] See also pp. 20-4 of thesis.
[89] *RPCS 1661-4,* pp. 31-2, 6 September 1661.

were to receive such by 20 September.[90] This act also stipulated that collation was to be received from the bishop.[91] On the same day, a further act was passed which discharged all ministers from their posts who had not kept or would not keep 29 of May as a day of thanksgiving for the birth and restoration of Charles II.[92] These acts were not rigidly enforced until 1 October 1662.[93] Even the so-called Glasgow Act (which was passed on this day) was later amended to allow ministers until February 1663 to submit to the government's requirements.[94] This meant, in effect, that until the latter date mentioned it was possible to attend a Presbyterian church service without being hindered. The unwillingness of many to attend the services of Episcopalian curates led to an act of Parliament on 10 July 1663 against religious dissent. This act was so embracive in its measures that it was called by Presbyterians, "The Bishops Dragnet."[95] This act made it unlawful to withdraw from church services due to a dislike of the Episcopalian church settlement.[96] Offenders were to appear before the Privy Council and be punished by fining.[97] The other aspects of this act required those ministers, who had not yet received presentation and collation, or who would not attend church courts or assist bishops, were to remove from their parishes and would be regarded as seditious.[98] This, in effect, took in ministers who had been presented by patrons before 1649. Up until then it had been lawful for such to continue if they kept 29 May as the anniversary of the birth and restoration of Charles II. Presbyterian ministers who continued to preach after this date were doing so illegally. The Church Commission was set up in March 1664 to enforce these acts.[99] This included punishing withdrawers from church.[100] Other government measures to enforce church attendance involved the quartering of

---

[90] *APS 1661-1669*, p. 376, "Act concerning such benefices and stipends as have been possessed without presentations from the lawful Patrons", 11 June 1662. See also Buckroyd, *Church and State,* p. 46.
[91] Ibid.
[92] Ibid, pp. 376-8, "Act for keeping the anniversary thanksgiving for the K. Majesty's birth and restoration", 11 June 1662.
[93] *RPCS 1661-4,* pp.269-70, 1 October 1662.
[94] Buckroyd, *Church and State,* p. 50.
[95] *APS 1661-1669,* pp. 455-6, "Act against separation and disobedience to ecclesiastical authority", 10 July 1663.
[96] Ibid.
[97] Ibid.
[98] Ibid.
[99] Buckroyd, *Church and State,* pp. 55-9.
[100] Ibid.

soldiers on persons until fines for withdrawing from church were paid. Sir James Turner, in particular, pursued this in the south-west of Scotland. His activities continued at least until the Pentland Rising in November 1666.[101] By then, the Privy Council had passed a further act in December 1665, insisting that all Presbyterian ministers who had entered their charges before 1649 (but who had not yet submitted to the Episcopalian church settlement) should remove from their parishes.[102] This appears to suggest that while it was unlawful for such to preach from 10 July 1663, some were still doing so in their parishes by December 1665.[103] This, in effect, meant that persons could still attend Presbyterian church services until the end of 1665. From then on, the only official church services were Episcopalian.

Lady Margaret's letters during the 1660s give an insight into her views on attending church. As has been seen, on 19 September 1661, Lady Margaret wrote to Lauderdale and appealed that he would not present anyone to Bolton Kirk without first letting her know.[104] This was because she knew someone whom she felt would be suitable to fill this parish.[105] This letter appears to be written *after* the proclamation in which Charles II made it clear that Episcopacy would be established although not stating what form it would take.[106] Therefore, Lady Margaret in supporting such a minister appears to suggest that she was not opposed to such preaching under bishops *per se* even though she undoubtedly favoured Presbyterians. It is possible that living in Hamilton Palace, Lady Margaret would have had access to local Presbyterian ministers such as Matthew Mackail and William Hamilton, until they were deposed.[107] As will be shortly discussed, it is clear she valued Mackail's spiritual help. By 13 March 1665, Lady Margaret indicated that in this period she was not regularly attending church services.[108] As has been seen, Lady Margaret wrote to Lauderdale to intercede on behalf of William Hamilton, who had baptized

---

[101] Sir J. Turner, *Memoirs of His Own Life and Times* T. Thomson (ed.), (Edinburgh, 1829), pp. 139-40.
[102] *RPCS 1665-69,* pp. 107-8, 7 December 1665.
[103] The instances of William Adam, William Hamilton and Matthew MacKail already quoted in this chapter seem to support this conclusion. See p. 186 of thesis.
[104] *Letters of Lady Margaret Kennedy,* pp. 3-4, 19 September 1661.
[105] Ibid.
[106] See p. 191 of thesis.
[107] H. Scott, (ed.), *Fasti Ecclesiae Scoticanae* Vol. 3 (Edinburgh, 1920), pp. 231-3. As has been seen, Hamilton was minister at Glassford and MacKail at Bothwell.
[108] Ibid. By this time, Hamilton was still ministering in some capacity but MacKail has been the subject of government attention for some time.

Lord John Hamilton when the Duke and Duchess were absent, but when she was present.[109] Lady Margaret felt that the real reason William Hamilton was to be punished by the presbytery and synod was that she had attended the baptism.[110] This was particularly galling to her as this was the only sermon she had heard "in more nor a quarter of a year."[111] Therefore, by the beginning of 1665, at the time when the Church Commission was in full swing, Lady Margaret had begun to absent herself from church.[112] A letter of 13 October 1666 may indicate that Lady Margaret's refusal to attend church was becoming a matter of public conversation. Lady Margaret referred in this letter to a former letter of Lauderdale in which he mentioned her going to somewhere.[113] Unfortunately, the last word is undeciphered. However, it seems from the context that Lady Margaret's attendance at church was in question. Immediately after this reference of Lady Margaret's, she mentioned a request by her to have "Mr Mackail stay, for my cause, at his own borrowed house."[114] The implication of this is clear. Lady Margaret appeared to be compensating for her lack of Presbyterian church services by having a Presbyterian chaplain in the form of Matthew Mackail. It is not clear whether Lady Margaret was successful in this request although subsequent letters imply that she was not and was expected to attend church.

After the Pentland Rising in November 1666, Lady Margaret initially continued to abstain from church attendance. On 6 March 1667, Lady Margaret informed Lauderdale that the Duchess of Hamilton had told Sir Robert Moray that she (Lady Margaret) was "not with the Prelacy." Due to this, she felt compelled to tell Lauderdale that she was to "be brought before the Council the next day for refusing to pay a fine for not going to church."[115] Lady Margaret felt that the soldiers who appeared at Hamilton to exact the fine from her were specifically

---

[109] *Letters of Lady Margaret Kennedy,* pp. 37-8, 13 March 1665.
[110] Ibid.
[111] Ibid.
[112] Buckroyd, *Church and State,* p. 64. The activities of the Church Commission in 1665 have been regarded by historians such as Buckroyd to have been severe, Buckroyd felt that the severities of the Church Commission before this were exaggerated. However, she does admit such charges for this period.
[113] *Letters of Lady Margaret Kennedy,* pp. 57-8, 13 October 1666.
[114] Ibid.
[115] TFA, fol. 1775, Lady Margaret Kennedy to Earl of Lauderdale, 6 March 1667.

ordered by Rothes to do so.[116] Whether or not this is true, it is important to note that Lady Margaret appears not to have attended church from probably the end of 1664 until the beginning of 1667. This period covers almost exactly that in which the military regime of Rothes was in control of the policy against Presbyterian dissent. It is unclear whether Lady Margaret ever paid this fine but it is certain that she did attend church shortly after.[117] On 8 October 1667, Lauderdale expressed Charles II's and his own gladness at the news from Tweeddale that she had attended church.[118] In a letter to Lauderdale on 21 October 1667, Lady Margaret mentioned the circumstances in which she went to church and those by which she would continue to do so. In replying to Lauderdale, she stated that she went to church "the first Sunday after the disbanding" - that is the first Sunday after the end of Rothes's military activities to enforce church attendance.[119] This suggests that she went to church for the first time around the end of August or beginning of September. She further gave the condition for continuing to attend church as being that "no blameless Presbyterian shall be persecuted for not going to church."[120] This letter does appear to suggest that Lady Margaret did not attend church services until Rothes's military reign was ended and that she would only continue to attend if this was not resurrected.[121] As has been seen earlier in this chapter, the next few years were marked by the pursuit of Indulgence policies. This suggests that Lady Margaret was happy to attend Episcopalian church services throughout the rest of the 1660s.

In terms of whether Lady Margaret's social background defined her form of activities on behalf of non-conforming Presbyterians, it is important to note the conclusion in the first part of the case study. Lady Margaret clearly came from one of the main aristocratic families in Scotland. She also had an extensive education and much wealth. Perhaps her greatest feature in this period was her close friendship

---

[116] Ibid.
[117] Unfortunately, there does not appear to be any reference in the Privy Council records to Lady Margaret appearing before that body.
[118] SHS, *Miscellany* Vol. 6, pp. 141-4, Earl of Lauderdale to Earl of Tweeddale, 8 October 1667. Tweeddale's letter to Lauderdale informing him of this does not appear to be extant.
[119] *Letters of Lady Margaret Kennedy,* pp. 64-5, 21 October 1667. For disbandment of troops, see the letter from Charles II read in Privy Council on 23 August 1667 in *RPCS 1665-9*, p. 334, 23 August 1667.
[120] Ibid. "Blameless Presbyterians" may be used by Lady Margaret to distance her from those involved in the Pentland Rising.
[121] This conclusion is in keeping with Airy's judgement. See Airy, "Margaret Burnet", in, *DNB* Vol. 3, pp. 407-8.

to Lauderdale. Lady Margaret's petitions on behalf of several different persons including Presbyterians would not have been fruitful had she not entertained a close friendship with Lauderdale. The fact that she was merely a woman or even an aristocratic woman was not as important as her friendship with the leading statesman in Scotland. However, her aristocratic background with such connections meant that she had opportunities to speak on behalf of Presbyterians that were not open to those from a lesser rank. Lady Margaret's education and background also gave her the ability and confidence to write papers on behalf of Presbyterians that were outside the possibility of those of a lower social grouping who would not have the same ability or opportunity to express themselves in this way. Lady Margaret's withdrawal from Episcopalian church services was the only form of Presbyterian dissent she engaged in. This was strictly negative in character. There is no record of Lady Margaret being involved in conventicling and certainly not of rioting. Her unwillingness to attend church appears to have been the most that a person from her position was willing to go to in opposition to the Episcopalian church settlement.

In Lady Margaret's activities on behalf of Presbyterians, it is evident that she showed an independency of spirit rather than being used as pawns of others. Lady Margaret was asked in some cases by Presbyterians to intercede on their behalf.[122] In the rest of the cases there is no record of Lady Margaret being approached on behalf of Presbyterians in order to prosecute their case. This appears to indicate that she acted on her own initiative to appeal to Lauderdale on behalf of persons who were suffering because they were Presbyterians. She does not appear from her correspondence to be a pliant tool used by men to secure their own ends. In the 1669 Indulgence negotiations there does appear to be evidence that Lady Margaret felt it necessary to stress to Lauderdale that what she was proposing were her own beliefs. It *is* possible that Lady Margaret was merely a pawn in the hands of Resolutioner clergy to secure their own ends. The two leading Resolutioner clergy in the Indulgence negotiations (according to Lady Margaret's correspondence) appear to have been Matthew Mackail and George Hutcheson. As has been seen, Lady

---

[122] Patrick Gillespie's wife, Lady Margaret's father, Gilbert Burnet and John Carson are all examples of this. See TFA, fol. 3628, Lady Margaret Kennedy to Earl of Lauderdale, 1 May 1661; NLS, Add. MSS 3136, fols. 143, Lady Margaret Kennedy to Earl of Lauderdale, 25 April 1661, fol. 151, Lady Margaret Kennedy to Earl of Lauderdale, 21 January 1663; *Letters of Lady Margaret Kennedy,* p. 31-2, 28 June 1664, p. 14, 24 February 1664, p. 15, 2 March 1664, p. 16, 19 March 1664.

Margaret received a list of suitable ministers for Indulgence from these two.[123] Lady Margaret also stated that she heard Matthew Mackail giving reflections on the Protestor clergy.[124] It has already been shown that Lady Margaret interceded on behalf of Mackail in the mid-1660s.[125] It is therefore possible that these ministers could have used Lady Margaret as a means to resurrect negotiations that would ultimately lead to their own advantage. However, the principles that Lady Margaret stated in her papers were in entire keeping with her continual intercessions on behalf of Presbyterian ministers during the 1660s. These intercessions were that Presbyterian ministers might quietly continue their ministry under the current church settlement without conforming to Episcopacy.[126] It seems more likely that she was acting on her own initiative than on behalf of Resolutioner clergy. Neither can it be accepted that Lady Margaret was acting on Gilbert Burnet's orders. Burnet's *History* does not fail to mention his perceived part in any incident of the period in which he writes. Had he been the cause of Lady Margaret's papers he arguably would have said so. The only safe conclusion as to the reason why Lady Margaret submitted her two papers appears to be that she did so on her own initiative in order to resurrect from the Presbyterian side a measure that she had sympathy in. There is also no evidence to indicate that Lady Margaret did not attend church under duress from others. There may possibly be more of a case for saying that she eventually attended church services because of the concern of Charles II and Lauderdale. However, Lady Margaret made it quite clear in her letters to Lauderdale that she commenced to attend Episcopalian church services after the disbandment of the Rothes military regime. She also insisted that she would only continue attending Episcopalian church services if no blameless Presbyterians were persecuted for not doing so. Therefore, in all Lady Margaret's activities on behalf of Presbyterians it can be seen that she acted on her own initiative.

Lady Margaret's gender seems to have been only part of the reason for the way the authorities reacted to her activities on behalf of Presbyterianism. As a female intimate of Lauderdale, Lady Margaret's views were more likely to be

---

[123] *Letters of Lady Margaret Kennedy*, pp. 75-6, 1 May 1669.
[124] Ibid, pp. 70-1, 16 March 1669.
[125] Ibid, p. 29, 22 March 1664, pp. 57-8, 13 October 1666.
[126] See p. 185 of thesis.

listened to. Yet, she only enjoyed such intimacy with Lauderdale because of her position in the elite of the Scottish nobility. Lady Margaret's views on the Indulgence negotiations would hardly have been listened to apart from her friendship with Lauderdale. The Privy Council quickly told other women such as Isobel Alison and Marion Harvie (who were executed in 1681 for refusing to denounce the Queensferry papers of 1680) that they had no right to speak on theological matters.[127] Therefore, Lady Margaret's friendship with Lauderdale could arguably overcome such gendered notions amongst the Scottish ruling hierarchy. Lady Margaret's refusal to attend church was clearly not dealt with by Rothes with any regard to her gender. Rothes was still determined to see her punished. Lauderdale and Charles II may have viewed this in a different light in their desire for her to conform and escape punishment. However, even here, it must be questioned how far either of these would have been concerned had Lady Margaret not been an aristocratic lady who was friendly with Lauderdale. Lady Margaret's gender cannot be entirely left out in considering the authorities response to her. Yet, it arguably played only a part alongside other considerations of her social background and friendship with leading statesmen.

In concluding this chapter, it is clear that during the 1660s, Lady Margaret used her influence to appeal on behalf of many Presbyterians. However, this has to be placed in the context of her wider and more frequent appeals on behalf of the House of Hamilton and her own extended family network. When Lady Margaret did appeal on behalf of Presbyterians, it was largely related to this extended family network and friends. In making her intercessions, she was occasionally moved by others to do so although she mostly took the initiative. These efforts were sometimes successful although not always so. Lady Margaret's direct influence in getting the Indulgence granted appears minimal. However, her indirect influence in making the prospects of an Indulgence a "live" issue again and her intermediary position between Resolutioner ministers was essential in these negotiations. Lady Margaret, moved by her own dislike of the persecution of Presbyterians from 1664 1667, refused to attend Episcopalian church services. Pressure was put on her to forsake this but she insisted she only began to attend on her own volition and laid down

---

[127] See p. 55 of thesis.

conditions by which she would continue to do so. The fact that Lady Margaret's non-attendance was limited to a three-year period suggests that such overt acts of non-conformity were not usual for persons of her rank in the high aristocracy. In all forms of Lady Margaret's activities on behalf of Presbyterianism, she showed an independency of spirit in keeping with her social background which was not produced by pressure from men. The authorities' response to Lady Margaret's activities seemed to be governed by a combination of her gender and her social background with a particular emphasis being placed on her relationship with Lauderdale.

This case study has adopted a different pattern from those that preceded it in that it has devoted a whole chapter to discussing Lady Margaret's social background and Presbyterian viewpoint. It is clear that Lady Margaret was a member of an elite of Scottish nobility who effectively ran the political affairs of Scotland from the mid-1660s. Her links with the Duchess of Hamilton, Sir Robert Moray, Tweeddale and particularly with Lauderdale meant that she was in an excellent position because of her social background to exert influence on behalf of Presbyterianism. However, Lady Margaret's position within such an elite, paradoxically, shows how much she was governed by fidelity to it. Therefore, in petitioning for others, her own or the Duchess of Hamilton's extended family and friends were foremost in her thoughts. Lady Margaret even showed more aristocratic benevolence to others such as soldiers who were in need than to Presbyterians who had no connection with her family. The fidelity of an aristocrat to her social grouping was also seen in Lady Margaret's role in the 1669 Indulgence negotiations. Her prime concern was that the milder variety of Presbyterians represented in the Resolutioners be granted liberty. Lady Margaret had no sympathy for the more wilder variety of Presbyterianism evidenced in the rioting in the south-west of Scotland in 1663 or in the Pentland Rising. Her apparent unwillingness even to attend conventicles suggests that, while unhappy about an Episcopalian church settlement, she would have no part in positive attempts to circumvent it. Lady Margaret's sole instance of dissent in refusing to attend church is arguably another example of her aristocratic desire for order and benevolence. The military regime of Rothes could and nearly did lead to an ordered regime in Scotland being overthrown. When Rothes's military regime came to end, Lady

Margaret's dissent also ended. In all of Lady Margaret's activities, perhaps the most significant point to bear in mind is her aristocratic upbringing. Living firstly in the house of her father, and then in the households of the first and second Dukes of Hamilton, involved being accustomed to values which included a love for Presbyterianism coupled with fidelity to the King and a wariness of social disorder. Lady Margaret's subsequent actions need to be understood in this light.

Lady Margaret's actions after 1670 are important enough to merit a postscript. Lady Margaret arguably ceased to have any influence, from this point. Her correspondence with Lauderdale appears to have ceased in that year. In 1672, Lauderdale married Elizabeth Murray, Countess of Dysart.[128] There is no evidence that any friendship remained between Lauderdale and Lady Margaret after this. In early 1675, Lady Margaret lost favour with Presbyterians. This was due to the disclosure of her secret marriage to Gilbert Burnet that had taken place at least two years earlier.[129] Although Burnet was eighteen years younger, Lady Margaret's disgrace was more due to the clandestine nature of the marriage and her husband being "prelatic."[130] Lady Margaret's disfavour was such that the Lady Anna Lindsay, Countess of Rothes wrote to the Duchess of Hamilton and insisted that Kennedy be ejected from Hamilton Palace.[131] It is unclear whether Kennedy was ejected or left of her own free will. Law stated that upon the discovery of the marriage, Lady Margaret "retires to Edinburgh, condoling her case."[132] Thereafter, she appears to have gone with Burnet to London. Mackenzie, in his *Memoirs,* charged Lady Margaret as being behind Burnet's attempt to assist the House of

---

[128] W.C. Mackenzie, *The Life and Times of John Maitland, Duke of Lauderdale, 1616-1682* (London, 1923), p. 309.

[129] See Foxcroft *Supplement to Burnet's History,* pp. 480-1 footnote 2 for a full discussion of the possible date of this marriage

[130] R. Law, *Memorialls* C.K. Sharpe (ed.), (Edinburgh, 1818), pp. 75-6; J. Cockburn, *A Specimen of Some Free And Impartial Remarks* (London, 1724), pp. 46-7; NAS, GD406/1/8672, Lady Anna Lindsay to Duchess of Hamilton, 23 March 1675. This point is confirmed in that Lady Susan Hamilton (sister of the Duchess of Hamilton) married the seventh Earl of Cassillis (Lady Margaret's brother) - even though he was fifteen years younger. See R. K. Marshall, 'The House of Hamilton in its Anglo-Scottish Setting in the Seventeenth Century' (PhD: University of Edinburgh, 1970), pp. 137-8.

[131] NAS, GD406/1/8672, Lady Anna Lindsay to Duchess of Hamilton, 23 March 1675. It should be noted that the writer was married to the Earl of Rothes - the butt of much of Kennedy's criticisms in the mid-1660s.

[132] Law, *Memorialls,* pp. 75-6.

Commons in their impeachment of Lauderdale in 1675.[133] Airy has dismissed this as not being based on evidence.[134] There is no correspondence of Lady Margaret's extant to prove this either way. There is also no correspondence extant of Lady Margaret's to indicate how she thought about other important subjects such as the Duke of York publicly declaring his conversion to Roman Catholicism. Lady Margaret appears to have suffered from ill health in her latter years. Burnet states that, for some years she had "such a decay of memory and understanding…she knew nothing and nobody."[135] By March 1685, she was dying although she revived for a short time.[136] Subsequently, Burnet had to leave the country through fear of arrest. Lady Margaret died before he reached Paris.[137] There is no evidence that Lady Margaret retained her Presbyterian views in these years. Burnet claimed that he "had in a great measure brought her off from the rigidity of the Presbyterian way."[138] She did attend church but it is not clear whether this was Presbyterian or Episcopalian.[139] After Lady Margaret's death, a dispute broke out between the Countess of Dundonald (Lady Margaret's sister) and the Duchess of Hamilton over a disposition that Lady Margaret made for £33333.[140] This case continued for some time and was still not settled by the end of the seventeenth century.[141]

---

[133] Mackenzie, *Memoirs,* p. 315.
[134] Airy, "Margaret Burnet", in, *DNB* Vol. 3, pp. 407-8.
[135] Foxcroft, *Supplement to Burnet's History,* p. 481.
[136] NAS, GD406/1/710338, Gilbert Burnet to Duchess of Hamilton, 4 March. There is no year on this letter but a draft letter of the Duchess of Hamilton to Burnet in NAS, GD406/1/7931 referring to the same subject is dated 31 March 1685.
[137] Foxcroft, *Supplement to Burnet's History,* p. 490.
[138] Ibid, p.480. Burnet is indefinite as to when this change took place. He seems to imply it took place early in his friendship with Lady Margaret. However as this chapter has sought to prove, Lady Margaret still greatly favoured Presbyterianism by 1669. It was at this time that Burnet began to be a regular visitor to Hamilton Palace (ostensibly to do research for his history of the Dukes of Hamilton). It is possible, if Burnet's veracity can be relied on, that from that point there could have been a change in Lady Margaret's views. See also Cockburn, *Specimen,* pp. 46-7 for notice of Burnet's visits to Hamilton Palace.
[139] NAS, GD406/1/10338, Gilbert Burnet to Duchess of Hamilton, 4 March 1685.
[140] See NAS, GD45/24/22, *Information;* GD406/1/8109, Duchess of Hamilton to Countess of Dundonald 4 August 1686
[141] NAS GD406/1/9078 Lord Basil Hamilton to Earl of Arran, 25 January 1698. This related to a £33333 disposition made by Lady Margaret that was distributed by the Duchess of Hamilton. Contemporary remarks suggest that the Duke and Duchess of Hamilton looked to Lady Margaret's wealth to provide for their children in marriage. Burnet renounced his claim to her fortune prior to their marriage (although he still obtained the life rent when Lady Margaret died). The £33333 in Lady Margaret's disposition were to be disposed as follows : £13333 to John, seventh Earl of Cassillis; £6666 to Lady Jean Cochrane (wife of John Graham of Claverhouse, later Viscount Dundee); £1333 to the Earl of Crawford and £10000 to Lady Margaret Hamilton, Countess of Panmure (one of the Duchess of Hamilton's daughters but not the oldest). The £1333 remaining was to be spent on funeral

expenses and other sundries. The problems concerning this continued at least until the end of the seventeenth century. In a letter to the Earl of Arran on 25 January 1698, Lord Basil Hamilton mentioned the continuing dispute between the Countess of Dundonald and the Duchess of Hamilton over the money involved. For evidence of this, see NAS GD406/1/9078, Lord Basil Hamilton to Earl of Arran, 25 January 1698. See also GD45/24/22, *Information;* and GD406/1/793, Draft Letter of Duchess of Hamilton to Gilbert Burnet, 4 August 1686. For remarks on the desire of the Duke and Duchess of Hamilton that Lady Margaret's money would help their children in marriage, see Cockburn, *Specimen*, pp. 46-7.

Chapter 11
Conclusion

In May 1679, government forces under James Duke of Monmouth defeated Presbyterian insurgents at the Battle of Bothwell Bridge. This defeat (and disputes amongst those defeated which led up to it) effectively shattered non-conforming Presbyterianism as a united force against the Episcopalian church settlement. In contrast, the 1680s were characterized by a small remnant invariably known as the United Societies or Cameronians (after the radical Presbyterian Richard Cameron) engaging with government troops in increasingly violent guerrilla warfare. Chapter two has shown that the quasi-romantic nature of the sufferings of this remnant has led to this period becoming the focus of historians as diverse as Robert Wodrow and Mark Napier. However, as chapter one has shown, the different sources available indicate that the twenty years before this period are also worthy of consideration.

This thesis has shown the variety of ways in which non-conforming Presbyterian women expressed their dissatisfaction with the Episcopalian church settlement between 1660 and 1679. Rioting, conventicling, harbouring outlawed Presbyterians, petitioning, seeking to influence negotiations and withdrawing from church, were all undertaken at various times by female Presbyterian dissenters. Women from a clerical, farming, burgess, servant or even aristocratic background all participated in Presbyterian dissent. The appendices in this study particularly show that Presbyterianism from 1660 to 1679 (at least as far as women were concerned) cannot be regarded as an economically or socially homogeneous body such as the Diggers or Ranters described by the Marxist historian, Christopher Hill.[1] The socially diverse group of Presbyterian women studied in this thesis also suggest that there was a religious aspect that bound these women together rather than the promotion of economic grievances. The power of religion to bind people together should not be underestimated, particularly, in seventeenth century Scotland.

Social background, however, clearly did have an essential role in the way non-conforming Presbyterian women expressed themselves against the Episcopalian

---

[1] C. Hill, *The World Turned Upside Down* (Harmondsworth, 1972). Hill, of course wrote in an English context.

church settlement. The forms of dissent undertaken by Presbyterian women from different social groupings have very clear lines of demarcation. The analysis of riots in south-west Scotland in 1663 has shown that women from burgess status and below were involved. The aristocracy and professional classes were conspicuous by their absence at Kirkcudbright and Irongray. However, women from the latter group did play a part with various other socially diverse Presbyterian women in conventicling. The analysis of conventicles in Edinburgh between 1660 and 1679 shows that women from most sections of society participated in these illegal religious meetings. Two caveats however require to be added to this conclusion. The wives and widows of Presbyterian ministers played a prominent part in these meetings. The high aristocracy, on the other hand, were not present at any conventicles in Edinburgh. Presbyterian women with means in Edinburgh did not confine themselves to conventicling. Those with houses could and did harbour outlawed Presbyterians. However, poorer women with no such means (or high aristocracy with far more to lose) do not seem to have been involved in this, at least in Edinburgh. Presbyterian wives and ministers and female members of the lower aristocracy also distinguished themselves in petitioning for liberty for Presbyterian clergy in June 1674. The relative place which such women held in Scottish society allied with ability and confidence meant that this was an expression of dissent which servant girls would perhaps seek to express in a more violent form. Even this fell short of the prestige, ability and contacts necessary for a Presbyterian woman to influence negotiations at the highest level. Lady Margaret Kennedy possessed all of these and it is noticeable that she was prepared to express herself in this way rather than rioting or even conventicling. The unwillingness of the high aristocracy to be engaged in anything that may be regarded as subversive can be seen in Lady Margaret's short-term withdrawal of church attendance until the repressive military regime of Rothes, which threatened to lead to a revolution in Scottish society, was set aside.

The various forms of dissent engaged in by Presbyterian women show the value of undertaking the form of analysis suggested by I.B. Cowan. They do not, in themselves, show the inner reasons for female Presbyterian dissent in the way that

Louise Yeoman has sought to do.[2] However, they do show that the social background that they came from invariably governed the form in which such women expressed their dissent. Conventicling may appear to be the exception to this due to the diverse social backgrounds of those involved. However, conventicling was simply the continuation of Presbyterian meetings that women from different social groups attended. As the female element within Presbyterianism has been shown to be socially diverse, the same kind of diversity can arguably be expected to be found in conventicling. The only important exception to this rule was the high aristocracy who were not prepared to exert themselves in such an overt expression of dissent.

While only one woman from the high aristocracy has been discussed in this thesis (Lady Margaret Kennedy), the other case studies throw light on the absence of this group in Presbyterian dissent. The appendices indicate that more than seventy women have been shown in this thesis to have been engaged in various forms of dissent. Whether in rioting, conventicling or harbouring outlawed Presbyterians, members of the high aristocracy were absent. The key to why this should be so arguably may be found in expressions of Lady Margaret Kennedy particularly with regard to Presbyterian insurrections. Lady Margaret had no sympathy with the Pentland Rising and continually warned Lauderdale of the danger of Scottish society breaking up if measures were not taken to remove bishops. Lady Margaret's statements suggest that female members of her social group were members of the high aristocracy first and Presbyterians second. The recovery of fortunes for many aristocrats after the upheaval of the Wars of the Covenants and Cromwellian occupation appeared to govern how far they were willing to go in Presbyterian dissent.

There is invariably no evidence to support any notion that Presbyterian women were mere pawns of men in their dissenting activities against the Episcopalian church settlement. Presbyterian women not only acted on their own initiative but could also take the lead in expressing their dissatisfaction. The women in Kirkcudbright and Irongray in 1663 and those who presented the Women's

---

[2] L.A Yeoman, 'Heart Work: Emotion, Empowerment and Authority in Covenanting Times' (PhD: University of St. Andrews, 1991).

Petition in 1674 took a leading role in dissent at a time when Presbyterian men seemed paralysed to act. Conventicles in Edinburgh were far more likely to be hosted and attended by women. Presbyterianism in Restoration Scotland should not therefore be regarded as a male dominated religion. Women could and did play a leading role in standing by their favoured form of church government.

The role that widows played in female Presbyterian dissent should be noted. Widows were held most responsible for the Kirkcudbright riot. Widows (particularly of Presbyterian clergy) also played a major role in conventicling. They also were the main group of Presbyterian women who harboured outlawed Presbyterians in Edinburgh. Presbyterian ministers' widows also played a leading role in the presentation of the Women's Petition in 1674. Such clear evidence of the role of widows in Presbyterian dissent should be seen in the light of their role in Scottish society as mentioned in chapter three. In legal terms, widows had a more independent status than married women. However, this could and did lead to them being singled out for punishment. Men in places of authority obviously felt concerned about women not in the normal relation of marriage who were prepared to express their dissent against the ruling ecclesiastical order.

According to chapter three, Presbyterian clergy in the Restoration period, did not frown on women taking a pro-active role in dissent. Notions of a subordinate role because of preconceived ideas of gender seemed to recede as fidelity to a persecuted religion became more prominent. However, gendered notions still marked the male governing elite in Restoration Scotland. The persistent attempt to prove that a male Presbyterian was behind the action of his female Presbyterian counterpart is a clear example of this. This should not be regarded as surprising. Chapter three suggested that men in the governing elite of Scotland, such as Sir George Mackenzie of Rosehaugh, had gendered notion of the role of women in society that extended to the formation of law codes. This desire to refute or ignore the pro-active role that women could play particularly expressed itself in the continual questions as to the perceived male authorship of the Women's Petition in 1674. A gendered view of women was also apparent in the execution of sentences for Presbyterian dissent. Initially there appeared to be no difference in the way that the Privy Council punished men and women for refusing to conform to the

Episcopalian church settlement. Both men and women from Kirkcudbright were imprisoned in Edinburgh Tolbooth after the riot in 1663. The women who harboured outlawed Presbyterians at the time of the attempted assassination of Archbishop Sharp were initially banished and fined. Yet in both these cases, as time progressed, sympathy seemed to lead to an alteration of the sentences. The women from Kirkcudbright were only sentenced to stand in the pillory for two hours on two market days (while the men were fined and sentenced to banishment). The Edinburgh women had their sentences of banishment lifted. Thus, while Mrs Duncan could be threatened with torture by the boot, Rothes ensured that this did not take place. It appears that after several years of turmoil during the Covenanting era the male aristocratic elite also desired an ordered society where women would find their proper place in subjection to men and be regarded as helpless objects of pity.

The role of Presbyterian women in Restoration Scotland who dissented against the Episcopalian church settlement according to their social background can be placed in the wider context of work on Presbyterianism in Restoration Scotland. Chapter one has shown that there has been recent progress by Alison Muir and particularly Ginny Gardiner in assessing the underlying background of Presbyterian dissent in the Restoration period through the methodology of case studies. This thesis in turn adds to this work and ensures that a growing body of evidence is emerging as to the background of those women involved in Presbyterian dissent. In doing so, it has discovered an important pattern that can act as a starting point for future research. Historians who research this period in the future may wish to bear in mind the social backgrounds of those they study when assessing their particular actions. In terms of the subject of this thesis, a discussion of the period after 1679 may lead to fruitful results through comparison and contrast. There may even be other women and incidents in the period between 1660 and 1679 which could profitably be looked at in order to expand further the evidence base. However whatever period within the Restoration period is studied it is imperative for the historian to return to the original sources in archives such as Buckminster Park rather than simply subscribe to existing arguments from the works of Robert Wodrow. Future students of the Restoration period in Scotland must ensure that the religious

conflict in this era is taken off the grounds of hagiography and placed on a firm historical basis.

Appendices

Appendix A

Glossary of Notable Persons Mentioned In Text

Blackadder, John (1615-1685) Presbyterian Minister

Ordained to parish of Troqueer in 1653. Part of triumvirate along with John Welsh and George Johnston who inculcated a radical Presbyterian agenda in Presbytery of Dumfries in 1650s. Left parish in November 1662 after Glasgow Act. Preached in Glenkens in early 1660s in houses and fields. Went to Edinburgh in mid 1660s and held house conventicles. From late 1660s regularly preaching in a circuit in Lothian, Renfrewshire and the south-west. One of foremost conventicle preachers in 1670s. Arrested by town major of Edinburgh in April 1681. Imprisoned on Bass Rock. Released on bail shortly before death in 1685.

Bruce, Alexander second earl of Kincardine (1629-1680) Statesman

Son of Sir George Bruce and Mary Preston of Valleyfield. Noted industrialist and statesman in Restoration period. Member of Royal Society. Correspondent of Gilbert Burnet and Sir Robert Moray. Appointed as extraordinary Lord of Session in July 1667 and Treasury Commissioner in September 1668. Participated in Indulgence negotiations in late 1660s. Participated in negotiations for union of Scotland and England in 1669.

Burnet, Gilbert (1643-1715) Episcopal churchman and historian

Son of Robert Burnet Lord Crimond and Rachel Johnston sister of Sir Archibald Johnston of Wariston. Elected a fellow of Royal Society in 1664. Episcopal minister of Saltoun parish from 1664. Professor of Divinity at Glasgow University from 1669. Took leading role in Indulgence and Accommodation policies of late 1660s. Appointed Royal Chaplain in 1673. Married Lady Margaret Kennedy in late 1672/early 1673. Appointed Chaplain of Chapel of Rolls in London in 1675. Subsequently removed from post in November 1683 for anti-Catholic sermon. Fled to France in 1685. Returned with William of Orange at Glorious Revolution in 1688.

Cameron, Richard (c. 1648-1680) Presbyterian Minister

Presenter and schoolmaster in Falkland and subsequently tutor to family of Sir William Scott of Harden. Licensed to preach c. 1678 by Presbyterian conventicle preachers John Welsh and Gabriel Semple. Preached at several large conventicles against the Indulgences. Forced to go to Holland at end of 1678. Ordained in Holland by Robert McWard, John Brown and Gabriel Koelman (a Dutch divine). Returned to Scotland in 1680 and became head of armed Presbyterian opposition to government. Killed by government troops at Battle of Airs Moss in July 1680.

Dalrymple, James Viscount Stair (1619 – 1695) Statesman

Son of James Dalrymple of Drummurchie and Janet Kennedy of Knockdaw. Lord of Session at Restoration. Refused Declaration against Covenants in late 1663 and early 1664. Allowed to take Declaration with own interpretation. President of Lords of Session between 1671 and 1681. Refused to take Test Act. Published *Institutions of the Laws of Scotland* in 1681.

Hamilton, Anne third Duchess of Hamilton (1632-1716)

Daughter of James first Duke of Hamilton and Mary Hamilton. Moved from London to Hamilton Palace with father in 1642. Lived with Lady Anna Cunninghame Marchioness of Hamilton until the latter's death in 1647. Became Duchess in 1652. Lived in Arran and woods of Hamilton Palace during Cromwellian occupation in 1650s. Confidante of Lady Margaret Kennedy and friend of Sir Robert Moray and John Hay second earl of Tweeddale. Sympathetic to Presbyterianism in Restoration period.

Hamilton, William (formerly Douglas) third Duke of Hamilton (1634-1694) Statesman

Son of William Douglas, first Earl of Douglas and Lady Mary Gordon, daughter of George Gordon, first Marquis of Huntly. Married Anne, third Duchess of Hamilton in 1656 and made Duke of Hamilton for life at wife's request. Although born a Roman Catholic became a Protestant with sympathies to Presbyterianism. Proposed Presbyterianism as state religion for Scotland at Scots Council in London in 1660. Became leader of opposition to Lauderdale in 1672. Opposed Lauderdale in parliamentary session in 1673. Went to London in 1673 and 1674 and again in 1679

to complain of Lauderdale's government of Scotland. President of Convention of Estates in Edinburgh in March 1689.

Hay, John second earl and first Marquis of Tweeddale (1626 – 1697) Statesman

Son of John Hay, eighth Lord Hay of Yester and Lady Jean Seton, daughter of Alexander Seton, first earl of Dunfermline. Married Lady Jean Scott in 1644. Member of Privy Council in 1660. Imprisoned on 13 September 1660 for alleged remarks in support of Protestor minister James Guthrie. President of Privy Council in June 1662. Formed triumvirate along with Lauderdale and Sir Robert Moray who were in control of Scottish affairs from 1667 to 1672. Prominent in 1669 Indulgence proposals and 1670 Accommodation proposals.

Leslie, John seventh Earl and first Duke of Rothes (1630-1681) Statesman

Married to Lady Anna Lindsay daughter of John Lindsay Earl of Crawford. Appointed Lord of Session and Commissioner of Exchequer in June 1661. Appointed Lord High Commissioner and Lord High Treasurer in 1663. Sympathetic to Episcopalianism. Led in policy to suppress Presbyterian dissent by force between 1664 and 1667. Effectively removed from power by being appointed Chancellor in October 1667. Elevated to dukedom in 1680

Maitland, John second Earl and first Duke of Lauderdale (1616-1682) Statesman

Son of John Maitland, second Lord Maitland of Thirlestane and Lady Isobel Seton, daughter of Alexander Seton, first Earl of Dunfermline. Married first wife, Lady Anne Home, in 1632. At Restoration of Charles II became Secretary of State for Scotland. Appointed High Commissioner to Scottish Parliament in 1667. Part of ruling English nobility known as Cabal. Created Duke in 1672. Survived various impeachment attempts in England in 1670s. Died at Tunbridge Wells in August 1682.

Mackenzie of Rosehaugh, Sir George, (1636-1691) Novelist, philosopher and lawyer

Defended Archibald Campbell, eighth Earl and first Marquis of Argyll against treason charges in 1661. Became Lord Advocate in 1677. Renowned in Restoration period as "Bluidy Mackenzie" for his relentless pursuit of non-conforming

Presbyterians. Published *Institutions of the Laws of Scotland* in 1684 that codified Scots criminal law. Leading part in foundation of Advocates Library in Edinburgh.

Moray, Sir Robert (1608/9? - 1673) Statesman

Son of Sir Mungo Murray of Craigie. Mother was daughter of George Halkett of Pitferran. Knighted by Charles I at oxford in 1643. Prominent in formation of royal Society. Opposed Act Recissory in 1661. Part of triumvirate along with Lauderdale and Tweeddale in charge of Scottish affairs between 1667 and 1672. Proposed general indemnity for those involved in Pentland Rising.

Sharp, James Archbishop of St. Andrews (c. 1613-1679) Episcopalian churchman

Agent of Resolutioner faction at commencement of Restoration in order to persuade Charles II to make Presbyterianism the state religion of Scotland. Consecrated Archbishop of St Andrews in December 1661. Leading actor in policy of repression of Presbyterian dissent between 1664 and 1667 under John Leslie seventh Earl of Rothes. Lost favour along with Rothes in 1667. Survived assassination attempt of renegade Presbyterian James Mitchell in July 1668. Restored to favour in 1669. Killed by party of Presbyterians headed by John Balfour of Kinloch on Magus Muir in May 1679.

Welsh, John (c. 1633-1681) Presbyterian minister

Son of Presbyterian minister, Josias Welsh. Grandson of renowned Presbyterian preacher John Welsh. Great Grandson of John Knox. Admitted to Irongray parish as Presbyterian minister in 1653. Part of triumvirate with George Johnston and John Blackadder who inculcated a radical Presbyterian agenda in Presbytery of Dumfries in late 1650s and early 1660s. Left parish in November 1662 refusing to conform to Episcopalian church settlement. One of first conventicler preachers along with Gabriel Semple. Leading conventicle preacher in 1660s and 1670s. Leading part in Presbyterian uprisings in 1666 and 1679. Died at Tweedside in 1681.

Appendix B

Glossary of Terms

Caution

A bond of guarantee given for a specific sum which would be required if the terms of the bond were broken.

Cameronians

A sect of extreme Presbyterians sometimes referred to as United Societies. After Battle of Bothwell Bridge in 1679, followed the leadership of Richard Cameron, Donald Cargill and James Renwick. Engaged in conventicling and guerrilla warfare in 1680s. Leading part in Williamite Revolution in 1689. Many adherents refused to join the state church in 1690 because it was uncovenanted.

Covenants

A collective term used in the Restoration period for the National Covenant and Solemn League and Covenant. **The National Covenant** was drafted by Alexander Henderson of Leuchers and Sir Archibald Johnston of Wariston. It addressed grievances in the Scottish nation arising from the imposition of the Laudian prayer book. It also pledged Scotland as a covenanted nation to God. Signed by noblemen in Greyfriars Churchyard in February 1638. **The Solemn League and Covenant** was also drafted by Henderson and Wariston. It was signed with English Parliamentarians in 1643. Its terms committed Scotland, England and Ireland to religious uniformity that was interpreted by Scots to be Presbyterian character.

High Aristocracy

Term used to describe the first rank of aristocracy within Scottish society in the Restoration period that were distinguished by their leading role in government, title (Earl, Marquis or Duke) and wealth.

Low Aristocracy

Term used to describe all titled landowners and gentry within Scotland who were not part of high aristocracy.

Non-Conforming Presbyterians

Term used to describe those Presbyterians who refused to conform to the Episcopalian church settlement. Preferable to Covenanters as not all Presbyterians pledged adherence to these in the Restoration period. Also preferable to conventicler as not all non-conforming Presbyterians attended conventicles.

Outed

Term used to describe a Presbyterian minister forced to leave his parish for refusing to conform to the Episcopalian church settlement.

Reset

Legal term for harbouring of outlawed Presbyterians.

Revolution Settlement

Collective term for serious of measures that arose from the invasion of William of Orange in November 1688. These include the decision of the Convention of Estates on 4 April 1689 that James VII had forfeited the crown; the Claim of Right on 11 April; the Supplementary Article of Grievances on 13 April that condemned prelacy and the abolishment of Episcopal church government in July 1689. Presbyterianism was established as the Church of Scotland on 7 June 1690. This act did not require a submission to the Covenants. As William III also did not subscribe to the Covenants, the Cameronians refrained from joining the established church.

Appendix C

Parliamentary Sessions and Conventions of Estates in Scotland: 1660-1679

First session of First Parliament: 1 January - 12 July 1661

Second session of First Parliament: 8 May - 9 September 1662

Third session of First Parliament: 18 June - 9 October 1663

Convention of Estates: 2 August - 4 August 1665

Convention of Estates: 9 January - 23 January 1667

First Session of Second Parliament: 19 October - 23 December 1669

Second Session of Second Parliament: 22 July - 22 August 1670

Third session of Second Parliament: 12 June 1672 - 11 September 1672

Fourth session of Second Parliament: 12 November - 2 December 1673

Convention of Estates: 26 June 1678 - 10 July 1678

Appendix D

Women Involved in Kirkcudbright Riot

Women cited to appear before Commission:	
Agnes Maxwell	Widow.
Christian McCavies	Widow.
Jean Raynie	Widow.
Marion Brown	Widow.
Janet Biglun	Daughter of James Biglun.
Bessie Lowrie	Widow.
Janet Aitkin	Widow.
Bessie Herries	Wife of Adam Gannoquhin (burgess).
Katherine Gordon	Wife of John Carson (ex provost).
Janet Deniston	Widow.
Marion Halliday	Wife of William Richardson (merchant).
Janet Gannoquhin	Wife of John Halliday (burgess).
Grissell Livingstone	Wife of Alexander Keuchton (burgess).
Helen Ewart	Wife of John Thomson (meal man).
Janet Ewart	Sister to Helen Ewart.
Marion Forrester	Marital status unspecified.
Isobel Hunter	Wife of James Hunter (notary).
Helen Craiken	Marital status unspecified.
Margaret Finlay	Servant to Alexander Clachtan.
Margaret Gibson	Wife of Thomas Carson.
Margaret Fullarton	Widow.
Helen Muir	Wife of Patrick Carson (merchant).
Elizabeth McClellan	Wife of Alexander McClean (burgess).

Women punished for being ringleaders:	
Jonet Biglun	Daughter of James Biglun.
Marion Broun	Widow.
Agnes Maxwell	Widow.
Cristian McCavies	Widow.
Jean Raynie	Widow.

Women regarded as accessories:	
Bessie Loury	Widow.
Bessie Herreis	Wife of Adam Gannoqhin (burgess).
Katherine Gordon	Wife of John Carson (ex Provost).
Marion Halliday	Wife of William Richardson (merchant).
Janet Gannoqhuin	Wife of Jon Halliday (burgess).
Grissell Livingstone	Wife of Alexander Keuchton (burgess).
Helen Ewart	Wife of John Thomson (meal man).
Isobel Anderson	Wife of James Hunter (notary).
Helen Muir	Wife of Patrick Carson (merchant).
Elizabeth McClellan	Wife of Alexander McAdoe.
Marion Forrester	Marital status unspecified.
Janet Ewart	Sister of Helen Ewart.
Jonet Denistoun	Widow.
Jonet Aitkin	Widow.

See *RPCS 1661-4*, pp. 365-6, 25 May 1663, pp. 372-7, 9 June 1663, p. 664 25 May 1663.

Appendix E

Table of Conventicles in Edinburgh Discovered by Privy Council

1669:	
Conventicle held in the house of the widow of Archibald Paton (merchant).	
Persons attending:	Thirteen or fourteen women (including Lady Crimond), Five or six men, Three male merchants, One male surgeon.[1]
1670:	
Conventicle held in the house of the widow of Walter Hamilton (merchant).	
Persons attending:	Not specified.[2]
1675:	
Conventicle held in Thomas Stirk's house in Leith Milnes.	
Persons attending:	Thirteen men, Unnamed deposed Presbyterian minister.[3]
Conventicle held in George Henderson's house.	
Persons attending:	Not specified.[4]
Conventicle held in James Hamilton's house.	
Persons attending:	Not specified.[5]
Conventicle held in Widow Nicoll's house.	
Persons attending:	Not specified.[6]

[1] *RPCS 1665-9,* pp. 614-6, 2 March 1669, p. 626, 8 March 1669. See also TFA, fol. 2068, Earl of Tweeddale to Earl of Lauderdale, 3 March 1669; BL, Add. MSS 23131, fol. 103, Earl of Kincardine to Earl of Lauderdale, 2 March 1669.
[2] *RPCS 1669-72*, pp. 150-1, 3 March 1670.
[3] *RPCS 1673-6,* p. 383, 11 March 1675.
[4] Ibid, pp. 381-2, 11 March 1675.
[5] Ibid.
[6] Ibid.

February 1676	
Conventicle held in Lady Whitslaid's house.	
Persons attending:	Mostly merchants or women of the same quality.[7]
Conventicle held in Mistress Stewart's house (widow of deposed minister).	
Persons attending:	Mostly merchants or women of that quality.[8]
Conventicle held in Mistress Stirling's house (widow of a deposed minister).	
Persons attending:	David Home (preacher), George Mosman (merchant), William Dickson, (writer), Lady Arnieston, Lady Ingilston, Wife of Doctor Burnet, "merchants or women of that quality."[9]
Conventicle held in house of Geilles Douglas (widow of James Hamilton (writer).	
Persons attending:	Merchants or women of that quality. [10]
November 1676	
Conventicle held in house of Margaret Hadden (widow of Presbyterian minister, John Guthrie).	
Persons attending:	Patrick Andersone (preacher), Bessie Muir (widow of Presbyterian minister, Alexander Dunlop), Lady Saltcoats, Mary Liddingtone (daughter of Lady Saltcoats).[11]

[7] Ibid, pp. 540-2, 24 February 1676; Tollemache MSS, fol. 2634, Thomas Haye to Duke of Lauderdale, 17 February 1676.
[8] Ibid.
[9] Ibid. The wife of Doctor Burnet may be the same as the wife of Mr Andrew Burnet mentioned later.
[10] Ibid.
[11] *RPCS 1676-8*, pp. 52-3, 16 November 1676.

December 1676	
Conventicle held in house of Helen Inglis (widow of Francis Seaton).	
Persons attending:	Not specified.[12]
November 1677	
Conventicle held in house of James Row (merchant).	
Persons attending:	Not specified.[13]
May 1678	
Conventicle held in house of James Campbell.	
Persons attending:	Numerous tailors, Dame Marjorie McCulloch (wife of Sir James Stewart), John Campbell (preacher).[14]
Conventicle held in house of Thomas Weddell (lorimer).	
Persons attending:	Numerous tailors, Dame Marjorie McCulloch (wife of Sir James Stewart of Kirkfield), John Campbell (preacher).[15]
September 1678	
Conventicle held in house of Allan Cameron (merchant).	
Persons attending:	Alan Cameron, Wife of Allan Cameron, Wife of William Dickson (writer), Euphan Nisbett (wife of James Forrest glazier), Widow of Clerk of Penicuik, Margaret Thomsone (wife of Robert Gib merchant), Wife of Mr Andrew Burnet, Lady Aderny elder.[16]

[12] Ibid, pp. 83-4, 19 December 1676.
[13] Ibid, pp. 273-6, 1 November 1677.
[14] Ibid, pp. 463-5, 31 May 1678, pp. 470-2, 6 June 1678.
[15] Ibid.

February 1679	
Conventicle held in house of James Fae (merchant).	
Persons Attending:	Numerous men and women including Walter Gledstaines, William Mitchell.[17]
Conventicle held in the house of Hugh Mosman.	
Person attending:	Not specified, John Mossman (preacher).
April 1679	
Three conventicles held in house possessed by Mistress Elizabeth Crawford.	
Persons attending:	John Kae, Mr Turnbull and two sons, Michael Cameron.[18]
May 1679	
Conventicle held in house of Margaret Muir (widow of Presbyterian minister James Durham).	
Persons attending:	Janet Muir (wife of Presbyterian minister John Carstairs), William Hamilton (preacher), Katherine Carstairs, Jean Cunninghame, Janet Greig, James Inglis.[19]

[16] Ibid, p. 11, 13 September 1678.
[17] Ibid, pp. 137-8, 7 February 1679.
[18] Ibid, pp. 159, 2 April 1679.
[19] Ibid, p. 198, 13 May 1679, p. 202, 15 May 1679. See also ECA, Moses Bundles 197, No 7090, 22 May 1679.

Appendix F

Marital Status of Female Presbyterian Conventiclers in Edinburgh

Names	**Husbands names**
Wives or Widows of Presbyterian clergy	
Mrs Guthrie	Widow of James Guthrie.[1]
Margaret Hadden	Widow of John Guthrie.
Bessie Muir	Widow of Alexander Dunlop.
Janet Muir	Wife of John Carstairs.
Margaret Muir	Widow of James Durham.
Mistress Stewart	Widow (Husband's name unspecified).
Mistress Stirling	Widow (Husband's name unspecified).
Titled ladies	
Dame Marjorie McCulloch	Wife of Sir James Stewart of Kirkfield.
Lady Aderny elder	Marital status and occupation of husband unspecified.
Lady Arnieston	Marital status and occupation of husband unspecified.
Lady Crimond(Rachel Johnston)	Widow of Sir Robert Burnet, mother of Gilbert Burnet and eldest sister of Sir Archibald Johnston of Wariston.
Lady Ingliston	Marital status and occupation of husband unspecified.
Lady Saltcoats	Marital status and occupation of husband unspecified.
Lady Whitslaid	Marital status and occupation of husband unspecified.

[1] J. Blackadder, *Memoirs of the Reverend John Blackadder* A. Crichton (ed.), (Edinburgh, 1826), pp. 134-5. See Appendix E for the remainder of references to these women. It should be noted that the wife of Doctor Burnet and the wife of Mr Andrew Burnet are regarded here as the same person.

Mary Liddingtoune(daughter of Lady Saltcoats)	Marital status and occupation of husband unspecified.
Wives or widows of Merchants, Tradesmen & Writers	
Mrs Cameron	Wife of Allan Cameron (merchant).
Mrs Dickson	Wife of William Dickson (writer).
Geilles Douglas	Widow of James Hamilton (writer).
Mrs Hamilton	Widow of Walter Hamilton (merchant).
Margaret Lamb	Wife of Thomas Weddell (lorimer).
Euphan Nisbet	Wife of James Forrest (glazier).
Mrs Paton	Widow of Archibald Paton (merchant).
Margaret Thomsone	Wife of Robert Gib (merchant).
Women whose marital status or occupation of husband are unspecified	
Mrs Burnet	Wife of Andrew Burnet (occupation of husband unspecified).
Katherine Carstairs	Daughter of John Carstairs (marital status and occupation of husband unspecified.
Mrs Clerk	Widow of Clerk of Penicuik (occupation of husband unspecified).
Mistress Elizabeth Crawford	Marital status and occupation of husband unspecified (probably widow).
Jean Cunninghame	Marital status and occupation of husband unspecified.
Janet Greig	Marital status and occupation of husband unspecified.
Helen Inglis	Widow of Francis Seaton (occupation of husband unspecified).
Mrs Nicoll	Widow (occupation of husband unspecified).

Appendix G

Women Involved in Women's Petition of 1674[1]

Name	**Marital Status and Occupation of Husband**
Wives or Widows of Presbyterian Ministers.	
Mrs Arnot	Married to Samuel Arnot.
Janet Fleming	Widow of John Livingstone.
Barbara Home	Married to Robert Lockhart.
Mrs Johnston	Married to George Johnston.
Catherine Montgomery	Widow of Robert Blair.
Mrs Neave	Widow of John Neave.
Titled Ladies or Members of Lower Aristocracy.	
Margaret Dury	Married to George Dundas brother of Laird of Dundas.
Rachel Johnston Lady Crimond	Widow of Sir Robert Burnet (Lawyer).
Margaret Johnston	Daughter of Sir Archibald Johnston of Wariston
Lady Mangerton younger	Not specified whether married.
Sister of Lord Melville	Not specified whether married.
Lady Mersington elder	Not specified whether married.
Wives or Daughters of Merchants.	
Rachel Aird	Married to William Lorimer (Merchant).
Sara Lorimer	Daughter of above.
Sara Brand	Married to Alexander Garshore (Merchant).
Margaret Lundy	Married to John Hamilton (Merchant).
Miscellaneous	
Bessie Dalziel	Married to David Gray (Hat maker).
Grissell Durham	Widow of Captain Durham (Soldier).
Isobel Kennedy	Married to James Cleland (Surgeon).
Bethia Murray	Married to Hugh Mossman (Cooper).

[1] See *RPCS 16736,* pp. 258-61, 30 July 1674, p. 295, 12 November 1674.

Marital Status or Occupation of Husband Unknown	
Lillias Campbell	Not specified whether married.
Agnes Henderson	Married to Robert Simpson (Occupation of Husband Not Specified).
Mistress Elizabeth Rutherford	Widow (Name and Occupation of Husband Not Specified)

Appendix H

Persons Petitioned for by Lady Margaret Kennedy[2]

Persons petitioned for by Lady Margaret related to the House of Hamilton.	
Anne third Duchess of Hamilton	Wife of William third Duke of Hamilton.
Daniel Carmichael	Frequent visitor to Hamilton Household.
Earl of Annandale	Cousin of Duke of Hamilton.
John Meine	Helped James first Duke of Hamilton.
Laird of Airth	Daughter married a Hamilton.
Lord and Lady Belhaven	Duchess of Hamilton's Aunt.
Lady Susan Hamilton	Sister of Duchess of Hamilton.
Robin Kennedy	Servant in Hamilton Household.
Thomas Hamilton of Bathgate	Member of junior branch of Hamiltons.
Persons petitioned for by Lady Margaret who were related to her.	
Alexander Gordon of Knockgray.	Former tenant of Lady Margaret's father.
James Cunninghame	Deliverer of letter for Lady Margaret.
John Kennedy sixth Earl of Cassillis	Father.
Lady Ardross	Cousin Germane.
Matthew MacKail	Local clergyman.
Patrick Gillespie,	Married to relative of Lady Margaret's.
Unnamed person	Mother known by Lady Margaret.
William Adam (Presbyterian minister)	Married to a Kennedy.
William Cockburn (Presbyterian minister)	Chaplain to Lady Margaret's father.
William Hamilton (Presbyterian minister)	Officiated at a church service where Lady Margaret was present.
Persons petitioned for who had no apparent relation to Lady Margaret.	
Archibald Nisbet	No Relation to Lady Margaret.
Archibald Douglas, Laird of Spot	No Relation to Lady Margaret.

[2] See, pp. 184-6 of thesis.

Mr Auld	No Relation to Lady Margaret.
Mrs Givan	No Relation to Lady Margaret.
Mrs Maxwell	No Relation to Lady Margaret.
Robert Hamilton	No Relation to Lady Margaret.
Sir William Lockhart	No Relation to Lady Margaret.
Thomas Blair	No Relation to Lady Margaret.
Unnamed minister to be presented to Bolton Kirk	No Relation to Lady Margaret.
William Hamilton (writer)	No Relation to Lady Margaret.
Persons petitioned for because they were Presbyterians but who were not related to Lady Margaret.	
Family of Johnston of Wariston	No relation to Lady Margaret.
John Mackgill	No relation to Lady Margaret.
Lady Caldwell.	No relation to Lady Margaret.
Robert Huntar	No relation to Lady Margaret.
John Carson	No relation to Lady Margaret.

Bibliography

The following should be noted with regard to this bibliography:

1. Place of publication is recorded except where not stipulated in text. This is particularly relevant for earlier publications.
2. Dates are given where stipulated in text. If no date was given in text, it is designated by (n.d). Where there was a question mark over the year of the text, the year is placed within brackets.

Primary Sources

Bodleian Library, Oxford

Add MSS D16.

British Library

Add MSS 23113, 23116, 23119, 23129, 23133, 23134, 23136, 23138, 35125.

Egerton MSS 2410.

Harleian MSS 6584.

Sloane MSS 1007.

Tollemache Family Archive: Buckminster Park Estate office, Leicestershire

fols. 1434, 1465,1506, 1522, 1775, 1792, 1869, 1870, 1884, 1891, 1972, 2068, 2069, 2070, 2115, 2145, 2155, 2156, 2171, 2478, 2486, 2490, 2494, 2505, 2507, 2634, 2656, 3624, 3625, 3626, 3627, 3628, 3629, 3630, 3931, 5232.

Dumfries & Galloway Archives Centre

Dumfries Town Council Minutes 1651-1663.

Edinburgh City Archives

Moses Bundle 197, No 7090.

Town Council Minutes,

Vol. 26, 26 August 1668-30 December 1670.

Vol. 27, 4 January 1671-19 August 1674.

Vol. 28, 21 August 1674-17 August 1677.

Vol. 29, 22 August 1677-31 December 1680.

Edinburgh University Special Collections Unit

Dc.5.14.

Laing MSS Vol. 3.

Ewart Library, Dumfries

Maxwell of Munches Papers Box 1/File 77.

National Archives of Scotland

E78: Exchequer Papers.

GD25: Ailsa Muniments.

GD45: Dalhousie Muniments.

GD224: Lauderdale Papers.

GD406: Hamilton Papers.

PA 11/12: Register of the Committee of Estates, 23 August-13 October 1660.

PA 11/13: Minute Book of the Committee of Estates, 9 October-6 October 1660.

PC 15: Miscellaneous Privy Council Papers.

RD3: Register of Deeds.

National Library of Scotland

Add. MSS 81.1.14, 2955, 3136, 3473, 3492, 3511, 7003, 7004, 7023, 7023, 7024, 9639, 14406.

Wodrow Folios, Vols. 26, 29, 32.

Wodrow Octavos, Vol. 31.

Wodrow Quartos, Vol. 29, 35, 37, 97.

Stewartry of Kirkcudbright Museum

Burgh Court Book of Kirkcudbright 1658-1669.

Printed Primary Sources

Acts of the Parliament of Scotland 12 vols. T. Thomson & C. Innes (eds.), (Edinburgh, 1814 – 75).

Anon., *The Ladies Calling* (Edinburgh, 1675).

Baillie, R., *Letters and Journals.* 3 Vols. D. Laing (ed.), (Edinburgh, 1822).

Bodin, J., Six *Books of a Commonweale* (London, 1606), p. 753, quoted in Weisner, *Women and Gender* p. 25.

Brodie, A., & J., *The Diary Of Alexander Brodie of Brodie 1652– 1680 & Of His Son James Brodie Of Brodie 1650-1685* (Aberdeen, 1863).

Bunyan, J., "An Exposition on the First Ten Chapters of Genesis (written in 1680s but printed in 1692)", quoted in, Keeble, N.H., *The Cultural Identity of Seventeenth Century Women- A Reader* (London, 1994) p. 6.

Calendar of State Papers Domestic in the Reign of Charles II M.A.E. Green et. al. (eds.), (London, 1860-1960).

Defoe, D., *Memoirs of the Church of Scotland* (1717).

Diary of Samuel Pepys Vol. 4 1663 R. Latham, & W. Matthews, (eds.), (London, 1971).

Diary of Sir Archibald Johnston of Wariston 1655-1660 J.D. Ogilvie (ed.), (Edinburgh, 1940).

Fell Fox, M., "Women's Preaching Justified" (1666), in Aughterson, K., *Renaissance Women: A Sourcebook of Constructions of Femininity in England* (London, 1995), p. 3.

Ferris, W., *Notices of the Life of the Rev. John Carstairs* (Edinburgh, 1843).

Hickes, G., *Ravillac Redivivus* (London, 1710).

HMC, *Laing MSS* Vol. 1 (London, 1914).

HMC *Ormond MSS* Vol. 36 (London, 1904).

Johnston, M.B., & Armet, C.M. (eds.), *Kirkcudbright Sheriff Court Deeds 1623-1675* (Edinburgh, 1939).

Kirkton, J., *A History of the Church of Scotland* R. Stewart (ed.), (Lampeter, 1992).

Lamont of Newton, John, *The Diary of John Lamont of Newton* G.R. Kinloch (ed.), (Edinburgh, 1830).

Lauderdale Papers O. Airy (ed.), 3 Vols. (London, 1884-5).

Lauder of Fountainhall, J., *Historical Notices* 2 Vols. (Edinburgh, 1848).

Law, R., *Memorialls* C.K. Sharpe (ed.), (Edinburgh, 1818).

Letters from Archibald Earl of Argyll to John Duke of Lauderdale C.K. Sharpe (ed.), (Edinburgh, 1829).

Letters of Lady Margaret Kennedy to John Duke of Lauderdale C.K. Sharpe (ed.), (Edinburgh, 1828).

Letters of Samuel Rutherford A.A. Bonar (ed.), (Edinburgh, 1891).

Life and Letters of James Renwick The Last Scottish Martyr W.H. Carslaw (ed.), (Edinburgh, 1893).

MacKenzie, Sir G., *Institutions of the Laws of Scotland* (Glasgow, 1773).

Mackenzie, Sir G., *Jus Regium* (London, 1684).

Mackenzie, Sir G., *Memoirs of the Affairs of Scotland from the Restoration of King Charles II AD 1660* (Edinburgh, 1821).

Memoirs of Mr William Veitch & George Brysson T. McCrie (ed.), (Edinburgh, 1825).

Memoirs of the Rev John Blackadder A. Crichton (ed.), (Edinburgh, 1826).

Nicoll, J., *A Diary of Public Transactions and other occurrences, chiefly in Scotland from January 1650 to June 1667* D. Laing (ed.), (Edinburgh, 1836).

Nicolson, J., *Minute Book of the War Committee of the Covenanters in the Stewartry of Kirkcudbright in the years 1640 and 1641* (Kirkcudbright, 1855).

Records of the Proceedings of the Justiciary Court, Edinburgh 1660-1678 2 Vols. R. Scott-Moncrieff (ed.), (SHS), (Edinburgh, 1905).

Register of the Privy Council of Scotland third series 1661-1691 16 vols. (P.H. Brown et al. (eds.), (Edinburgh, 1908 – 70).

Scott, H., (ed.), *Fasti Ecclesiae Scoticanae* Vol. 1 (Edinburgh, 1915).

Scott, H., (ed.), *Fasti Ecclesiae Scoticanae* Vol. 2 (Edinburgh, 1917).

Scott, H., (ed.), *Fasti Ecclesiae Scoticanae* Vol. 3 (Edinburgh, 1920).

Sermons Delivered in Times of Persecution in Scotland J. Howie (ed.), (Edinburgh, 1880).

Shields, A., *A Short Memorial of the Sufferings and Grievances Past and Present of the Presbyterians in Scotland Particularly of Those Called by Nickname Cameronians* (1690).

Shields, M., *Faithful Contendings Displayed* (ed. J. Howie), (Glasgow, 1780).

SHS, *Miscellany* Vol. 6 (Edinburgh, 1939)

"Slezers Theatrium Scotiae" (1693) in R. Chambers Minor *Antiquities of Edinburgh* (Edinburgh, 1833).

Swift, J., (ed.), *The Memoirs of Captain John Creichton* (Glasgow, 1731).

Turner, Sir J., *Memoirs of His Own Life and Times* T. Thomson (ed.), (Edinburgh, 1829).

Secondary Sources

Theses

Ferguson, J.A., 'A Comparative Study of Urban Society in Edinburgh, Dublin and London in the Later Seventeenth Century' (PhD: University of St. Andrews, 1982).

Holfelder, K.D., 'Factionalism in the Kirk during the Cromwellian invasion and occupation of Scotland 1650-1660: the Protestor-Resolutioner controversy' (PhD: University of Edinburgh, 1998).

Jackson, J.C.L., 'Royalist Politics, Religion and Ideas in Restoration Scotland 1660-1689' (PhD: University of Cambridge, 2000).

Lee, R., 'Government and Politics in Scotland 1661-1681' (PhD: University of Glasgow, 1995).

Lennox, R.W., 'Lauderdale and Scotland – a Study in Restoration Politics and Administration 1660-1682' (PhD: University of Columbia, 1977).

Marshall, R.K., 'The House of Hamilton in its Anglo-Scottish Setting in the Seventeenth Century' (PhD: University of Edinburgh, 1970).

McMillan, J.K., 'A Study of the Edinburgh Burgess Community and its Economic Activities, 1600-1680' (PhD: University of Edinburgh, 1984).

Mirabello, M.L., 'Dissent and the Church of Scotland 1660-1690' (PhD: University of Glasgow, 1988).

Muir, A., 'The Covenanters in Fife c1610-1689: Religious Dissent in the Local Community' (PhD: University of St. Andrews, 2002).

Scally, J.J., 'The Political Career of James, Third Marquis and First Duke of Hamilton (1606-1649) to 1643' (PhD: University of Cambridge, 1993).

Steele, M., 'Covenanting Political Propaganda 1638-88' (PhD: University of Glasgow, 1997).

Stewart, L.A.M., 'Politics and Religion in Edinburgh 1617-53' (PhD: University of Edinburgh, 2003).

Yeoman, L.A., 'Heart Work: Emotion, Empowerment and Authority in Covenanting Times' (PhD: University of St. Andrews, 1991).

Articles in Journals and Edited Volumes

Airy, O., "Margaret Burnet", in, *DNB* Vol. 3 (London, 1908), pp. 407-8.

Cowan, E.J., "The Covenanting Tradition in Scottish History", in E.J. Cowan & R.J. Finlay (eds.), *Scottish History: The Power of the Past* (Edinburgh, 2002).

Cowan, I.B., "The Covenanters-A Revision Article", in, *SHR,* Vol. 47, (1968), pp. 35-52.

Hindes Groome, F., "Kennedy, John, sixth Earl of Cassillis", in, *DNB* Vol. 10 (London, 1908), pp. 426-7.

Houston, R.A., "Women in the Economy and Society of Scotland, 1500-1800", in, Houston, R.A & Whyte, I.D. (eds.). *Scottish Society 1500-1800* (Cambridge, 1989).

Hyman, E.H., "A Church Militant: Scotland, 1661-1690", in, *SCJ* Vol. 26(1) 1995, pp. 49-74.

MacInnes, A.I., "Catholic Recusancy and the Penal Laws 1603-1707", in, *Records of the Scottish Church History Society* Vol. 23 (1987), pp. 27-63.

Maesk, R., "Women in an Age of Transition 1485-1714", in, Kanner, B (ed.), *The Women in England from Anglo-Saxon Times to the Present* (London, 1980).

Mullan, D.G., "Women in Scottish Divinity", in, Ewan, E., & Meikle, M., (eds.), *Women in Scotland c1100-1750* (Edinburgh, 1999).

Ogilvie, J.D., "The Kirkcudbright Petition of 1637", in, *Edinburgh Bibliographic Society Transactions* (Edinburgh, 1928).

Patrick, J., "The Origins of the Opposition to Lauderdale in the Scottish Parliament of 1673", in, *SHR* Vol. 53, (1974), pp. 1-21.

Stevenson, D., "Conventicles in the Kirk, 1619-37: The Emergence of a Radical Party", in, *Records of the Scottish Church History Society* Vol. 18 (Edinburgh, 1972-4).

Thomas, K., "Women and the Civil War Sects", in Aston, T., (ed.), *Crisis in Europe 1560-1660* (London, 1965).

Zemon Davies, N., "Women in Politics", in Zemon Davies, N. & Farge, A., (eds.), *A History of Women in the West* Vol. III (London, 1993).

Monographs

A Cloud of Witnesses J.H Thomson, (ed.), (Glasgow, 1862).

Anderson, J., *Ladies of the Covenant* (Edinburgh, 1855).

Arnot, H., *The History of Edinburgh* (Edinburgh, 1799, 1998).

Barr, J., *The Scottish Covenanters* (Glasgow, 1947)

Brailsford, M.R., *Quaker Women 1650-1690* (London, 1915).

Brown, K.M., *Noble Society in Scotland* (Edinburgh, 2000).

Brown, K.M., *Kingdom or Province? Scotland and the Regal Union 1603-1715* (London, 1992).

Buckroyd. J., *Church and State in Scotland 1660*-1681 (Edinburgh, 1980).

Buckroyd, J., The *Life of James Sharp Archbishop of St Andrews 1618-1679* (Edinburgh, 1987).

Burnet, G., *A History of My Own Time* 2Vols. O. Airy (ed.), (Oxford, 1897).

Burnet, G.B., *The Story of Quakerism in Scotland 1650-1858* (Edinburgh, 1952).

Burns, J.H. & Goldie, M., (eds.), *The Cambridge History of Political Thought 1450-1707* (Cambridge, 1991).

Cockburn, J., *A Specimen of Some Free and Impartial Remarks* (London, 1724).

Coffey, J., *Politics, Theology and the British Revolutions: The Mind of Samuel Rutherford* (Cambridge, 1997).

Cowan, E.J., *Montrose: For Covenant and King* (London, 1977).

Cowan, I.B., *The Scottish Covenanters 1660-1688* (London, 1976).

Crawford, P., *Women and Religion in England 1500-1700* (London, 1993).

Crawford, P., & Mendelsson, S., *Women in Early Modern England 1550-1720* (Oxford, 1998).

Crookshanks, W., *The History of the State and Sufferings of the Church of Scotland from the Restoration to the Revolution* 2 Vols. (Edinburgh, 1762).

Dingwall, H., *Late Seventeenth Century Edinburgh – a demographic study* (Aldershot, 1994).

Dodds, J., *The Fifty Years Struggle of the Scottish Covenanters 1638-88* (Edinburgh, 1860).

Donaldson, G., *Scotland: James V-James VII* (Edinburgh, 1965).

Foxcroft, H.C., *A Supplement to Burnet's History of My Own Time* (Oxford, 1902).

Fraser, D., *Edinburgh in Olden Times* (Montrose, 1976).

Gamble, R.C. (ed.), *Calvin's Thought on Economic and Social Issues* (London, 1992).

Gardner, G., *The Scottish Exile Community in the Netherlands 1660-1690* (East Linton, 2004).

Gibson, W., *Women in Seventeenth Century France* (London, 1989).

Gibson, A.J.S. & Smout T.C., *Prices, Food and Wages in Scotland, 1550 – 1780* (Cambridge, 1995).

Goodare, J.(ed.), *The Scottish Witch Hunt in Context* (Manchester, 2002),

Guyon, J., *Experiencing the Depths of Jesus Christ/The Autobiography* (Nashville, 2000).

Hewison, J.K., *The Covenanters* 2 Vols. (Glasgow, 1908).

Hill, C., *The Century of Revolution 1603-1714* (London, 1980).

Hill, C., *The World Turned Upside Down* (Harmondsworth, 1972).

Howard, K.W.H., *Marion Veitch* (Osslett, 1992).

Howie, J., *The Scots Worthies* W.H. Carslaw (ed.), (Edinburgh, 1870).

Hufton, O., *The Prospect Before Her: A History of Women in Western Europe* Vol. 1 1500-1800 (London, 1995).

Jackson, J.C.L., *Restoration Scotland, 1660-1690* (Woodbridge, 2003).

Johnston, J.C., *The Treasury of the Scottish Covenant* (Edinburgh, 1887).

Lang, A., *Sir George Mackenzie Kings Advocate of Rosehaugh His Life and Times 1636-1691* (London, 1909).

Larner, C., *Enemies of God: The Witch-Hunt in Scotland* (London, 1981).

Logue, K.J., *Popular Disturbances in Scotland 1780-1815* (Edinburgh, 1979).

Lynch, M., *Scotland A New History* (London, 1991).

Lynch, M (ed.), *The Oxford Companion to Scottish History* (Oxford, 2001).

Macaulay, T., *The History of England from the Accession of James the Second* 6 vols. C.H. Firth (ed.), (London, 1913).

MacClellan, J., *Record of the House of Kirkcudbright* (Dumfries, 1906).

MacInnes, A.I., *Charles I and the Making of the Covenanting Movement, 1625-1641* (Edinburgh, 1991).

Mackenzie, W.C., *The Life and Times of John Maitland, Duke of Lauderdale, 1616-1682* (London, 1923).

Makey, W., *The Church of the Covenant* (Edinburgh, 1979).

McCrie, T., *Sketches of Scottish Church History* (Edinburgh, 1850).

McCrie, T., *Vindication of the Covenanters in a Review of the Tales of My Landlord* (Edinburgh, 1845).

Marshall, R.K., *The Days of Duchess Anne* (London, 1973).

Marshall, R.K., *Virgins and Viragos* (Chicago, 1983).

Mathieson, W.L., *Politics and Religion* 2 Vols. (Glasgow, 1902).

Mendelsson, S.H., *The Mental World of Stuart Women: Three Studies* (Brighton, 1987).

Mullan, D.G., (ed.), *Women's Life Writing in Early Modern Scotland* (London, 2003).

Munck, T., *Seventeenth Century Europe* (London, 1990).

Napier, M., *The Case for the Crown re the Wigton Martyrs* (1863).

Napier, M., *History Rescued, in Answer to History Vindicated* (1870).

Napier, M., *Memorials and Letters Historic of the Life and Times of John Graham of Claverhouse Viscount Dundee* 3 Vols. (Edinburgh, 1859).

Ozment, S.E., *When Fathers Ruled: Family Life in Reformation Europe* (Cambridge, 1983).

Pennington, D., *Europe in the Seventeenth Century* (Harlow, 1989).

Robinson, J., *Burghal Life in Kirkcudbright in the Olden Time* (Kirkcudbright, 1912).

Roll of Edinburgh Burgesses 1406-1700 C.B.B. Watson (ed.), (Edinburgh, 1976).

Roper, L., *Oedipus and the Devil: Witchcraft, Sexuality and Religion in Early Modern Europe* (London, 1994).

Row, W., *The Life of Robert Blair & Supplement to His Life and Continuation of the History of the Times to 1680* T. McCrie (ed.), (Edinburgh, 1848).

Schmidt, L.E., *Holy Fairs: Scottish Communions and American Revivals in the Early Modern Period* (Princeton, 1989).

Scots Peerage 9 vols. J.B. Paul (ed.), (Edinburgh, 1905 – 11).

Scott, A.M., *Bonnie Dundee* (Edinburgh, 1989).

Scott, Sir W., Old *Mortality* (Edinburgh, 1876 edition).

Smout, T.C., *A History of the Scottish People 1560-1830* (London, 1977).

Smellie, A., *Men of the Covenant* (Edinburgh, 1975).

Stephen, T., The *Life and Times of Archbishop Sharp* (London. 1839).

Stevenson, D., *Revolution and Counter-Revolution in Scotland, 1644-51* (London, 1977).

Stevenson, D., *The Battle of Mauchline Muir* (Ayrshire Archaeological And Natural History Society, 1973).

Stevenson, D., *The Scottish Revolution, 1637-44* (Newton Abbott, 1977).

Stewart, A., *History Vindicated in the Case of the Wigton Martyrs* (1867).

Terry, C.S., *John Graham of Claverhouse Viscount of Dundee 1648-1689* (London, 1905).

.Walker, D.M., *A Legal History of Scotland* Vol. 4, (Edinburgh, 1996).

Walker, P., *Biographia Presbyteriana* 2 Vols. (Edinburgh, 1827).

Weisner, M.E., Women *and Gender in Early Modern Europe* (Cambridge, 2000).

Whyte I.D., *Agriculture and Society in Seventeenth Century Scotland* (Edinburgh, 1979)

Wing, D. (ed.), *Short Title Catalogue* Vol. 4 (New York, 1998).

Wodrow, R., *The History of the Sufferings of the Church of Scotland from the Restoration to the Revolution* 2 Vols. (Edinburgh, 1721/2).

Wodrow, R., *History of the Sufferings of the Church of Scotland from the Restoration to the Revolution* 4 Vols. R. Burns (ed.), (Edinburgh, 1828).

Young, J.R., *The Scottish Parliament 1639-1661* (Edinburgh, 1996).