The High & Mighty Monarch Charles by the grace of God King of Great Britaine France & Ireland Defender of the Faith.
A LARGE DECLARATION
CONCERNING
THE LATE TUMULTS
IN SCOTLAND, FROM
Their first originalls:

TOGETHER WITH
A PARTICULAR DEDUCTION
Of the seditious Practices of the prime
Leaders of the Covenanters:

COLLECTED OUT OF THEIR OWNE
foule Acts and Writings:

By which it doth plainly appeare, that Religion was
onely pretended by those Leaders, but
nothing leffe intended
by them.

By the King.

LONDON,
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M.DCXXXIX.
By the King.

Hough by Our manie Proclamations and Declarations, some whereof are printed, and others were made by word of mouth by Our high Commissioner the Lord Marquess of Hamilton, during the time of his late employment in Scotland, it doth fully appear to all men, whose mindes are not distafted with Justice and Government, what Our religious care, Princely clemencie, and unparalleled patience have been for the letting of the late troubles in that Our ancient and native Kingdome of Scotland, and for the compoſing of that State, so much disloate, discompoed and disjonted by the seditiouſ præctices of divers impatient of all lawes and government: Yet for the further and full satisfaction of all our true hearted
hearted and loyal subjects in all Our Kingdomes, and for the manifestation of Our Justice and Pietie in Our late proceedings to all abroad, especially to those who with Us adhere to the Religion Reformed: We have thought good by way of an Historical Deduction to let downe the true pages of all this business, that the world may, as it were under one view and aspect, behold Our gracious and clement comportment towards Our subjects of that Kingdome, and the depraved and froward deportment of many of them towards Us their liege Lord and Soveraigne: Not doubting, but that whatsoever shall goe along by the thred of this Our unquestionable Narration, will rest fully satisfied in these three points.

I. First, That the first contrivers, and since pursuers of their late wicked Covenant, or pretended holy League (a name which all good men did abhorre in them of France) though following the patterne of all other seditions, they did and doe pretend Religion, yet nothing was or is lesse intended by them; but that they having received from Us full satisfacion to all their desires, expressed in any of their Petitions, Remonstrances, or Declarations, yet their persisting in their tumultuous and rebellious courses, doth demonstrate to the world their wearinesse of being governed by Us and Our Laws, by Our Councell and other officers put in authoritie by and under Us, and an itching humour of having that Our Kingdome governed by a Table of their owne devising, consisting of persons of their own choosing: A plot of which they are very fond, being an abortion of their owne braine, but which indeed is such a monstrous birth, as the like hath not yet been born or bred in any Kingdome Jewish, Christian, or Pagan.

II. Secondly, That Our promises expressed in Our several Proclamations and Declarations to Our people, were not (as the wicked contrivers of that Covenant have ever gone about to make Our subjects beleeeve) onely verball, but sincere and real, and such as Wee doe profess to the whole world in the word of a just and true Prince, We doe resolve to
to make good to all our subjects of that our Kingdome: As holding it beneath the greatnesse and goodness of a just King, that the unjust actions of his subjects should occasion in their Soveraigne the least suspicion of breach of promises made by him to them; especially when the performance of them shall conduce to the settling of Religion and Peace.

Thirdly, That these men who give themselves out to be the onely Reformers of Religion, have taken such a course to undermine and blow up the Religion Reformed, by the scandal of Rebellion and Disobedience, which, so farre as in them lyeth, they have gone about to cast upon it, that if the Conclave of Rome, the severall Colleges or Congregations perpetually sitting at Rome, for contriving and effecting the meanes of reducing to the Roman obedience all those Kingdomes and Provinces which have justly departed from them, nay, and if with both these all the Jesuites and others the most specially combined and sworn enemies to our profession, were all assembled in one place, and had all their wits and devices concentrated into one conclusion and resolution; they could hardly have fallen upon such a way, as these pretended Reformers have fallen upon, for turning all men out of the pathes of the Reformed Religion, or have settled upon such courses, which can bespeak no other event, but the undoubted overthrow of it; at least in that Kingdome, unless God himselfe from heaven (which we hope) shall have all their Cobweb contextures in derision: For by their particular proceedings, truely set downe in this our Narration, it will plainly appeare, that their Maximes are the same with the Jesuites, their Preachers Sermons have been delivered in the very phrase and stile of Beccius, Scippius, and Eudemon Johannes, their poore Arguments, which they have delivered in their seditious Pamphlets printed or written, are taken almost verbatim out of Bellarmine and Suarez, as appeareth to us by our Royall Father his Monitore Preface to all Christian Kings and Princes, and his Apologie for the Oath of Allegiance, and in the Bookes writ by others in defence of them both; in all which these arguments
are fully answered: And that the means which they have used to induce a credit of their conclusions with their Prote-
lytes, are purely and merely Jesuitical fables, false reports, false prophecies, pretended inspirations and divinations of
the weaker sexe; as if now Herod and Pilate were once a-
gaine reconciled for the ruine of Christ, and his true Religion
and Worship.

Now, if these three particulars by this historiocal Relation
shall undoubtedly appeare to the unprejudicke Readers, whether Our Subjects or Forreiners, then We shall little doubt to gaine from them their assent to these two just desires.

First, That these proceedings of some of Our subjects
(whom, though they would be accounted the purest Prote-
stants, yet by their wicked protestations, you will finde to
be the most forward and perverse Protesters that ever did
diect with their Soveraigne and his Lawes) may not in-
duce an undeserved scandal upon that Religion which We
professe: For since their conclusions are quite contrary to the
Confessions of the severall reformed Churches, in their parti-
cular Articles both of the Church and of the civill Magistrate,
as appeareth by the Helvetian, French, Belgick, Polonian, Ar-
gentine, Palatine, Genevian, Our English and Irish, nay, and
their owne Scotch positive Confession, printed amongst the
Acts of Parliament of that Our Kingdom; and besides, the
Auguftane and all other particular Protestant Confessions of
the Lutherans: And all the weapons wherewith they now
fight against these Protestant conclusions, are stolen or bor-
rowed, not only out of the Romane (for many of the Ro-
manists fight with Vs against them) but out of the most rigid
Jesuites Magazines, why should they not in this quarrell be
accounted not as Our friends, but as Our foes; not Prote-
stants, but the most rigid of Papiists, Jesuites? and so being
without in this point not bring any scandal upon Vs who are
within; especially considering that though these men have
gone about to wound the Reformed Religion through Our
sides, and by opposing Vs whom God hath honoured with
this
this speciall favour [for no leffe We accompt it] of being the chief Prince whom he hath made choice of for the Protector and Defender of it: Though, We say, these men have done what they can to weaken this our Religion, by striking at the authoritie of the principall prop and stay of it upon earth under God; yet We, by the grace of God, are fully resolved to wipe away that asperion, and remove that scandall from Our Profession and Religion, by Our constant not only adherence to it, but maintenance and defence of it, with the uttermost of that power which God hath put in Our hands; notwithstanding all those scandals which these men by their wicked practices and worfe positions have laid upon it.

Secondly, We hope that all men will doe Vs so much right, as to beleive, that whatsoever course We shall hereafter take for the Asserting of the Reformed Religion, and represing the insolencies of such of Our subjects as doe oppose it; and Vs in the just and undoubted right of Our Regalitie, while they pretend Religion, shall not be thought to be by way of a warre, but by way of a Prince the Father of his Country his chastising his unruly children, which is never in anger, but in love, and for their good. And if by their stubbornnesse they shall force Vs to a severitie unpleasing to Vs, and unwelcome to them, We call Him by whom We reign to witnesse, and heaven and earth and all the world to record, that they with their owne hands doe unsheath Our just sword, which Wee cannot but use as the Minister of God, unlesse We will betray that trust which the King of Kings hath reposed in Vs for the maintenance of Religion and Iustice amongst all His people whom He hath committed to Our charge: And if God will have it so, that for their resisting Him and Vs, His Anointed servant and their Soveraigne, He will have some of their bad bloud shed, We shall ever make accompt that that bloud is let out of Our owne veines; nor shall We draw any drop of it in any other case; then a faithfull Physician will and must doe for the preservation of the whole body.
That Religion is only pretended and used by them as a cloak to palliate their intended Rebellion, is demonstrative by this; That the seeds of this Sedition were sown by the plotters of their Covenant, made under the pretence of Religion, long before any of the grievances or pretended innovations in Religion complained of by them, were ever heard of amongst them.

For the truth is, that some years after Our coming to the Crowne, by the advice both of some of Our principal Councillors and Officers of State there, as also by the advice of Our learnedest Advocates and Counsellors at law, according to the example of many of Our Royall Progenitors of happy memorie, Kings and Queens of that Our Kingdom, We did make a legall revocation of such things as had beene passed away in prejudice of the Crowne, especially by some of Our late Royall Progenitors in their minorities; a course warranted by the lawes and many yeares practice of that Our Kingdom: With this course, some of the principal contrivers of this their present Covenant found themselves much aggrieved, and much of their estates brought within the compasse and danger of Our lawes, which made them presently begin to grumble and repine, and privately, as much as they durst, and as in them lay, to worke underhand in Our subjects mindes a distaste of Our government: Which Wee made accompt: Wee had quickly rectified, by shewing to all Our subjects interested in that Revocation, Our gracious clemencie in waiving all the advantages which Our lawes gave Us in many of their estates: So that after Wee had made it apparent to Our subjects, how obnoxious many of them and their estates were unto Us and Our lawes, We likewise did make as apparent unto them, Our singular grace and goodness by remitting not onely the rigour, but even the equitie of Our lawes: insomuch that none of all Our subjects could then, or can now say that they were damnified in their persons or estates by that our Revocation,
cation, or any thing which ensued upon it: Yet for all this, 
the principal present malecontents did then begin to per-
swade with such as they thought they might be boldest with, 
a disaffection to Our government: And not seeing how they 
could easily obtrude upon them, the old and usual pretence 
of discontent, viz. Religion, by a strained and farre-fetched in-
ference they did not stick to lay the envie of the procuring 
that harmelese Revocation, by which no man suffered, upon 
the present Prelates, who in this were as innocent as the 
thing it selfe was: Onely because they hoped that the very 
name of Church-men or religious persons, shoulde in the 
point of faction have that operation with their followers, 
which they conceived the Church or Religion it selfe might 
have had, if they could have seene how to have perswaded 
them, that by this Revocation either of them had beene en-
dangered.

A second symptome of their discontent appeared not long 
after this upon this occasion: Wee having daily heard the 
grievous complaints of many of Our subjects of that King-
dome of all forts, especially of the Gentrie and their Farmers, 
who paid their tythes to the Nobilitie, or such others whom 
they in that Kingdome call Lords of the Erection, or Laicke 
Patrons, here in England we call Impropiators, how that 
in the leading or gathering of their tythes, these Lords and 
Laicke Patrons did use and practise the uttermost of that le-
veritie which the law alloweth them, how they would not 
gather their tythes when the owners of the corne desired 
them, but when it pleased themselves; by which means the 
owners, by the unseasonablenesse of the weather, were ma-
nie times damnedified to the losse of their whole stocke, or 
most part of it (the law of that Kingdome being in that point 
so strict, as no owner may carry away his nine parts, or any 
part of them, untill the proprietarie of the tythes have set out 
his tenth part:) As likewise understanding at the same time, 
the deplorable estate of the Ministers of that Our Kingdome 
in the point of maintenance, how that they received no tythes 
in their parishes, but some poore pitance, either by way of a
stipendiary benevolence, or else some mean allowance from these Lords of Erections or Laicke Patrons, unworthy of the Ministers of the Gospel, and which exposed them to all manner of contempt and a base dependence upon their Patrons: We, at the instance and humble petition not of a few, but of the whole Clergie, and with them, of the whole payers of tythes of that Kingdom, begun to take three things into Our serious consideration.

First, the wretched estate of the Clergie for want of maintenance: Next, the hard usage and great oppression of all the Laitie that payed tythes from the owners of them: Thirdly, a very important point of State, viz. That it was not fit, that such a considerable part of Our subjects, as all the Ministers who have power over the consciences of the rest, and all the payers of tythes who are the farre greatest part of the Kingdom, should have their dependance upon the Nobilitie or other Laicke Patrons, the one for their livelihood and maintenance, the other not only for feare of having their cornes lost or endangered for not carrying them in due season, which was by the law in the power of these owners of the tythes, which power they were sure they would exercise upon them if they should at any time displease them, or not adhere to them upon all occasions good or bad; But likewise because these Lords, owners of the tythes and also of Abbey lands, were likewise for the most part superiours to those who payed them, but were so altogether to those who held the Abbey lands of them by way of vassalidge, and so by their verie tenures were to performe all service and attendance to these Lords, their superiours, whenever they should require it of them.

Which important considerations moved Us, by the advice of the learnedest Lawyers there, to grant out a Commission under Our great Seale for that Kingdom, not to a few, but to divers hundreds, and those of the prime of all estates and degrees, (out of which number the Lords of the Erections and Laicke Patrons were not omitted) for relieving, if they should see cause, both the Ministers and owners of Corne, as also
also for taking into their consideration the point of superi-
oritie and dependance. These Commissioners, after their sit-
ting in great frequenie some yeares, and after full hearing of
all parties interested, and mature deliberation, did set a rate of
the value of the tythes, ordered that the owners of the
grounds should severally purchase them at so manie yeares
purchase, as was then agreed upon by all both buyers and
sellers, taking the same course for the rating of superiorities
in regard of the Abbey lands, which was likewise accorded
unto by all parties; and ordered that every Ministers means
should be augmented in such a certain proportion set down
and accorded unto, as the Incumbent should not be inforced
any more to be a slave to his Patron.

With the conclusions and determinations of this Com-
mision, called the Commission of Surrenders of Superiori-
ties and Tythes, the owners of lands and the Ministers were
indeed so really satisfied; that the former with all thankful-
nesse acknowledged Us for their deliverer from an intolera-
ble bondage, under which they and their Ancestors ever since
the reformation of Religion had grievously groaned; The
latter with infinite expressions of joy and gratitude did cele-
brate Us as the very father and founder of their severall Chur-
ches: We gave Our Royall assent to all agreed upon in that
Commission, being glad that Our subjects were relieved, the
maintenance of Our Clergie improved, and both Our Cler-
gie and Laity freed from a dangerous dependance upon sub-
jects, and for that freedome obliged to a thankfull, heartie,
and loyall dependance upon Us, to whom alone by all lawes
of God and men it is due. The Nobilitie and other Lay Pa-
trons seemed herewith likewise fully to rest satisfied; and so
indeed they were in point of profit, for according to the rates
of purchasing in that Our Kingdome, for their tythes they
were satisfied to the uttermost farthing: But they fretted pri-
vately amongst themselves, for being robbed, as they concei-
ved, of the clientele and dependance of the Clergie and Laity,
and of that power, command, and superioritie over them,
which by that tye of tythes they had enjoyed: Yet, not being
able to make Religion it selfe a faire pretence for this their discontent (for who could imagine that everie man his gathering of his ownythe, or the augmentation of Ministers maintenance, could be an affronting or, weakening of Religion?) they had recourse to their former fetch, and not without bewraying much heart burning, gave it out, that this Commission (which indeed was obtained by the humble importunitie both of Clergie and Laitie) was procured only by the Bishops, who meant no good to Religion; and so from an unneceffarie jealoufie of their persons and power, they begun to pretend and suborne a necessarie jealoufie of Religion it selfe.

III. A third bewraying of their factious humour, appeared clearly at Our laft being in that Our Kingdome, and immediately after Our departure from thence: For some fice yeeres agoe, having a great desire to vifite that Our native Kingdome, and being willing to cheere and comfort Our subjects there with Our presence, and, honour them with Our perfonall Coronation, all which they did moft humbly and heartily sollicite Us for by their earnest and affectionate supplications; We undertooke a journey to them, and according to Our expectation were moft joyfully received by them: But immediately before, and at the fitting down of Our Parliament there, Wee quickly found that the very fame persons who since were the contrivers of, and still continue the sticklers for their now pretended Covenant, begun to have fecret meetings, and in their private confultations did vent their diflike of Our innocent Revocation, and Our moft benefcial Commission of Surrenders: But knowing that these two could gaine them no partie, then they begun to fuggest great feares, that many and dangerous innovations of Religion were to be attempted in this present Parliament: Not that they themselves thought fo, but because they knew that either that, or nothing would foyle with fuspicious jealoufie, or interrupt and relax the present joy and contentment which did overflowe in Our subjects hearts, and appeared in their heartie expressions for Our presence, amongst them.

But
But We readily confurcted all these fupulous furmises; for, except an Act which gave Us power to appoint such vestures for Churchmen, which We should hold to be most decent: nothing concerning Religion was either propounded or passed in that Parliament, but that which ev'ry King doth usually in that, and all other Christian Kingdoms, passe at their first Parliament, viz. An Act of ratification of all other Acts heretofore made, and then standing in force concerning the Religion presently professed and established, and concerning the Church her liberties and privileges: Which Act being an Act of course, though it passed by most voices, yet was it dissaffented from, to Our great admiration, by the voices of many of those who are now the principal pillars of their Covenant, which made all men then begin to suspect, that sure, there was some great distemper of heat at the heart, when it boyled so over at their lips, by their unnecessary and unprofitable denying of assent to the lawes, concerning the Religion and Church already established. This first Act passing more for forme and the honour of Religion, than for any use or necessity, of it, all the former Lawes still standing in force and vigour without the need of any new ratification.

At this time many of Our subjects of greatest quality were suitors to Us for new Titles of Honour: Gentlemen to be Lords, Lords to be Earles: Impossible it was for Us to satisfy all suitors in that kind; without the prostitution of Honour to a just and open contempt, and therefore being put upon a choice and selection, We held it fitter, in the point both of honour and justice, to passe by such as both privately in their secret meetings, and openly in the Parliament house, had shewed their disrepects to Us and Our just proceedings, then those who had carried themselves not only, loyally and dutifully, but affectionately and heartily to Us and Our service. Upon this occasion many of those who were then passed by, and are now principal Covenanters, seeing others advanced to degrees of honour above themselves, begun then presently to mutter but not to mutiny, untill We were gone from thence.
But fearfully were we well returned into England, when the discontent of these men resolved it else into a plaine sedition: For then they had the impudence to give it out, that voyces were bought and packed in the late Parliament; nay, that the voyces were not truely numbred, but that some Acts were past without pluralitie of suffrages: A calumnie so foule and blacke, as that they themselves did know it to be most false: For had there beene the least suspicicion of truth in it, they might have made tryall thereof, by surveying their owne papers, and the papers of many hundreds present, who took notes of the number of voyces which were given, either by assenting to, or disassenting from the severall Acts read and proposed, by which papers if they had found but the weakest ground for this their strong, but false report, We have no reason to thinke that either their mercie or modestie was such, that they would have forborne the calling of the Clerke of Our Register in question for it; it being as our Chancellors office to aske the voyces, so Our Clerke of Registers office to take them and record them, and according to his owne and his Clerkes notes who affift him, to pronounce the Act passed or stopped: In which it is impossible he should deal but with sinceritie, for else the notes taken by most of the Auditors, being a present and powerfull conviction of his false dealing, must presently transmitten him to highest Censure and punishment.

But knowing that in a publike and judiciaall way they must needs faile in their proofe of this calumnie; they betook themselves to the secret and seditious way of malecontents: For first they used clancularie surmiffes, then they sent about from hand to hand a clandestine infamous Libell, and by it they imployed the hearts of many of Our good Subjects with a suspicition of obliquitie in Our proceedings at the late Parliament: This infamous Libell comming to the knowledge of Our Privie Councell there, first they of themselves, then afterwards, having made Us acquainted with it, by Our commandement entred into an inquirie both of the authors and abettors of that seditious Libell; Who found that
the author upon whom it was shifted and fathered was one of greatest quality, and now principal Covenanters: Wee, out of our innate and usual clemency, were graciously pleased (that the fear and example might reach to all, but the punishment only to one of them) to passe by many, who undoubtedly had beene concluded and involved by Our Lawes in the same sentence, if Wee had proceeded against them, and to single out one of that ranke, who was most obliged to Us and Our Crowne, and therefore both for his ingratitude and crime, had no reason to expect anything from Us but the justice of Our lawes.

This one was the Lord Balmerino, his Father was principal Secretary of State for that Our Kingdome, to Our Father of happy memory, to whom he was beholden both for the honour of his Barony, and for his whole fortune and estate which he got in his service: But he was since Our Royall Father his comming to the Crowne of England, arraigned for, and attainted of high Treason in Scotland, found guilty of it by his Peeres, and accordingly received sentence to be hanged drawne and quartered, his bloud tainted, his whole estate forfeited to the Crowne: Yet such was the gracious clemency of Our Royall Father, that He, onely for a little time, continued this condemned and forfeited Lord in prison, afterward confined him, but to a large circuit, and then restored not onely the bloud of himselfe and his children, but also their honour and whole estate: Now this present Lord Balmerino, being so extraordinarily obliged to Our Royall Father and Our Crowne, for the life of his father, his owne honour and whole fortunes, and so being one from whom We, the sonne of that Royall and Gracious Father to him and his whole family, had no reason to expect perfidiousnesse and ingratitude, he could not have the least shew of reason to expect any favour from Us, but the favour of a faire and legall tryall, which We granted him: At that tryall and arraignment, he was by his Peeres found guilty of abetting and dispersing
sperling that infamous Libell made against Us, and accordingly was to receive sentence of death for it, which Our chief Justice relented only until Our pleasure might bee knowne: Then indeed they who afterwards proved the contrivers of the late Covenant, and their adherents, began to complaine of the hard measure which was offered to this Lord, and to lay false and wicked aspersions upon his Peeres who found him guilty, but finding that all the proceedings were usuall and legall, they could not but have acquit the Judge if hee should have condemned him, nor could they have found the least blemish in Our justice, if Wee should have given warrant both for his sentence and execution, whose life was now legally devolved into Our hands, and therefore this convicted Lord betook himselfe alone to Our mercie, which We shewed to him in that height as Wee are confident it is hardly to be patterned by any president.

For notwithstanding the head of this family which was first raised by Our Father, and then being false, yet raised by Him againe and now relapsed, was once againe brought under Our axe, as it had beene before brought under the axe of Our Royall Father: We desirous to shew Our selfe the true heire of none of Our blessed Fathers vertues, more then of His mercie and clemencie, were contented upon his deep protestations of loyalty for the time to come, to grant him under Our great Seale for that Our Kingdome, not onely a Pardon of that crime of which he was convicted, but also his full libertie and inlargement: Which gracious Pardon of Ours, when it was delivered to him by Our Councell, who sent for him being then prisoner in the Castle of Edinburgh, he did before that Table receive on his knees, with the highest magnifying of Our mercie, with the humblest acknowledgments of those infinite obligations by which he and his family stood for ever engaged in the service of Us and Our Crowne, with the deepest protestations of all loyall, quiet, and peaceable deportment of himselfe ever hereafter, and of bending all his endeavours to attend upon all Our Royall courtesies and commandements, so that Our Councell remon-
strated unto Us, that Wee had bestowed Our mercie and grace upon a man, of whom there could not be the least suspicion of his aversefness from Our service at any time hereafter, but of whom they might safely promise all forwardness and alacrity in all Our just courses, whenever it should please Us to use him. And now this same pardoned Lord Balmerino, being one of the chief contrivers, and most malicious prosecutors of this wicked Covenant made against Us and Our authority, how he can be able to answer it to God, Us, and Our Crowne, his owne conscience, or to the world, even in the point of honour and reputation, it must be left to the world to judge.

By this now which hath been said, We suppose it is plain that before either the Service Book, or Book of Canons, so tragically now exclaimed against, were thought on, the seeds of sedition and discontent were sowne by the contrivers of the late Covenant, first upon the occasion of our Revocation, next upon occasion of Our Commission of Surrenders, and lastly upon the occasion of Our denying Honours to some of them at Our last being in that Kingdome, which caused first their traducing of Our proceedings in our last Parliament held there, and then produced that infamous Libell.

And now by this time sedition was growne so ripe, and ready to feed, that it wanted nothing to thrust it out, and make it shoot forth into an open Rebellion, but some faire and specious pretence: They could not yet compasse the cloake of Religion, whereby to fiele the eyes, and muffle the face of the multitude, for by none of all the three former occasions could they so much as pretend that Religion was endangered or impeached: But so soon as they got but the least hint of any thing, which they thought might admit a misconstruction that way, they lost no time, but took Occasion by the forelock, knowing that either that, or nothing would first facilitate, and then perfect their designes: Now the occasion they tooke of fetching Religion within the reach of their pretences, was this.

Our Father of blessed memorie immediately after his coming
ming into England, comparing the decencie and uniformitie of God's worship here, especially in the Liturgie of the Church, with that diversitie, nay deformitie which was used in Scotland, where no set or publike forme of prayer was used, but Preachers or Readers and ignorant Schoolmasters prayed in the Church, sometimes so ignorantly as it was a shame to all Religion to have the Majestie of God so barbarously spoken unto, sometimes so sediously that their prayers were plaine Libels, girding at Sovereaigntie and Authoritie; or Lyes, being stuffed with all the false reports in the Kingdom: He did immediately, as became a Religious Prince, bethinke himselfe seriouly how His first reformation in that Kingdom might begin at the publike worship of God, which Hee most truly conceived could never be happily effected, untill such time as there Should be an unitie and uniformitie in the publike Prayers, Liturgie, and Service of the Church, established throughout the whole Kingdom. Concerning this His Royall and Religious designe, divers consultations, for many yeares, were had with the Bishops and others of the Clergie of most eminent note in that Kingdom.

But these deliberations (as it happeneth manie times in businesse of so pious and ponderous importance) received some opposition, and manie intermisstions, untill the yeare 1616. in a Generall Assemblie (which is answerable to the Convocation of the Clergie here in England) held at Aberdeen in August, Our Royall Father by His Letters, and the vehement instance of His Commissioners then and there present, easily made apparent to that whole Assembly, not only the conveniencie, but indeed the necessitie of a publike Liturgie to be settled throughout the whole Land: Which moved that Assemblie to passe an Act, whereby they authorised some of the present Bishops, and divers others, to compile and frame a publike forme of Liturgie, or Booke of Common Prayer, which should first be presented to Our Royall Father, and after His approbation should be universally received throughout the Kingdome. This Booke in pursuance
purposance of that Act of Assembly, being by those who were deputed for that purpose framed, was by the Lord Archbishops of Saint Andrewes that now liveth, sent up to Our Royall Father, who not only carefully and punctually perused every particular passage of it himselfe, but had also considerably advised with, and reviled by some of that Kingdome here in England, in whose judgement He repose singular trust and confidence; and after all His owne and their observations, additions, expungions, mutations, accommodations, He sent it backe to those from whom He had received it, to be commended to that whole Church, being a Service Booke in substance, frame, and composure, much about one with this verie Service Booke which We of late commended to them, and which undoubtedly then had been received in that Church, if it had not pleased Almightie God, that while these things were in doing, and before they could receive their much wished and desired period and consummation, to the invaluable losse, as of the whole Church of God, so particularly of that Church of Scotland, to translate Our blessed Father from His temporall Kingdomes to that which is eternall.

Wee, by the grace of God, succeeding to Our Royall Father, were desirous to make it knowne to the world, that Wee did not hold it a greater honour to succeed Him in His Crownes, then to be His Successour in His Princely vertues; and especially in that in which He was most eminent, His singular pietie and religious care of the publique service of God, which finding here in this Kingdome of England, by His singular wisdome and vigilancie, setled even to the admiration if not envie of all other Churches, Wee resolved by the grace of God to pursuie that His Pious and Princely designe, for setting a publike Liturgie in that Our Kingdome of Scotland, it having beene so happily achieved, facilitated, and almost perfected by Him: To which purpose We caused the same Service Booke, transmitted by Him to that Church, to be remitted and sent backe to Us, that after Our perusal and alterations, if any should be found, either necessarie,
cellarie, or convenient, it might likewise receive Our Royall
authoritie and approbation: We having received that Book,
and after many serious consultations had with divers of Our
Bishops and Clergie of that Kingdom then here present
with Us, and after Our advices by Our Letters and Instructi-
ons to the rest at home, and after many humble advertise-
ments and remonstrances made from them to Us of the rea-
sions of some alterations, which they did conceive would
remove divers difficulties, which otherwise they feared this
Booke would encounter with; We were contented that the
Service Booke should come out as now it is printed, being
fully liked by them, and signed with their hands, and per-
used, approved, and published by Our Royall command and
authoritie.

In the perufall and approbation whereof, We tooke speци-
all care, that the small alterations of it in which it differeth
from the English Service Booke should be such, as We had
reason to thinke would best comply with the minde and
dispositions of Our subjects of that Kingdom: For We sup-
poling that they might have taken some offence, if We should
have tendered them the English Service Booke "totidem verbis,
and that some factious spirits would have endeavored to
have misconstrued it as a badge of dependance of that
Church upon this of England, which Wee had put upon
them to the prejudice of their Laws and Liberties; We held
it fitter that a new Booke should be compos'd by their own
Bishops, in substance not differing from this of England, that
so the Roman party might not upbraid Us with any weighty
or materiall differences in Our Liturgies, and yet in some
few insensible alterations differing from it, that it might true-
ly and justly be reputed a Book of that Churches owne compo-
sing, and established by Our Royall Authority, as King of
Scotland: And thus conceiving Wee had discharged the due-
tie of a religious King towards God, and of a gracious Prince
in accommodating this Booke so, that Our subjects of that
Kingdom should have no cause to have the least suspicion
of any intended dependancie of that Church upon this, Wee
sent home the Book to the Lords of Our Privie Councell: After their receipt & consideration of it, We, by their advice, and they, by Our Authoritie, commanded by publick Proclamation that the said Book should be publikely read and received in all the Churches of that Our Kingdome, and should begin to be practised upon Easter next, 1637.

Disobedience to this Our Proclamation Wee had little reason to expect, because this Service-book was no new thing unto them: For it not differing from the English Service-book in any materiall point, and We supposing that the English Liturgie neither was nor could bee displeasing to them, did likewise conceive that this Book should be as little disliked by them: Now the reasons inducing Us to a beleefe of their not misliking the English Liturgie, were these.

First, many of Our subjects of that Kingdome of all sorts daily reforting to Our Court and the Citie of London, did much frequent our Chappell, many other Churches in or about the Citie, and many Churches during their stay here at the severall places of our residence, and many other Churches within this Kingdome upon their way, both hither and homeward, in all which Churches they did behaue themselves during the time of divine Service with that reverence as others of Our subjects of this Kingdome did, without any dislike of it, or quarrelling against it. Now these who reforted hither, being for quantitie and number very considerable, and for qualitie (for the most part) of the very best, gave Us more then a probable assurance, that at home they would never accompt that absolutely in it selfe unlawful and Antichristian (as many of them have since professed,) unto which they had here of their owne accord by their practise yeelded obedience: For neither municipall Law, nor variation of time or place, nor any other circumstancc, can allow Us to practise that which we hold in it selfe to be simply unlawful, Antichristian and against the Word of God.

Secondly, in Our owne Chappell at Haly-rud-house, ever since the yeere of Our Lord 1617. the English Liturgie hath beene read, and according to it divine Service sung and said, as it is here laid and sung in Our Chappells in En-

D. 2 England,
gland, not only without dislike, but with frequent Assemblies of Our Council, Nobility, Bishops, & other Clergy of all sorts, Judges, Gentry, Burgesses, women of all ranks: The Bishops or some of them never gave Orders (which they did frequently) but they used the English Service-book, & in some Cathedral Churches of that kingdom, as also in the new Colledge of the University of S. Andrews, for some yeeres of late it was publickly read without any distaste, much lesse disturbance; for divers yeeres it was used in many families, and at Our last being in that Kingdom it was read publickly in all Churches to which We resorted, in which great numbers of all sorts of people were present: All which gave Us good reason to conceive, that the commanding of this Book by Our authoritie, could not in any true sense be called or accounted an innovation, all sorts of people, and very many of those of all ranks who now inveigh most bitterly against it, having been so accustomed to it, and acquainted with it, and that without any dislike of it or complaint against it.

Thirdly, Wee confess that one of the chiefest reasons moving Us to believe, that that Service-book (being in substance all one with this of England) could not be held by them to contain any thing tending to Idolatrie, Poperie, or Superstition (as since they have pretended) was this; We did foresee that all objections bending that way must needs strike at the English Service-book as well as at that (and indeed all of them which they have preached or published against that book do so;) but We did then and do still take it as granted, that no man, who hath his wits about him, can charge the least suspicion of these things objected upon the English Service-book: For since it is well knowne to the whole Christian world, that the Composers & Framers of the English Service-book were those very famous Bishops & others, who in Queen Mary her dayes delivered up their living bodies to the fire, or escaping the fire endured banishment, & only because they would not yeeld to Poperie and Superstition: Now how these men, whom in their owne judgement they hold to bee ranked amongst the most glorious Martyrs of the Church, for resisting even to bloud,
blood, Idolatry, Popery, and Superstition, can with any conscience or honestie be charged by these men with compiling of a Book stuffed full with Idolatry, Popery, and Superstition, it requireth more then an ordinary understanding to apprehend: And besides, it will be made good, that more of the Bishops and learned Clergie of England, both for number and weight, have opposed Superstition and Popery, then can be found in all the reformed Churches besides, who all of them have lived in the practice of the English Liturgie, and defended the same; which they would never have done if they had supposed, it to contain Idolatry or Superstition.

These now were the grounds which inclined Us to conceive that the Service-book, authorized by Us for that Kingdom, was not like to receive any publicke or considerable opposition, though We did never expect it should miscar to meet with that misfortune which attendeth all other Books of this kind, and which hath waited upon the English Service-book here, viz: to be disliked and defamed by some whose judgments either being weak are not capable of satisfaction, or being distempered with the humours of singularitie, are resolved never to receive, or at least never to seeme to receive any satisfaction.

And yet, even those men too, especially they of the first sort, men of weaker judgement, before, and at the time of the publishing of this Book, were not cast without the compass of Our care and clemencie: For We did with that Book send home certaine instructions and directions to our Bishops of that Kingdom signed with Our owne hand, amongst which this was one: That notwithstanding We had now established this Book by Our authority, yet they should proceed with all moderation, and dispense with such for the practice of some things contained in the Book, as they should finde either not well perswaded of them, or willing to be informed concerning them, or did hope that time and reason might gaine to a better beleefe of them: Nay yet more, to foresee what probable opposition this Book might be like to receive, Wee caused Our Council by Proclamation to publish a set day for the reading of
it in all Churches, which was the Easter day following, 1637: All which time, though no symptoms of any considerable opposition did appear, yet upon good considerations, and for the further trial of mens minds, the first reading of it was delayed until the xxiii. of July next ensuing, to the end that the Lords of the Session, and others who had any Law-business, might see the success of it before the rising of the Session, which always endeth on the first of August, and that so upon their return to their several Countries they might report the receiving of this Book at Edinburgh; it being ordered, that on that Sunday the Book should be read only in the Churches of Edinburgh, and those which were next adjacent: And because it should not be read that day neither unexpectedly, warning was first printed, and then published in all these several Pulpits the Sunday immediately before, that the next Sunday the new Service-book was to be read: After all which premonitions made only to try how the people would affect, & no fear of tumult appearing; Nay, the Service-book, which was to be read, having beene in publike Sermons commended by many Preachers, without any apparent disgust of the Book, or disgrace offered to the Preachers persons; Nay, having beene commended in Sermons by some of their now principall Covenanting Ministers, who since have beene the greatest rafiers against it, by none more then one Rollock a Minister of Edinburgh, who, both in a Sermon preached by him at a Synod held at Edinburgh before the Bishop of that Diocese, and in his Sermon on the Sunday of intimation of the reading of the Service-book the next Sunday, did highly magnifie the said Book: And so the tendering of this Book being thus prepared and sweetned with those gracious considerations of time, & expectation of the discovery of mens affections, which for any thing appeared to the contrarie, were very calm and composed, who could have imagined that the first reading of it should have been attended with such a barbarous tumult and insurrection, as was raised in the Churches and streets of Edinburgh the Sunday following; the true relation of which tumult, as it was sent up to Us, doth here follow.
On the twenty third day of July, 1637, being Sunday, according to the publike warning given the Sunday before, the Service Book was begun to bee read in Edinburgh in Saint Gyles Church, commonly called the great Church, where were present (as usually they are) many of Our Councell, both the Arch-bishops and divers other Bishops, the Lords of the Session, the Magistrates of Edinburgh, and a very great auditorie of all sorts of people. Amongst this great multitude there appeared no signe of trouble: But, no sooner was the Book opened by the Deane of Edinburgh, but a number of the meaner sort, most of them women, with clapping of their hands, cursings, and out-cries, raised such a barbarous hubbub in that sacred place, that not any one could either hear or be heard: The Bishop of Edinburgh, who was to preach, steak into the Pulpit, which is immediately above the place where the Deane was to read, intending to appease the tumult, by putting them in minde that the place, in which they then were, was holy ground, and by treating them to desist from that fearfull and horrible profanation of it: But hee was entertained with as much irreverence as the Deane, and with more violence; in so much, that if a stool, aimed to be throwne at him, had not by the providence of God beene diverted by the hand of one present, the life of that Reverend Bishop, in that holy place, and in the Pulpit, had beene indangered, if not lost: The Archbishop of Saint Andrews Lord Chancellour, and divers others offering to appease the multitude, were entertained with such bitter curses and imprecations, as they not being able to prevaile with the people, the Provost, Bailiffs, and divers others of the Councell of that Citie were forced to come downe from the Gallery in which they do usually sit, and with much ado, in a very great tumult and confusion, thrust out of the Church those disorderly people, making fast the Church doores: After all which, the Deane devoutly read Service, assist by Our Councellors, Bishops, and many other persons of qualitie there present: Yet the out-cries, rapping at the Church doores, throwing of stones at the Church windowes by the tumultuous multitude without,
without, was so great as the Bailiffes of the Citie were once more put to forfake their places, and use their best indevours for the appeasing the rage and furie of those who were without. Service being ended, the Bishop preached, after which the Congregation was dismissed: The Bishop of Edinburgh retiring himselfe to a lodging distant not many paces from the Church, was so invironed with a multitude of the meaner sort of people, cursing and crowding him, that he was neere being trode to death; and in all probability had bene so, if hee had not recovered the tailes of his lodging, which he no sooner began to go up, but he was so pulled by the sleeve or his gowne by some of that rude rout, that he had like to have tumbled backward downe the tailes, to the indangering of his life, yet with much ado getting up the tailes he found the doore, at which he should have entred, but against him, and so being put to a stand, he had certainly beene opprest with the preasle and violence of that rabble, if the Earle of Weems from his next lodging, seeing the Bishops life in danger, had not sent his servants to rescue him, who got the Bishop almost breathless into his lodging. The same morning the Service Book was read in the next Church to Saint Gyles Church, not without noise and tumult, yet the furie was not so great as in the other Church: In the Gray Friers Church the Elect Bishop of Argyle (being Colleague to Master Ramsey who refused to read it) begun to read the Book, but he was so curled and exclaimed against, and threatened to be pulled downe, that after the reading of the Confession and Absolution, he was forced to give over. In the Colledge Church, Rollock, one of the Preachers there, who the Sunday before, at the intimation of the reading of it, had so much commended the Book, and had undertaken this day to read it, though hee had the Book ready to be carried to the Church with him, yet, very wisely, resolved to halt a little, untill he might know how it was entertained at Saint Gyles Church, that so his conscience might comply with the carriage of the multitude, whose rudeness being reported to him, he (notwithstanding his commendations of the Book, and his faithfull promise to read it,) thought
thought it, the safer course to leave himselfe to the censure of all men for his levitie and breach of promise, then offend the multitude, whose favour is the onely aire in which he taketh delight to breath and live: And thus that morning passed.

Betweene the two Sermons, such of Our Councell as were in the Towne, assembled at the Lord Chancellour his lodging, where the Lord Provost and Bailiffs of Edinburgh being called, undertooke to doe their uttermost endeavours for the quiet and peaceable reading of the Service Booke in the afternoon; which accordingly they did, and so the Service Booke in Saint Gyles and some other Churches, that afternoon was read, without any such tumult or insurrection as it encountered with in the morning; yet the furious multitude, who stayed in the streets, and little regarded the service of God in the Churches, intermitted nothing of their madness: For the Lord Privie Seale Earle of Roxborough returning home to his lodging, and having with him in his Coach the Bishop of Edinburgh, was neare suffering the death of the first Martyr St. Stephen, his Coach and Coachman, for having the Bishop in it, being so pelted with stones, and hooted at with execrations, and pressed upon by the eager and mad multitude, that if the Lord Privie Seale his Footmen had not with their swords kept them off, they in the Coach had been brought in danger of their lives, having after long and continuall bickering much ado to recover their lodgings.

And now We desire all men to consider what blessing and success from heaven may be expected upon this grand and important reformation of Religion, as they call it, the begetter and beginner whereof was the horrible profanation of the Lords owne day, and that in the Lords owne Houses and Temples, and all this attended with the contempt and treading under foot the sacred Authoritie and Lawes of Us the Lords Anointed, as also with the violation of the persons of the Lords Priests and Prophets, his Bishops and Ministers, and all these practised by a base multitude, disavowed
and disclaimed at that time by all Magistrates and persons put in authority, and all others of any rank or quality, who branded that multitude with the names of the scum and froth of the people, and offered themselves to the uttermost of their diligence and assistance, for the finding of them out, and bringing them to highest and condign punishment, as shall presently appear by the demeanour of the Magistrates when they were called before Our Council for that purpose.

For the next day, being the 24. of July 1637. Our Council assembled, and sent forth a Proclamation in detestation of the uproar and tumult the day before, and discharged all concourses of people and tumultuous meetings in Edinburgh under paine of death; at which time the Magistrates of Edinburgh being then present at Our Council Table, protested their utter abhorring and detesting of the last tumult, and apprehended some suspected to be most forward in it, and thereupon were commanded and ordered by an Act of Our Council of the 26. of July, to assemble the Council of the City the next morning by eight of the clocke, and then and there to resolve what course they thought fittest to be held for the finding out of the movers of, and chief actors in the late seditious uproar, and immediately after to report their diligence and resolutions herein: Which report they accordingly made to Our Council, not only with a detestation of that tumult, and promises of their best diligence for finding out the authors and abettors of it, but also with large proffers of their best assistance for the quiet and peaceable establishing and reading of the Service Booke in all their Churches.

But the Ministers of that City being loath to undertake the reading of it, without some securitie given for the safetie of their persons, the Lords of Our Council by their Act of the 28. of July 1637. ordered the Provost, Bailiffes, and Council of Edinburgh to advise amongst themselves concerning some obligatorie Act to be made by them, for a real performance
performance of what they had undertaken, and should further undertake for the peaceable exercise of the Service Book, which they accorded unto, and promised, that since the former Readers in their several Churches, had refused to read the Booke, if in the meantime the Ministers themselves would read it, they would take order for their safety; and when new Readers should be provided, they would take order both for their security and settled maintenance and allowance: In pursuance whereof, an obligatorie Act was drawn up by Our Advocate, and read before Our Council to the Magistrates of Edinburgh the sixt of August 1637. to which they humbly consented, and on the tenth of the same month, the said Act of indemnity being exhibited before Our Council, was allowed by them, and accordingly passed and entered in Our Council booke as an Act of Council: And so now this late tumult in all appearance being settled, and not only fathered upon the scumme and dregges of the people, but cryed downe by all men either of place or quality, and by none more then by the Magistrates and Ministers of Edinburgh, Our Council not fearing any new outrage, proceeded to these two things.

First, to the exemplarie punishment of such of the heads of the late tumult as they should discover: And next, to the settling of the practice of the Service Booke, and appointing a new day for renewing the exercise of it, to which the Bishops, Magistrates and Ministers of Edinburgh agreed: And this their forwardness the Magistrates of that City were not only contented to express before Our Council, both by their verball promises and protestations, as also their obligatorie Act remaining upon record, and registered in Our bookes of Council, but likewise by two particular Letters sent by them into England unto the Lord Archbishop of Canterbury, in which they desired him to recommend unto Us, their care of, and fidelity to Our service, and to undertake for them to Us their zeal and forwardness, for settling the peaceable practice of the Service Booke: Which Letters
We here have caused to be inserted, that the Reader may see what names of simplicitie and ignorance they bestowed upon that multitude, which made the first opposition, and with-all take notice of the names of the Magistrates subscribers to these Letters; for some of them (which hardly could be expected from reasonable men) will be found to be very forward, if not leaders in the next succeeding sedition, and so of the rest which have followed since: The Letters be these.

Most Reverend Father in God and our verie good Lord,

We regret from our hearts that tumult which did fall out in our Churches that day of the inbringing of the Service Booke, wherein now these of his Majesties Council, who have laboured the tryall thereof, will give testimonie of our innocencie: Since that time and the rising of his Majesties Council in this feziall time, we have daily concurred with our Ordinarie, and our Ministers for settling of that Service Booke, as the right Honourable the Earle of Traquair Lord Treasurer, with the Bishops of Galloway and Dunbleane will beare witness; who have shered neither paines nor attendance to bring that purpose to a good conclusion: And although the povertie of this Citie be great, being almost exhausted with publicke and common workes, yet we have not beene lacking to offer good meanes, above our power, to such as should undertake that service; and in all things wherein we have beene required, we have ever beene ready really to approve our selves obedient and loyal subjects to his Majestie, in all his Royall commandements, which we have vowed ever to second to our lives end. And we being infinitely obliged to your Graces favours, we now presumed by these lines to give your Grace that assurance of obedience upon our part, in this purpose and in all other purposes wherein we may contribute to the advancement of his Majesties service, or can be expected of good subjects: Whereof if his Majestie by your Grace shall be pleased to rest assured, whatsoever any other shall suggest, we will accept it from you as a great accumulation of favour; for all which your Grace shall ever finde us most thankful Remembrancers, and moft ready really to express our thankfullness, whenever we shall be made
made so happy as that your Grace shall have occasion to use our service. Thus from our hearts wishing you all happiness, we kiss your Graces hands.

Edinburgh this 19. of August, 1637.

Your Graces most affectionate and humble servants the Bailiffs of Edinburgh.

J. Cochrane, Bailly.
A. Ainslie, Bailly.
J. Smith, Bailly.
C. Hamilton, Bailly.

The Second Letter.

Most Reverend Father in God and our very good Lord,

We did receive your Graces kind letter, and from our hearts we do render your Grace most hearty thanks; and as we have hitherto found your special favour in this matter, concerning the lately imprinted Service Book, whereat we did write to your Grace formerly, shewing our dutifull and obedient resolution, not only in our selves, but in the greatest and best part of our Inhabitants, of whom from time to time we had most confident assurance; so now we must againe become new suitors at your Graces hands, to receive from us a true information of the difference of the present time, and of that which we did presume to write the occasions thereof, which is, that since our last there hath been such an innumerable confluence of people from all the corners of this kingdom, both of Clergie and Laity, and of all degrees by occasion of two Councell dayes, and such things suggested to our poore ignorant people, that they have razed, what we by great and continuall pains had imprinted in their minds, and have diverted them altogether from their former resolutions, so that now when we were urged by our selves alone, we could not adventure; but were forced to supplicate the Lords of Councell to continue us in the state they had done the rest of the kingdom; having hitherto forborne either to combine with them, or to countenance them in their supplications; yet we will
will not beares to doe our Masters service to our power, but shall study to imprint in their minds what hath beene taken away; in the interim we will humbly beg your Graces favour and intercession with his Majestie, that we may be kepted still in his favour, which we doe esteeme our greatest earthly felicite, and that what course shall be taken with the rest of this kingdom in that matter, who have presented many supplications, and with whom we have in no wanes combined, that the same and no other may be taken with us, wherein we are confidence to prevale as much as any other within the kingdom, and in all things, shall endeavour nothing more, then that we may approve our selves most dutifull and obedient subjects. Thus relying upon your Graces favour, as our most assured refuge, we kiss your Graces hands, and rests,

Edinburgh this 26.
of September, 1637.

Your Graces most affectionate and humble servants, the Bailiffs of Edinburgh.

J. Cochrane, Bailly.
J. Smith, Bailly.
C. Hamilton, Bailly.
James Rucheid.

We confeffe that these large undertakings of the Magistrates, moved Us to remit much of Our intended rigor against the offenders in the first uproare, hoping that their acknowledgment of Our clemencie, would have produced effects quite contrarie to those which We have found: And now We shall desire the Reader to observe, that this first tumult was owned by none, condemned and cryed down by all, the authors of it, and actors in it called by all sorts, by no better names then Rogues, and the base Multitude; What will you then think, if that within verie few daies you shall see the verie same liberal bestowers of these names entring upon the same Stage, repeating and acting over againe the parts of that madd Multitude; Onely the Stage you shall see a little better hanged, and the Scenes better set out, and the Play having
ving a more specious name of Pietie and Religion? For soon after these base and unruly people, who were so much out in their first act of Rebellion, (as Actors at the first are not commonly perfect) were in the Pulpits, even for that their first and foule act so much of late hissed at and decryed, afterwards magnified for the most heroicall Sparkes that ever God inspired and raised up in this last age of the world; and though they were but Asses, yet they were cryed up for having their mouthes opened immediately by God, as the mouth of Balaams Ass was, to the upbraiding of all the rest of the Land, who held their peace when they should have cryed and brayed as they did: Their happy mouthes and hands, which God was pleased to honour that day with the beginning of their new blessed Reformation, and occasioning their celestiall Covenant (as they called it) were so highly extolled by their Preachers that they assured their Auditors that their memorials should be eternall, whom before they had called the scumme of the people and the base Multitude, and that all succeeding generations should call them blessed. These high flowne speeches, and many others of the like extravagant straine both in the Pulpits and out of them, immediately after the first tumult, and ever since, have beene bestowed and that not sparingly, upon that multitude, which not long before they called base and rascal: But no wonder, for many of the better sort having succeeded that multitude in the same madness, they must needs now give them new, high, and Heroicall titles, such as they would have given to themselves now acting their parts; for now their owne actions come next upon the Stage to bee viewed and judged.

All businesse now for a time seemed to be hushed and calmed, by reason of the long vacation, which in that Kingdom beginneth always on Lammas day, and the Harvest, which drew all sorts of people from Edinburgh, except the Citizens, so that little or nothing was done betwixt the last of July and first of October, save that some Ministers petitioned the Lords of Our Councell for suspending the Letters
ters whereby they were charged to receive the Service Book, and that they of Edinburgh begun a little by the instigation of their two silenced Ministers to relent of their former forwardness for receiving the said Booke, and to repent themselves of their too eager condemning the raisers of the first insurrection, and presented to Our Council on the 26. of September a Petition, humbly desiring not to be pressed with the Service Booke notwithstanding all their former undertakings, but to be continued in the same case with all the rest of the Kingdome, untill Our pleasure were further knowne; which Petition, as they alleged, they were necessitated to present, by the example and encouragement of all ranks from all parts of the Kingdome.

But soone as Harvest was done, the conflux of all sorts of Our subjects, Nobilitie, Gentrie, Ministers, and Burgesses from all parts of that Kingdome came to be so great at Edinburgh, and after such a tumultuous manner, as that, a present Insurrection was justly feared; which forced Our Council, assembled then at Edinburgh upon the day before appointed by them, viz. the xvij. of October, 1637. to make three Proclama-

1. The first, to give notice that on that day nothing should bee treated of at the Council Table concerning Church business, untill the Lords might see the times, and meetings of his Majesties subjects more quiet and peaceable; and therefore commanded all who were come thither about any such business, peaceably to repair to their owne homes within foure and twentie houres, under the paines expressed in the said Proclamation: A second for removing the Session (which is here in England called the Term) from Edinburgh to Lithcow, for feare of present danger, if this great concourse of people should not some way be diverted and divided, especially considering that those of Edinburgh were now apparently perverted, and become very evill affected to Our and Our Councils courses of peace and quietnesses:

2. A third, for bringing in and burning a certaine seditious Booke newly dispersed amongst our subjects there, tending to sedition and the disgrace of Our Ecclesiasticall Go-

vernment
vernment here in England: The three Proclamations are here inserted.


Forasmuch as it hath pleased the Kings Majestie, upon divers good respects and considerations, to give warrant and direction to the Lords of his Majesties Privie Council, for dissolving the meeting of this Council day, in so farre as concerneth matters of the Church: And that everie one that hath come to attend this business, repair to their owne dwellings, except such persons as shall make knowne to the said Lords of Council just cause of stay for their particular affaires; Therefore the said Lords, according to his Majesties speciall warrant and direction sent unto them, have dissolved, and by the tenour hereof doe dissolve the meeting of this Council day, in so farre as concerneth the business above written; And ordaines a Maiflar of Council to passe to the Mercate Cross of Edinburgh, and to make publication hereof; And to command everie one that hath come hither to attend this business, to repair home to their owne dwellings within 24. hours after the publication hereof, except such persons as shall make knowne to the said Lords just cause of their further particular affaires in manner aforesaid, under the paine of Rebellion, and putting of them to the Horne; with certification to them, that if they faile they shall be denounced Rebels, and be put to the Horn, and all their moveable goods escheat to his Majesties use.


Forasmuch as it hath pleased the Kings Majestie, upon divers great and good considerations knowne to his Majestie, to remove his Councell and Session from the Citty of Edinburgh to the Burgh of Dundie: And whereas it is inconvenient at this time to remove it so farre, his Majestie is graciously pleased that this next Session shall be holden at the Burgh of Linlithgow, and the next after the ordinarie vacant at the Burgh of Dundie: And there to remaine during his Majesties pleasure: And therefore the said Lords, according
to his Majesties speciall direction, ordaines Majfars or Officers of Armes to passe and make publication hereof to all his Majesties good subjects by open Proclamation at all places needfull, whereby they can pretend no ignorance thereof, but may prepare themselves to attend at Linlithgow and Dundie accordingly.

Apud Edinburgh Octob. 17. 1637.

Forasmuch as the Kings Majestie is credibly informed, that there is a certayne booke intituled, A Dispute against the English Po-pish Ceremonies, obtruded upon the Kirke of Scotland, and hath bee ne fent abroad and dispersed in this Kingdome, purposely to stirre the hearts abroad and affections of the subjects from their due obedience and allegiance: And therefore it hath pleased his Majestie to give order and direction to his Qouncell, that diligent inquirie and search be made for the saide booke; And for this effect the said Lords ordaines letters to be directed to make intimation and publication to all his Majesties subjects, that such of them as have anie of the saide bookes, bring in the fame to the Lords of his Majesties Privie Councell betwixt the date of this Proclamation and the day of And the saide bookes being brought in, that the fame be publikely burnt, certifying all his Majesties subjects if any of those bookes shall be found or knowne to have bee ne with any of them after the time aforesaid, that they shall incurre the like censure and punishment as the Author may be found to deserve for any thing contained in that booke.

And whether Wee and Our Councell were not justly necessitated to these Proclamations, and whether it were not high time to require obedience to them, though none was yeelded, let that barbarous insurrection which was raisd the next day, sufficiently testifie.

On the eighteenth of October 1637. the Bishop of Gallo- way and Sir William Elsfington Lord chiefe Justice of that Our Kingdome, being appointed by the Lords of Our Councell to examine witneseses in a caufe depending before them, be-
tweene Francis Stuart lasse to the late Earle of Bothwell, and divers others, the Bishop was peaceably passing along the street towards the Councell-houle where the examinations were to be taken: But suddenly an inraged multitude surrounded him, and followed him with fearefull cursings and exclamations close to the Councell-house doore, where he was againe encountered after with a new troupe, who watched, and lay in wait for his comming thither, and whose furie exceeded words; for in all probabilitie the Bishop had beene pulled in peeces by them, if by divine providence he had not beene defended by the said Francis Stuart, who with much adoe got the Bishop within the doores of the Councell-house, where Our Lord chiefe Justice staid for him: But when hee was there, that place of highest Reverence within that Our Kingdome, was no Sanctuary for him; for they continued demanding his person, and threatening him with death: The report hereof, and the danger of their Lords life, was brought by some of the Bishops servants presently to the Earle of Traquair, Our Lord Treasurier, and the Earle of Wigton, one of the Lords of Our Counsell, who were then at a lodging not farre from thence: They came presently with their followers to the reliefe of the Bishop, but verie hardly for the croud of the mutiners could approach the Councell-house where hee was; at last, when with much adoe they got entrance, they found themselves in no better case then the Bishop was, for the peoples furie meeting with no proportionable resistance, increased the more: The Lords thus beter in Our Councell-house, sent privately to the Lord Provost, Bailiffes, and Counsell of Edinburgh, who were then assembled in their owne Councell-house, requiring them to come to their rescue, and to take some present order for their safetie: They, by one Sir Thomas Thompson, who indeed was an eye witness of the truth of it, returned this answer; That they were in the same, if not a worse case themselves, if the Lords without did not presently pacifie the inraged multitude, that the whole streets were pestred with disorderly people; that their Councell-
houfe was beft without, and thronged within, with their owne threatening Citizens, who had vowed to kill all within their house, unless they did presently subscribe to a paper presented to them, which for fear of their lives they were forced to doe: Which paper contained these three particulars: First, that they should joyne with them in opposition to the Service Book, and in petitioning Us for that purpose: Secondly, that by their authoritie they should presently restore unto their Pulpits and places Master Ramfey and Rollock, their two silenced Ministers: Thirdly, that they should restore unto his place one Henderson a silenced Reader: No doubt three most important grounds for such a fearfull sedition: No better answer being returned, the Lord Treasurer and the Earle of Wigton, with their followers, resolved to go up to the Towne Councell-house, and to use the uttermost of their authoritie, or (if that found no respect) their best persuasions for settling the present sedition: When they came thither, they found the Magiftrates verie much discompoled, & greatly perplexed, as much doubting whether they should ever escape from the place with their lives, yet they presently entred into consultation with them about what was fittest to be done in such an exigent; and finding now that the publick divulging of that paper which the Magiftrates and Council of the Citie had subscrib'd, and that the open proclamation of it throughout all their turbulent troupes, and at the Crofte, had a little asswaged their furious rage, the Lords begun to advife with the Magiftrates what was beft to bee done for the safetie of the Bishop of Galloway, whom they had left besieged in the Councell-house: It was thought fit by all, that the Lords should returne to Our Councell-house, and containe themselves therein, till the Magiftrates might try what they could do for calming the commotion in the streets: But no sooner had the Lords presented themselves to the streets, but they were received with such violence as they were forced to retire, untill such time as two of the Bailiffes with their Serjeants and Officers, and such others as they got to attend them, accompanying the Lords, and repea-
ting to the multitude what had beene yeelded to in the paper exhibited to them, a little way was made at first: But presently when they entred upon the great street, the barbarous multitude run most ingrately upon them: Their out-cries were horrible and confused, but were (as much as in such a confusion could be distinguished,) God defend all those who will defend Gods cause, and God confound the Service Book, and all the maintainers of it. The Lords being in present and imminent danger, assured the people that they would represent their grievances to Us; for when they perceived that the people refused to obey any commandement which was laid upon them in Our name, and that they slighted their requiring of them to retire unto their owne houses, and to behave themselves as quiet and good subjects, under paine of Our highest displeasure, they were glad then to betake themselves to intreaties and plausible persuasions; but all in vaine: For the people still increased their furie, and that to such a height, as that the Lord Treasurier was throwne downe, his hat, cloak, and white staffe pulled from him, so that if by the strength of some about him, he had not beene presently pulled up againe upon his feet, he had undoubtedly been trode to death, and in that posture without hat or cloak, like a notorious malefactour, was he carried by the crowd to Our Counsell-house doore, where the Bishop of Galloway and others of Our Counsell were imprisoned, in great feare, and expecting the Lords returne for their reliefe: Not long after the Provost and Bailiffes came thither to them, told them they had used their utermost power and persuasions with the best, ablest, and of the prime esteeme of all their Citizens for the appeasing of the present tumult, and securing their Lordships persons, but could finde no concurrence nor obedience: Whereupon the Lords resolved to send for some of the Noblemen, and Gentry, and others who were now frequently assembled for assistinge the petition against the Service Book, to try what help they would or could contribute for queting the inraged people, and what assistence they might expect from them in freeing them
them from the present danger: They, being sent for, came to
the Lords and declared unto them how much they were un-
satisfied with the present mutiny, offered their persons and
power for securing them from all violence, which the Lords
in Our Councell-house accepting of, with much ado (being
guarded by them whom the people would not offend) the
Lord Treasurer got to Our Palace at Haly-rud-house, and
the Bishop of Galloway to his lodging: But the Lord Prov-
ost was againe set upon as he was entering his owne house,
and was so pressed upon by the multitude, that they crowded
with him into his owne yard, railing upon him and throw-
ing stones at his windowes, untill some of his servants dis-
charging a Peace which had nothing but powder in it, they
retired for feare: In this tumult none were more forward
and inexorable, then two who were Bailiffes the yeare be-
fore, and who had subscribed the two Letters to the Arch-
bishop of Canterburie.

This mornings storme being a little blowne over, Our
Councell in the afternoone met at Our Palace at Haly-rud-
house, and commanded a Proclamation presently to bee
made at the Cross of Edinburgh; the tenour whereof here
followeth.

At Haly-rud-house the 18. of Octob. 1637.

F orasmuch as a number of the Lords of his Majesties Privie
Councell, as likewise the Towne Councell of Edinburgh, being this
day convened in their severall Judicatories for his Majesties special
affaires and service, they were most rudely interrupted in the course of
their proceedings, by a tumultuous gathering of the promiscuous and
vulgar multitude, by whom his Majesties Councell and servants in an
open way was shamefully environed: Which being a matter verie
discouragefull to his Majesties Authoritie and lawfull Government, and
which in the consequence thereof may produce dangerous effects, if
the like bee not prevented in the time to come; Therefore the Lords of
secret Councell, according to the dutie of their place and charge in-
cumbent unto them, Ordaines a Maijfuar of Councell to passe to the
Mercate
Mercate Crosse of Edinburgh, and there by open Proclamation to discharge all publick gatherings and convocations of his Majesties subjects within the Citie of Edinburgh, and upon the streets thereof: As likewise all private meetings tending to faction and tumult: And in his Majesties name and authority, to command and charge all his Majesties lieges and inhabitants within the said Citie, to containe themselves in peace and quietness; And for that effect to keepe their houses, except when their lawfull business doth otherwise call them, Under all highest paine and charge that by rigour of law can be inflieted upon the contraveners of the premises in manner above expressed.

To this Proclamation so little obedience was yeelded, and they of Edinburgh so farre from conceiving that they had any way misdemeaned themselves by that horrible insurrection, as that the next Councell day they had the impudence to send their Commissioners publiquely to Our Councell Table, and there to require that their Ministers and Reader might be restored to them, and that they might have assurance for the performance of what was promised to them by their Magistrates at this last Rebellion, and before the pacification of it.

From this Relation joyned to the Narration of the first insurrection in the Churches, it is easie to judge whether this their intended glorious Reformation, which, according to their religious intentions and ardent prayers, they say, God, even to a miracle, hath so graciofully prospered in their hands, be like to proceed from God, the first act whereof was begun in the Church, with contempt of God and profanation of the house where his honour dwelleth, and the violation of those persons who serve at his Altar, and the second Act whereof was presented on the streets of the capitall Citie of the Kingdome, with the contempt of the highest Authoritie under God, viz. Us and Our lawes, and offering violence to the persons of Our Councillors and chiefe Officers of State, not forbearing the very houses and places where Our Councell for that Kingdome, and Our Magistrates of that Citie...
Citie doe usually fit, and were then sitting, which places have always been accounted sacred, and have duely challenged all respect and reverence.

And now it is verie observable by what degrees this Rebellion hath rifen, as if it had been before-hand well studied and contrived, everie rank entering upon the Stage in their due turns, in which they served and answered one another: The first tumult was begun by the bailest sort of that Citie, whom the Authors of this seconde insurrection did then, even for that first tumult, condemne by the name of Rascals and scum of the people: This second uproare, farre more seditious and dangerous than the former, was made by the best sort of Citizens, excepting onely the Magistrates and some few others, yet disavowed and disliked (at least in shew) by the Nobility, Gentrie, and the Magistrates of the Citie; but these last Mutiners were not so cryed downe by them as the former, nor did they put such vile names of Rebels and Rascals upon them, nor did they shew any signification of their desire to have them questioned or punished for that tumult, because now the qualitie of these last mutiners persons gave some good countenance to the designes which they themselves had in hand: For these Noblemen, Gentrie, and Magistrates being themselves to performe the third Act of that Tragedie, at the first whereof they had hissed, and seemed to dislike the second, held it not fit to be too severe in condemning of that which it seemes they meant shortly after to act themselves; and in a more dangerous way: For first, their Protestacion against Our Proclamation, and then their Covenant against Us and Our Authoritie, were next to come upon the Stage; which though they were of the same plot and piece with the two other former insurrections, yet because they were to be better acted, and the Actors men of greater eminencie, they hoped their parts should not finde such foule names as the former had found: As if the things being the same, the names of Protestacion or Covenant could alter the nature of insurrection and Rebellion, like those of that bloudie League in France, who hoped that the verie name of the Holie League
League would cause in the world a mistake of their meaning, and palliate their most wicked and unnaturally trea-
tions, for rooting out their lawfull Soveraigne and the true Religion. And now this highest and worst part commeth
next to be related.

After these tumults, there were presented to Our Chancel-
Hour and Counsell, two Petitions, one a verie weak and
childish one, in the name of all the men, women, children,
and servants of Edinburgh, onely against the Service Booke,
another in the name of the Noblemen, Gentrie, Minifters,
Burgeses, against the Service Booke and Booke of Canons:
That to the Lord Chancellor was as followeth.

My Lord Chancellor,

Unto your Lordship humbly shewes, we, men, women, and chil-
dren, and servants, Indwellers within the Burgh of Edinburgh,
That whereas we being urged with this Book of Service, and having
considered the same, We finde many things therein so farre different
from that forme of Gods publicke worship universally received and pro-
fessed within this Kingdom: And we Burgeses, being at our entrie
and admission deeply sworne for the maintenance thereof, that now
makes our hearts to tremble, and our weak consciences will not suffer us
to embrace and practise this urged Service: We have this long time
past, winked at some former alterations, being put in hope that no fur-
ther novations should follow. But now we being oppressed, with our just
fears to see our selves deprived of that libertie in serving God which
ever hath beene approved by Church and Kingdom: In place whereof
we are now like to be constrained to embrace another, which hath neither
been agitated nor received either by generall Assemblie or Parliament:
In such extremity, we are most humbly to supplicate your Lordship
to consider our present estate, and that this business is a matter of
so great weight and consequence as should not appeare to bee a needless
noysse of simple women, but it is the absolute desire of all our hearts
for preservation of true Religion amongst us, which is dearer to us
then either estate or life: And therefore we do humbly crave, that as
the rest of the Kingdom, so we may have a time to advise, and that

your
your Lordship may find out some way whereby we may be delivered from the fear of this and all other innovations of this kind, and have the happiness to enjoy the true Religion, as it hath beene by the great mercie of God reformed in this land, and authorised by his Majestie, who may long and prosperouslie Reigne over us: And your Lordships answer.

Their Petition to the Councell followes.

My Lords of Secret Councell,

Unto your Lordships humbly shew . . .

And yet the blessed Reformers of Religion in England were the very same men who compiled the English Service Book, which the Covenanters have printed and preached to be full of Idolatrie, superstition, and poperie.
book called Canons and Constitutions for the government of the Church of Scotland, they have ordained, that whosoever shall affirm that the form of worship inserted in the Book of Common Prayer and Administration of the Sacraments, whereof heretofore and now we most justly complain, doth contain any thing repugnant to the Scriptures, or are corrupt, superstitious, or unlawful in the service and worship of God, shall be excommunicated, and not be restored but by the Bishop of the place, or Archbishop of the Province, after his repentance and public revocation of this his wicked error; besides one hundred Canons more, many of them tending to the reviving and fostering of abolished superstitions and errors, and to the overthrow of our Church Discipline established by Acts of Parliament, opening a door for what further invention of Religion they please to make, and stopping the way which Law before did allow unto us for suppressing of error and superstition; And ordaining, That where in any of the Canons there is no penalty expressly set down, the punishment shall be arbitrary as the Bishop shall think fittest: All which Canons were never seen nor allowed in any General Assembly, but are imposed contrary to order of law, appointed in this Realm for establishing Constitutions Ecclesiastical, unto which two books, the foresaid Prelates have under trust procured his Majesties Royal hand and Letters Patent, for pressing the same upon his loyal subjects, and are the Contrivers and Devisers of the same, as doth clearly appear by the Frontispiece of the Book of Common Prayer, and have begun to urge the acceptance of the same, not only by inquisitions given in Provincial Assemblies, but also by open Proclamation and charge of Horning, whereby we are driven in such straites as we must either by Proceffe of Excommunication and Horning suffer the ruine of our estates and fortunes, or else by breach of our Covenant with God, and forsaking the way of true Religion, fall under the wrath of God, which unto us is more grievous then death. Wherefore we being perswaded that these their proceedings are contrary to our gracious Soveraign his pious intention, who out of his zeal and Princely care of the preservation of true Religion established in this his ancient Kingdom, hath ratified the same in his Highness Parliament 1633. And so his Majestie to be highly wronged by the said Prelates, who have so farr abused their credit with so good a King, as thus to infringe his subjects, rend our Church, undermine Religion.
in Doctrine, Sacraments, and Discipline, move discontent between the King and his subjects; and, discord between subject and subject, contrary to severall Acts of Parliament: We out of bound duty to God, our King and native Countrey, complain of the foresaid Prelates, humbly craving, that this matter may be put to tryall, and these our parties taken order with according to the laws of the Realm: And that they be not sufferd to sit any more as Judges, untill the cause be tryed and decided according to Justice. And if this shall seeme to bee to you a matter of higher importance: then you will condescend unto, before his Majesty bee acquainted therewith. Then we humbly supplicate that this our grievance and complaint may be fully represented to his Majestie, That from the influence of his Gracious Sovereignty and Justice these wrongs may bee redressed, and we have the happiness to enjoy the Religion, as it hath beene reformed in this Land.

In this Petition it is worthy the observing, first that they complain of the mangling of the English Service Booke, and of the abuses offered unto it, and the wronging of the intentions of the blessed Reformers of Religion here in this Kingdome, whereas in their Sermons & ordinarie discourse, they doe usually inveigh against the Service Booke here, for being stuffed with Superstitition and Poperie, and that the first Reformers of this Church never departed fully from Rome: Next, that in this last Petition they begin to make their grievances dwell, adding their dislike of the Book of Canons to their former distaste of the Service Book, the occasion of Our authorising of which Booke of Canons, was this.

As Wee were desirous to settle one uniforme forme of publike Prayer and Divine Service throughout that Our Kingdom, and for that purpose authorized the Service Book, so We conceived that it was not only expedient, but necessary that there should be one uniforme forme of Church government throughout the same; and because there was no booke extant containing any rules of such government; so that neither the Clergie nor Laity had any certaine rule either of
of the ones power, or of the others practise and obedience, and considering that the Acts of their generall Assemblies were but written, and not printed, and so large and voluminous, as it is impossible that so many copies of them should be transcribed, as that they might come to the use and knowledge of many, and so Apocryphall, as that few or none of themselves could tell which of them were authentical, and so unsafely and uncertainly kept, that they did not know whither to address themselves for finding of them. We could not imagine, but that it should have beene acknowledged, and received with all thankfulnesse, that We had reduced their numerous Acts, and those not knowne to them, to such a paucitie of Canons, and those published, that none could be inflamed through ignorance, nor complain that they were over-charged with the multiplicitie of them. For it may be averred with unquestionable certainty, that not one in that Our Kingdome did either live under the obedience of the Acts of the generall Assemblies, or did know what they were, or where certainly to have them: And yet these men have interpreted Our furthering their knowledge, and facilitating and conveniencing their obedience for one of the most grievous burdens was ever laid upon them: But no wonder it is, if when mens minds are once out of taste with government, nothing tending to order, relisheth well with them.

Their petition was sent up to Us by Our Councell: But We seeing no signe of repentance for, or disavowing of their late tumults, untill some order might be taken for the finding out and punishment of the authors of them, resolved to delay the answering of their petition, but in the meantime commanded Our Councell to signify to all Our good subjects Our averthesse from Poperie, and destilation of Superstition, the contrarie suggestions whereof, We found the heads of this Rebellion had used for abusing Our loyal subjects, and so accordingly Our Councell caused a Proclamation to be made at Lithgow, which was this.
For as much as the King's Majesty, having seen the Petition presented to the Lords of his Majesties privie Councell, and by them sent up to his Majesty concerning the Service Book, determined to have taken the same into his Royall consideration, and to have given his gracious answer thereanent with all convenience: Like as his Majesty by his letters to his Councell of the date of the ninth of October last, did signifie his gracious resolution to the effect aforesaid. But since that time, his Majesty finding (farre contrarie to his expectation) that such disorderly, tumultuous and barbarous insolencies have beene committed within the Citie of Edinburgh upon the eighteenth of October last, to the great contempt of his Majesties Royall authorities, by abusing his Majesties Councillors and Officers of State, with others bearing charge and authoritie under his Majesty within the said Citie: His Majesty in a just resentment of that foule indignity, (wherein his Majesties Honour did so much suffer) hath beene mooved to delay the signification of his Majesties gracious intention, in giving to his subjects such satisfactorie answers to their Petitions as in equity might have been expected from so just and religious a Prince. But yet his Majesty being unwilling that his Loyall and faithfull Subjects should be possessed with groundlesse and uncessarie doubts and feares, His Majesty is pleased out of his goodness to declare, like as by these presents he declareth, That as he abhorreth all Superstition of Popery, so he will be most careful that nothing be allowed within his Majesties Dominions, but that which shall tend to the advancement of the true Religion, as it is presently professed within his most ancient Kingdom of Scotland: And that nothing is or was intended to be done therein against the laudable lawes of this his Majesties native Kingdom. And ordaineth publication to be made hereof in forme as aforesaid.

At this time We sent into Scotland the Earle of Roxburgh Lord privie Sceale, with certaine instructions to Our Councell for ordering these disordered affaires; according to which they appointed the Councell to sit at Dalkeith, being
being not above foure miles from Edinburgh, that so they
might the more easily know what passed in that place, now
become the seat of the Rebellion; and they removed the
Session or Term from Lithgow to Sterlin, a place of 24.
miles distance from Edinburgh, that so the huge, disorder-
ly multitudes there assembled, might be dispersed, by the ne-
cessitie of the attendance of such as had any Law-businesse:
At the same time the Earle of Traquair, Lord Treasurer of
that Kingdome, whom Wee had lent for hither, was re-
turned back with directions from Us: He, with Our Lord
privie Scale & other principal Counsellors, repaired to Ster-
lin, where by Our commandement they caused a Pro-
clamation to be made for the dispersing of the huge and dan-
gerous multitudes there assembled, and the affuring of Our
subjects of Our sinceritie towards the Religion established
in that Our Kingdom: And there first, the Nobilitie, Gentrie,
Ministers, and Burgesses did the same thing which they
themselves called the uproare of Rascalls at the first reading
of the Service Book in the Churches of Edinburgh, and
which they condemned, but in milder terms, by the name
of an unjustifiable act, in that great sedition at Edinburgh
on the eighteenth of October 1637: For by them, first at
Sterlin, then at Lithgow, and last at Edinburgh, was made
the first avowed affront to Us, Our authoritie and Lawes:
For at Sterlin Our Proclamation being made, the Earle of
Hume and the Lord Lindsay, assisted with many others of
all ranks, made a Proteftation against the same, which Pro-
teftation was afterward repeated at Lithgow, and last at
Edinburgh, where, when upon the Croffe, Our Proclama-
tion was made by Our Officers with sound of Trumpets,
and assisted with Our Heralds with Our coats of Armes
upon their backs, it was received, while it was in reading,
with jeering and laughing, and after it was ended with a
Proteftation against it, made by many Earles, Lords, Mini-
sters, and Burgesses, and the conflux of all other sorts of
people, who were all of them so malapert as not to suffer
Our Heralds and Officers to come off the Croffe, but forced
them to stay and hear their Proteftation against Our Pro-
clamation, as if both had been made by the fame authoritie:
And
And if this were not a higher act of Rebellion then either the first tumult raised in the Churches, against which they so much declaimed, or the second insurrection at Edinburgh, which they so much disclaimed, we leave it to the world to judge: The copies both of Our Proclamation and their Protestation we have here inserted, that themselves as well as others may see that we wrong not the truth.

CHARLES by the grace God, King of great Britain, France, and Ireland, defender of the faith, &c. To Our Lotts, &c.

Our Sherifles in that part conjunctly and severally, specially constituted, greeting. For as much as we, out of Our Princely care of maintenance of the true Religion already professed, and for beating downe all Superstition, having ordained a Book of Common prayer to be compiled for the general use and edification of Our subjects within Our ancient Kingdom of Scotland, the same was accordingly done; in the performing whereof, we took great care and paines: So as nothing past therein but what was seen and approved by Us, before the same was either divulged or printed, assuring all Our loving subjects, that not only Our intention is, but even the very Book will be a ready means to maintain the true Religion already professed, and beat out all Superstition; of which we in Our owne time do not doubt but in a faire course to satisfy Our good subjects. But having seen and considered some Petitions and Declarations given in to Our Councell against the said Book and late Canons of the Church, we find Our Royall Authoritie much injured thereby, both in the matter and in the carriage thereof; whereby we conceive these of Our Nobility, Gentrie, Burroughs, Ministers, and others, who kept and assisted these meetings and Convocations for contriving and forming the said Petitions, or who have subscribed the same, to deserve and be liable to Our high censure, both in their persons and fortunes, as having conceived themselves without either Our consent or authoritie; yet because we believe that what they have done herein is out of a preposterous zeal, and not out of any disloyalty or disaffection to Soveraigntie, we are graciously pleased in so farre as concerns
cernes these meetings for consulting or subscribing of these Petitions, or presenting the same to any Judge or Judges in Our said Kingdom, to dispence therewith, and with what may bee their fault or error therein, to all such as upon signification or declaration of Our pleasure shall retire themselves as becoming good and dutifull subjects: To which purpose Our will is, and We charge you straitly, and commands, that incontinent these Letters seene, you passe, and in Our name and authoritie make intimation hereof, to all Our lieges and subjects, by open Proclamation at: all places needfull, wheretrough none pretend ignorance thereof; And therewith also, That you in Our name and authoritie discharge all such convocations and meetings in time coming, under the paine of treason: And also that you command, and charge, and inhibit all Our lieges and subjects, that none of them presume nor take in hand to refer nor repair to Our Burgh of Sterling, nor to no other Burgh, where Our Council and Session sits, till first they declare their cause of coming to our Council, and procure their warrant to that effect. And further, that you command and charge all and sundrie Provosts, Bailiffes, and Magistrates within Burgh, That they and evrie one of them have a speciall care and regard to see this our Royall will and pleasure really and dutifull obeyed in all points; And that no violation thereof be suffered within their bounds, under all highest paine, crime, and offence that they may commit against Us in that behalfe: As also that you command and charge all and sundrie Noblemen, Barons, Ministers and Burrowes, who are not actual indwellers within this Our Burgh, and are not of the number of the Lords of our privie Council and Session, and members thereof, and are already within this Our Burgh, that they, and evrie one of them, remove themselves, and depart and passe forth of Our said Burgh, and returne not againe, without the warrant aforesaid, within sixe houres after the publication hereof, under the said paine of treason. And as concerning any Petitions that hereafter shall be given unto Us, upon this or any other subject, We are likewise pleased to declare, that We will not that Our cares therefrom, so that neither the matter nor forme be prejudicall to Our Regall Authoritie. The which to do We commit to you, conjunctly and severally, Our full power by these Our Letters, delivering the
same by you duly execute and indorsed againe to the bearer. Given under Our signet at Sterling the nineteenth day of February, And of Our Reigne the thirteenth yeere, 1638.

Per actum Secreti Concilii.

Here followeth their Protestation.

For God and the King.

We Noble men, Barons, Ministers, Burrowes, appointed to attend his Majesties answer to our humble Petition and complaint, and to preferre new grievances, and to do what else may lawfully conduce to our humble desires. That whereupon the 23. of September last, wee presented a Supplication to your Lordships, and another upon the 18. of October last, and also a new Bill relative to the former upon the 19. of December last, and did therein humbly remonstrate our just exceptions against the Service Book, and Book of Canons; and also against the Archbishops and Bishops of this Kingdome, as the contrivers, maintainers, and urgers thereof, and against their fitting as our Judges untill the cause be decided; earnestly supplicating withall to be freed and delivered from these and all other innovations of that kinde, introduced against the laudable Lawes of this Kingdome; as that of the High Commission, and other evils particularly mentioned, and generally contained in our foresaid supplications and complaints, and that this our partie delinquent against our Religion and Lawes may be taken order with, and these pressing grievances may be taken order with and redressed according to the Lawes of this Kingdome, as by our said supplications and complaints more largely doth appeare: With the which on the 19. of December last, we gave in a Declinator against the Archbishops and Bishops as our parties, who by consequence could not be our Judges; whereupon your Lordships declared by your Act at Dalkeith the said 19. of December, that you would present our Petitions to his Majesties Royall consideration, and that without prejudice of the Declinator given in by us the said supplicants; whereupon we should be heard at place and time convenient, And in the meaneteime should receive no prejudice, as the said Act in it selfe beareth. And whereas we your Lordships supplicants with
a great deal of patience, and hope also, grounded on sundry promises, were expecting an answer to these our humble desires; and having learned that upon some directions of His Majesty's sent our supplications and complaint unto your Lordships of the Secret Council, your Lordships admits to the consulting and judging anent our supplications, and His Majesty's answered thereunto, the Archbishops and Bishops our direct parties, contrarie to our Declinator first propounded at Dalkeith, and now renewed at Sterling, and * contrarie to your Lordships Acts aforesaid at Dalkeith, and contrarie to our Religion, and Laws, and humble supplications. Therefore left our silence be prejudicial to this so important a cause, as concerns Gods glory and worship, our Religion, Salvation, the Laws and Liberties of this Kingdom, or derogatorie to the former supplications and complaints, or unanswerable to the trust of our Commission; out of our bound dutie to our God, our King and native Country, we are forced to take instruments in Notaries hands, of your Lordships refusal to admit our Declinator, or remove these our Parties, and to protest in manner following: First, That we may have our immediate recourse to our sacred Sovereign, to present our grievances, and in a legal way to prosecute the same before the ordinarie competent Judges, Civill or Ecclesiasticall, without any offence offered by us, or taken by your Lordships. Secondly, We protest that the said Archbishops and Bishops, our Parties complained upon, cannot be reputed or esteemed lawfull Judges to sit in any Judicatorie in this Kingdom, Civill or Ecclesiasticall, upon any of the suppliants, until after lawfull tryall judicially they purge themselves of such crimes as we have already laid to their charge, offering to prove the same whensoever His Sacred Majesty shall please to give us audience. Thirdly, We protest that no Act nor Proclamation to follow thereupon, past, or to be past in Council or out of Council, in presence of the Archbishops and Bishops, whom we have already declined to be our Judges, shall any ways be prejudicial to us the suppliants, our persons, estates, lawful meetings, proceedings, or pursuits. Fourthly, We protest that neither we nor any whose heart the Lord moveth to join with us in these our supplications against the foresaid Innovations, shall incure any danger, in life, lands, or any Politicall or Ecclesiasticall pains, for not observing such Acts, Bookes, Canons, Rites, Judicatories, Proclamations, introduced without or against the Acts of Generall Assemblies, or Acts of Parliament, the Statutes of this Kingdom; But * It is not so for the Council never promis'd that the Bishops should be removed from the Table, but only that they would make us acquainted with their Petition.
that it shall be lawfull to us or them to use our selves in matters of Religion of the external worship of God and Policie of the Church, according to the word of God, and laudable Constitutions of this Church and Kingdome, conforme to His Majesties Declaration the ninth of December last. Fiftly, seeing by the legall and submitte way of our former supplications, all who takes these Innovations to heart, have been kept calme and carried themselves in a quiet manner, in hope of redresse; We protest that if any inconveniencie shall happen to fall out (which we pray the Lord to prevent,) upon the presuming of any of the foresaid Innovations or evils, specially or generally contained in our former supplications and complaints, and upon your Lordships refusal to take order thereon, the same be not imputed to us, who most humbly seeks all things to be reformed by an Order. Sixthly, we protest that these our requests, proceeding from conscience and a due respect to His Majesties honour, doe tend to no other end, but to the preservation of the true reformed Religion, the laws and liberties of this His Majesties most ancient Kingdome, and satisfaction of our most humble desires contained in our supplication and complaint, according to his Majesties accustomed goodness and justice, from which we doe certainly expect that His Sacred Majestie will provide and grant such remedie to our just petitions and complaints, as may be expected from so gracious a King toward most loyal and dutifull subjects, calling for redresse of so pressing grievances, and praying to God that his Majestie may long and prosperously reigne over us.

Againft which Protestation We shall now say nothing, because it is contained & repeated in another larger Protestation of theirs, which shall be inserted hereafter, and there it shall receive a full answer: Onely We desire the Reader to observe these two things in it. Fift, the iniquitie and injustice of their demanding some of our Bishops to be removed from our Councell, nay, and (which We think never was heard before) their protesting against all Acts to be done and passed in our Councell at which any of them shall be present, alledging, that this their Protestation against them, and Declinator of them, maketh them to be parties, and so they cannot be Judges; and withhold they require them fist to be removed.
removed, and then promise they will make proofe of such crimes against them as shall declare the justice of their removal; which is all one as to intreat them first to condemn a man, and then to trie him: And if a Proteftation against their fitting in Councell, and a Declinator of Our Councells authority (neither of them admitted by our Councell) shall make some Councellours to be parties, and invalidate all Acts of Councell so long as these Councellours whom they have fancied to be parties sit there; how their last pretended general Assembly, against which there were so many Proteftations made both by the Bishops and others, and which by all these Protesters was declined as Judge, because the members of it had all made themselves parties, can be counted a lawful general Assembly, or the members of it lawful Judges, We leave it to themselves to reconcile: And if they should say, that these Protestations and Declinators against the Assembly were repelled by the Assembly, who was the sole Judge of them, let them remember, that their Protestation against the Bishops, and their Declinator against Our Councells authority, if they should not eject them, were both of them, likewise repelled and rejected by Our Councell, who was the only true Judge of them, their last pretended Assembly being no true but only a pretended Judge of the others, after the Assembly was dissolved by Our authority. And secondly, We shall desire the Reader to obferve, that their demands in this Protestation are very farre short of those which are made by them in their succeeding Protestations, which swell with farre more bold and insolent demands then this doth; although this be bold and insolent enough: But it is an unusual course with the heads of all Rebellions, to draw in that partie, by whose power they intend to make good their wicked plots, with small things at the first, concealing from them the depth of their intentions, untill they have engaged them so farre, as they can make them believe that there is no safety in retreating, when their crimes are past hope of pardon.

And now after this their first Protestation, begun the most unnatural, caufleffe, and horrible Rebellion that this or perhaps any other age in the world hath been acquainted with:

For
For now these Protesters begin to invest themselves with the supreme Ensignes and Markes of Majestie and Sovereignty, by erecting publike Tables of advice and Councell, for ordering the affaires of the Kingdome, without Our authority, and in contempt of Us and Our Councell established by Us there, and by entring into a Covenant and most wicked Band and combination against all that shall oppose them, not excepting Our owne Person, directly against the law of God, the law of Nations, and the municipall lawes of that Our Kingdome: So that after this their Protestation, they perfected that which they had before begun confusedly, and as it were in a ruder draught: For then, contrarie to Our expresse commandement and authoritie expressed in Our last Proclamations, and repeated unto them by Our Councell, they did erect a great number of Tables (as they called them) in Edinburgh: Four principal, One of the Nobilitie, another of the Gentrie, a third of the Burroughes, a fourth of Ministers, and the Gentrie had manie subordinate Tables, according to their severall Shires: These severall Tables did consult of what they thought fit to bee propounded at the generall Table, which consisteth of severall Commissioners chosen from the other four Tables; and what they of the generall Table resolved on, was to be put in practice with a blinde and Jesuiticall obedience: A rare and unheard forme of Government in a Kingdome whose Government ever was Monarchicall, and which they themselves still say continueth to be so: Sure these meetings by wise men have been accounted rather Stables of unruly horses, broken loose and pulling downe all they can reach, then Tables for the consultations of wise and rationall men. Now the first dung which from these Stables was throwne upon the face of Authoritie and Government, was that lewd Covenant, and seditious Band annexed unto it, which We here subjoine, because We are confident that by the verie recittal and perusal of it, every religious and wise man may run and read that sentence of condemnation which it carrieth in its owne front.
THE
CONFESSION OF FAITH
OF THE KIRK
OF SCOTLAND,
SUBSCRIBED
By the Kings Majestie and his Household in
the yeare of God 1580.
WITH
A Designation of such Acts of Parliament as
are expedient for justifying the union after mentioned;
And Subscribed by the Nobles, Barons, Gentlemen,
Burgesses, Ministers, and Commons, in
the yeare of God 1638.

Josh. 24. 25.
So Joshua made a Covenant with the people the same day, and gave
them an Ordinance and Law in Sichem.

2 King. II. 17.
And Jeboiada made a Covenant between the Lord and the King,
and the people, that they should be the Lords people; likewise
betwene the King and the people.

Isaia 44. 5.
One shall say, I am the Lords: another shall be called by the name
of Jacob: and another shall subscribe with his hand unto the
Lord.

...
The Kings Majesties Charge, to all Commissioners and Ministers within this Realme, in the yeare of God 1580.

Seeing that We and Our Household have Subscribed and given this publike Confession of Our Faith, to the good example of Our subjects, We command and charge all Commissioners and Ministers, to crave the same Confession of their Parochianars, and proceed against the refusers, according to Our Laws and Order of the Kirk, delivering their names and lawful process to the Ministers of Our House, with all haste and diligence, under the paine of fourtie pound to be taken from their stipend, that We, with the advice of Our Councell, may take order with such proud contemners of God and Our Lawes.

Subscribed with Our Hand at Haly-rud-house, 1580. the 2. day of March, the 14. yeare of Our Reigne.
The Confession of Faith of the Kirke of Scotland.

The confession of Faith, subscribed at first by the Kings Majesty and His Household, in the yeere of God 1580. Thereafter, by Persons of all rankes, in the yeere 1581. by ordinance of the Lords of the Secret Councell, and Acts of the Generall Assembly. Subscribed againe by all sorts of Persons in the yeere 1590. by a new Ordinance of Council, at the desire of the Generall Assembly: With a generall Band for maintenance of the true Religion and the Kings Person. And now subscribed in the yeere 1638. by us, Noblemen, Barons, Gentlemen, Burgesse, Ministers, and Commons under subscribing: Together with our resolution and promises, for the caufes after specified, To maintaine the said true Religion, and the Kings Majestie, according to the Confession forefaid, and Acts of Parliament. The Tenor whereof here followeth.

We All, and every one of us underwritten, Protest, That, after long and due examination of our owne Consciences, in matters of true and false Religion, are now thoroughly resolved of the Truth, by the Word and Spirit of God; and therefore we believe, with our hearts, confesse with our mouths, subscribe with our hands, and constantly affirm before God and the whole World; that this only is the true Christian Faith and Religion, pleasing God, and bringing Salvation to man, which now is by the mercy of God revealed to the world, by the preaching of the blessed Evangel.

And received, beleived, and defended, by many and sundry notable Kirks and Realmes, but chiefly by the Kirk of Scotland, the Kings Majestie, and three Estates of this Realm, as Gods eternall Truth, and onely ground of our Salvation: as more particularly is expressed in the Confession of our Faith, established, and publikely confirmed by sundry Acts of Parliaments, and now of a long time hath been openly professed by the Kings Majestie, and whole body of this Realm, both in Burgh and Land. To the which Confession and forme of Religion, wee willingly agree in our consciences in all points, as unto Gods undoubted Truth and Verity, grounded onely upon his written Word. And therefore, Wee abhorre and detest all contrarie Religion, and Doctrine: But chiefly, all kinde of Papistrie, in general
nerall and particular heads, even as they are now damned and confuted
by the Word of God, and Kirk of Scotland: but in speciall we
detest and refuse the usurped authoritie of that Roman Antichrist, upon
the Scriptures of God, upon the Kirk, the civil Magistrate, and Con-
sciences of men. All his tyrannous laws made upon indifferent things
against our Christian libertie. His erroneous Doctrine, against the
sufficiencie of the written VVord, the perfection of the Law, the office
of Christ and his blessed Evangel. His corrupted Doctrine concerning
originall sinne, our naturall inabilitie and rebellion to Gods Law, our
justification by faith onely, our imperfect sanctification and obedience
to the Law, the nature, number, and use of the holy Sacraments. His
five bastard Sacraments, with all his Rites, Ceremonies, and false
Doctrine, added to the ministration of the true Sacraments without the
VVord of God. His cruel judgement against Infants, departing with-
out the Sacrament: his absolute necessitie of Baptisme: his blasphemous
opinion of Transubstantiation, or reall presence of Christs body in the
Elements, and receiving of the same by the wicked, or bodies of men. His
dispensations with solemn oaths, perjuries, and degrees of Marriage for-
bidden in the VVord: his crueltie against the innocent divorced: his di-
vellish Mass: his blasphemous Priesthood: his profane Sacrifice for the
sins of the dead and the quick: his Canonization of men, calling uponAn-
gels or Saints departed, worshipping of Imagery, Relicks, and Crosses, de-
dicating of Kirks, Altars, Daises, Vowes to creatures: his Purgatori,
prayers for the dead, praying or speaking in a strange language, with his
Processions and blasphemous Letanies, and multitude of Advocates or Me-
diators: his manifold Orders, Auricular Confeffion: his defperate and un-
certaine repentance: his generall and doubtsome faith: his satisfactions of
men for their sins: his justification by works, opus operatum, works of
supererogation, Merits, Pardons, Peregrinations, and Stations: his holy
VVater, baptifing of Bell, conjuring of Spirits, crossing, anointing, anoin-
ting, conjuring, ballowing of Gods good creatures, with the superficies
opinion joined therewith: his worldly Monarchy, and wicked Hierarchic:
his three solemnse Vowes, with all his Shavelings of sundry forts: his erro-
neous and bloudie decrees made at Trent, with all the subscribers and
approvers of that cruell and bloudie Band, conjured against the Kirk of
God: and finally, we detest all his vain Allegories, Rites, Signs, and Tra-
ditions, brought in the Kirk, without or against the VVord of God, and

Doctrine
Doctrine of this true reformed Kirk, to the which we joyne our selves willingly, in Doctrine, Faith, Religion, Discipline, and use of the Holy Sacraments, as lively members of the same, in Christ our Head: promising, and swearing by the Great Name of the Lord our God, that we shall continue in the obedience of the Doctrine and Discipline of this Kirk, and shall defend the same according to our vocation and power, all the days of our lives; under the paines contained in the Law, and danger both of body and soule in the day of Gods fearfull Judgement: and seeing that many are stirred up by Satan and that Romane Antichrist to promise, swear, subscribe, and for a time use the Holy Sacraments in the Kirk deceitfully, against their owne conscience,minding thereby first, under the external cloak of Religion, to corrupt and subvert secretly Gods true Religion within the Kirk, and afterward, when time may serve, to become open enemies and persecuters of the same, under vaine hope of the Popes dispensation, devising against the Word of God, to his greater confusion, and their double condemnation in the day of the Lord Jesus.

We therefore, willing to take away all suspicion of hypocristie, and of such double dealing with God and his Kirk, Protest, and call The Searcher of all hearts for witnesse, that our minds and hearts do fully agree with this our Confession, Promise, Oath and Subscription; so that we are not moved for any worldly respect, but are persuaded only in our Conscience through the knowledge and love of Gods true Religion, printed in our hearts by the holy Spirit, as we shall answer to Him in the day when the secrets of all hearts shall be disclosed. And because we perceive that the quietness and stability of our Religion and Kirk both depend upon the safety and good behaviour of the Kings Majestie, as upon a comfortable instrument of Gods mercy granted to this Countrey for the maintaining of His Kirk and ministration of Justice amongst us, we protest and promise with our hearts under the same Oath, Hand-writ, and paines, that we shall defend His Person and Authority, with our goods, bodies, and lives, in the defence of Christ his Evangel, Liberties of our Countrey, ministration of Justice, and punishment of iniquity, against all enemies within this Realme, or without, as we desire our God to be a strong and mercifull Defender to us in the day of our death, and comming of our Lord Jesus Christ;
Christ: To whom, with the Father, and the Holy Spirit, be all honour and glory eternally.

greatly abused, and ordaineth the homebringers of them to be punished, Act.25. Parl.11. K. James 6. do condemn the monuments and dregs of bygane Idolatrie, as going to Crosses, observing the Festivall dayes of Saints, and such other superstitious and Papistical Rites, to the dishonour of God, contempt of true Religion, and fostering of great error among the people, and ordaineth the users of them to be punished for the second fault as Idolaters, Act.104. Parl.7. K. James 6.

Like as many Acts of Parliament are conceived for maintenance of Gods true and Christian Religion, and the purifying thereof in Doctrine and Sacraments of the true Church of God, the libertie and freemome thereof, in her Nationall, Synodall Assemblies, Presbyteries, Sessions, Policie, Discipline and Jurisdiction thereof, as that puritty of Religion and libertie of the Church was used, professed, exercised, preached, and confessed according to the reformation of Religion in this Realm. As for instance, Act.99. Parl.7. Act.23. Parl.11. Act.114. Parl.12. Act.160. Parl.13. K. James 6. ratified by Act.4. K. Charles. So that Act.6. Parl.1. and Act.68. Parl.6. of K. James 6. in the yeare of God 1579. declares the Ministers of the blessed Evangel, whom God of his mercie had raised up, or hereafter should raise, agreeing with them that then lived in Doctrine and administration of the Sacraments, and the people that profess Christ, as he was then offered in the Evangel, and doth communicate with the holy Sacraments (as in the reformed Kirkes of this Realme they were presently administrate) according to the Confession of Faith, to be the true and holy kirk of Christ Jesus within this Realme, and decernes and declares all and sundrie, who either gainsayes the VWord of the Evangel, received and approved, as the heads of the Confession of Faith, professed in Parliament in the yeare of God 1560. specified also in the first Parliament of K. James 6. and ratified in this present Parliament, more particularly do specify; or that resuses the administration of the holy Sacraments, as they were then ministrated, to be no members of the said kirk within this Realme, and true Religion presently professed, so long as they keepe themselves so divided from the societie of Christs bodie: And the subsequent Act.69. Parl.6. K. James 6. declares, That there is no other face of kirke, nor other face of Religion, then was presently at that time, by the favoure of God, establisshed within this Realme; which therefore is ever siled Gods true Religion, Christis true Religion, the true and Christian Religion, and a perfect
fect Religion. Which, by manifold Acts of Parliament, all within this
Realme, are bound to profess to subscribe the articles thereof, the Con-
fession of Faith, to recant all doctrine and errors repugnant to any of
the said Articles, Act. 4. and 9. Parl. 1. Act. 45. 46. 47. Parl. 3.
istrates, Sheriffs, &c. on the one part, are ordained to search, apprehend,
Parl. 7. Act. 25. Parl. 11. K. James 6. And that, notwithstanding of
the Kings Majesties licences on the contrary, which are discharged and
declared to be of no force, in so farre as they tend in any wayes to the
prejudice and hinder of the execution of the Acts of Parliament against
on the other part, in the 47. Act. Parl. 3. K. James 6. It is declared and
ordained, seeing the cause of Gods true Religion and his Highnesse
Authority are so joined, as the hurt of the one is common to both; and
that none shall be reputed as loyal and faithful subjects to our Sove-
raigne Lord, or his Authority, but be punishable as rebellers and gain-
standers of the same, who shall not give their Confession, and make their
profession of the said true Religion; and that they who after defection
shall give the Confession of their faith of new, they shall promise to con-
tinue therein in time comming, to maintaine our Sovereigne Lords Au-
thoritie, and at the uttermost of their power to fortifie, assist, and main-
taine the true Preachers and Professours of Christ's Religion, against
whatsoever enemies and gainstanders of the same: and namely, against
all such of whatsoever nation, estate, or degree they be of, that have
joined and bound themselves, or have assisted or assisted, to set forward
and execute the cruel decrees of Trent, contrary to the Preachers and
ture Professours of the Word of God, which is repeated word by word
in the Articles of Pacification at Pearth the 23 of February 1572. ap-
proved by Parliament the last of April 1573. ratified in Parliament
1578. and related, Act. 123. Parl. 12. of K. James 6. With this addition,
That they are bound to resist all treasonable uproares, and hostilities ra-
ised against the true Religion, the Kings Majestie, &c. the true Professours.

Like as all lieges are bound to maintain the K. Majesties Royal Per-
son and authority, the authority of Parliaments, without which neither
any laws or lawful judicatories can be established, Act. 130. Act. 131.
Parl. 8. K. Ja: 6. &c. the subjects liberties, who ought only to live and be gove-

ned
ned by the Kings lawes, the common lawes of this Realm allanerly, Act. 48. Parl. 3. K. James 1. Act. 79. Parl. 6. K. James 4. repeated in Act. 131. Parl. 8. K. James 6. Which, if they be innovated or prejudged, the Commission arent the union of the two kingdoms of Scotland and England, which is the sole Act of the 17. Parl. of K. James, declares, such confusion would ensue, as this Realme could be no more a free Monarchy, because by the fundamental lawes, ancient privileges, offices and liberties of this kingdom, not only the Princely authority of his Majesties royal descent, but in these many ages maintained, but also the peoples securitie of their lands, livings, rights, offices, liberties and dignities preserved; and therefore for the preservation of the said true Religion, Lawes, and Liberties of this kingdom, it is statuted by Act. 8. Parl. 1. repeated in Act. 99. Parl. 7. ratified in Act. 23. Parl. 11. and 114. Act. of K. James 6. and 4. Act. of K. Charles. That all kings and Princes at their Coronation and reception of their Princely authoritie, shall make their faithful promise by their solemn oath in the presence of the eartall God, that enduring the whole time of their lives, they shall serve the same eartall God, to the uttermost of their power, according as he hath required in his most holy VVord, contained in the old and new Testaments. And according to the same VVord, shall maintain the true Religion of Christ Jesus, the preaching of his holy VVord, the due and right ministration of the Sacraments, now received and preached within this Realme (according to the Confession of Faith immediately preceding) and shall abolish and gainsay all false Religion, contrarie to the same, and shall rule the people committed to their charge, according to the will and command of God revealed in his foresaid VVord, and according to the lawable lawes and constitutions received in this Realme, no waies repugnant to the said will of the eartall God, and shall procure, to the uttermost of their power, to the kirk of God, and whole Christian people, true and perfit peace in all time coming; and that they shall all be carefull to root out of their Empire all Hereticks, and enemies to the true worship of God, who shall be convicted by the true kirk of God of the foresaid crimes, which was also observed by his Majesty at his Coronation in Edinburgh 1633. as may be seen in the order of the Coronation.

In obedience to the commandement of God, conform to the practice of the godly in former times, and according to the laudable example of our worthy and religious Progenitors, and of many yet living amongst us, which was warranted also by Act of Council, commanding a general
Band to bee made and subscribed by his Majesties subjects of all ranks, for two causes: One was, for defending the true Religion, as it was then reformed, and is expressed in the Confession of Faith above written, and a former large Confession established by sundrie acts of lawfull Generall Assemblies, and of Parliament, unto which it hath relation set downe in publicke Cathchisms, and which had beeene for many yeeres with a blessing from heaven, preached, and professed in this Kirk and Kingdome, as Gods undoubted truth, grounded only upon his written Word: The other cause was, for maintaining the Kings Majestie his Person and Estate; the true Worship of God, and the Kings authoritie being so straightly joyned, as that they had the same friends and common enemies, and did stand and fall together. And finally, being convinced in our minds, and confessing with our mouthes, that the present and succeeding generations in this Land, are bound to keep the forefaid nationall Oath and subscription inviolable, We Noblemen, Barons, Gentlemen Burgesses, Ministers, and Commons under subscribing, considering divers times before, and especially at this time, the danger of the true reformed Religion, of the Kings honour, and of the publicke peace of the Kingdome, by the manifold innovations and evils generally contained and particularly mentioned in our late supplications, complaints, and protestations, doe hereby professe, and before God, his Angels, and the World solemnly declare, That, with our whole hearts wee agree and resolve all the daies of our life constantly to adhere unto, and to defend the forefaid true Religion, and forbearing the practice of all novations, already introduced in the matters of the worship of God, or approbation of the corruptions of the publick Government of the Kirk, or civill places and power of Kirkmen, till they bee tryed and allowed in free Assemblies, and in Parliaments, to labour by all meanes lawfull to recover the purity and libertie of the Gospel, as it was established and professed before the forefaid novations: And because, after due examination, wee plainly perceive, and undoubtedly beleive, that the Innovations and evils contained in our Supplications, Complaints, and Protestations have no warrant of the Word of God, are contrary to the Articles of the forefaid Confessions, to the intention and meaning of the blessed Reformers of Religion in this Land, to the above written Acts of Parliament, and doe sensibly tend to the re-establishing of the Popish Religion and tyranny, and to the subversion and ruine of the true
true Reformed Religion, and of our Liberties, Laws, and Estates. 

We also declare, that the foresaid Confessions are to be interpreted and ought to be understood of the foresaid novations and evils, no less, then if everie one of them had beene expressed in the foresaid Confessions, and that we are obliged to detest and abhorre them amongst other particular heads of Papistry abjured therein. And therefore from the knowledge and conscience of our dutie to God, to our King and Country, without any worldly respect or inducement, so farre as humane infirmity will suffer, wishing a further measure of the grace of God for this effect, We promise and sweare, by the Great Name of the Lord our God, to continue in the Professtion and Obser-
dience of the foresaid Religion: That we shall defend the same, and re-
sist all these contrarie errors and corruptions, according to our vocati-
on, and to the uttermost of that power that God hath put in our hands, all the daies of our life: And in like manner with the same heart, we declare before God and Men, That we have no intention nor desire to at-
tempt any thing that may turne to the dishonour of God, or to the dis-
mination of the Kings Greatnesse and Authoritie: But on the contrarie, we promise and sweare, that we shall, to the uttermost of our power, with our means and lives, stand to the defence of our dread Sovereign, the Kings Majestie, his Person and Authoritie, in the defence and pre-
servation of the foresaid true Religion, Liberties and Laws of the King-
dom; And also to the mutuall defence and assistance, everie one of us of another in the same cause of maintaining the true Religion, and his Majesties Authoritie, with our best conuell, our bodies,meanes, and whole power against all sorts of persons whatsoever. So that, whatsoever shall be done to the least of us for that cause, shall be taken as done to us all in general, and to everie one of us in particular. And that we shall neither directly nor indirectly suffer our selves to be divided or withdrawn by whatsoever suggestion, combination, allurement, or terror, from this blessed and loyall Conjunction, nor shall cast in any let, or impediment that may stay or hinder any such resolution, as by common consent shall be found to conduc for so good ends. But on the contra-
rice, shall by all lawfull means, labour to further and promote the same: and if any such dangerous and divisive motion be made to us by Word or Writ, we, and everie one of us, shall either suppress it, or, if need be, shall incontinent make the same known, that it may bee timously ob-
viated;
viated, neither do we fear the soule aspersions of rebellion, combination, or what else our adversaries from their craft and malice would put upon us, seeing what we do is so well warranted, and ariseth from an unfeigned desire to maintaine the true worship of God, the Majestie of our King, and the peace of the Kingdome, for the common happiness of our selves, and the posteritie. And because we cannot look for a blessing from God upon our proceedings, except with our Profession and Subscription we joyne such a life and conversation, as besemeth Christians, who have renewed their Covenant with God, Wve, therefore faithfully promise, for our selves, our followers, and all others under us, both in publick, in our particular families and personal carriage, to endeavour to keep our selves within the bounds of Christian libertie, and to be good examples to others of all Godliness, Sobriety, and Righteousness, and of everie dutie we owe to God and Man. And that this our Union and Conjunction may be observed without violation, Wve call the living God, the Searcher of our Hearts, to witnesse, who knoweth this to be our sincere Desire, and unfeigned Resolution, as we shall answer to Jesus Christ in the great day, and under the paine of Gods everlasting wrath, and of infamie, and of losse of all honour and respect in this World. Most humbly beseeching the LORD, to strengthen us by his holy Spirit for this end, and to bleffe our desires and proceedings with a happy success, that Religion and Righteousness may flourish in the Land, to the glory of God, the honour of our King, and peace and comfort of us all. In witnesse whereof we have subscribed with our hands all the premisses, &c.

To dispute against this Covenant scholastically, or otherwise then by vindicating Our Royall Authoritie, and the Monarchicall government of that Our ancient Kingdome, is farre beneath Us; and therefore Wve would one by one know, how they can possibly answer these foure questions to the world.

First, by what authoritie they entered into this Covenant, and how they durft presume to exact an Oath from any of Our subjects to it, or any thing else, it being an irrefragable proposition. That no publike Oath can bee administered but by
by a Magistrate, or by one sufficiently deputed by authority to administer it: For it is a badge annexed to Magistracie and Authority, to have power of giving and taking an oath, and therefore they cannot satisfy the world by what Authority or deputation from Authority they did give this oath to, and receive it from Our subjects. They do answer, that though they have no Law for it, yet they have President for this Confeffion of Faith (say they in the title of their Covenant) was subscribed by Our Father of happy memory, and his household in the year 1580, thereafter by persons of all ranks in the yeare 1581, and that by the ordinance of the Lords of the Secret Council, and Acts of the General Assembly: Subscribed againe, by all sorts of persons in the yeare 1590, by a new ordinance of Council at the desire of the General Assembly, with a general band for maintenance of true Religion and the Kings person. Now, was this their Confeffion of Faith, and Covenant annexed, commanded to bee sworne and subscribed by Us, by any order from Our Council, or by any Act of General Assembly? But they will say, that it being once commanded, that commandement is still in force and vigour. That is indeed a good ground or president for Us and Our Council, to command this same oath to be renewed when We shall see cause; but the repetition of it must still be by the same Authoritie by which it was at the first injoynd: Now, the first injunction of this subscription was made by Our Royall Father, in the yeare 1580. the first renewing of it in 1581. was (as they say themselves) by an ordinance of the Lords of the Secret Council; the second renewing of it 1590. was by a new ordinance of Council at the desire of the General Assembly. By which it is plaine, that the judgement of the General Assembly, (which in those daies was at the higheft, and was not wont to derogate from their owne power) was, that this oath could not be renewed, nor any band, but by authority from Our Royall Father and His Council. Again, have they not printed in the frontispiece of this their Covenant Our Royall Father his charge to certain Commissioners, and all Ministers within that Realme, for requiring this oath, with a command to returne to the Ministers of his house.
house, the names and processes of all such as should refuse to take the said oath. Now, did any of all these precede their Covenant? Was Our authority, or the authority of Our Council so much as asked, much less obtained? Were there any Commissioners by Us, or Our Council appointed to receive this oath in the several Shires? Nay, as shall appear afterward in due place, when We, with the advice of Our Council, by Proclamation did command the renewing of that oath, and designed Commissioners throughout the several Shires of the Kingdom for administering of it, did not those, who call themselves of the Table, refuse to swear it themselves, and command that none of the Kingdom should swear it by any authority from Us? And is not this pulling down of Our authority, and setting themselves in Our place? So that if the Reader look upon the title and inscription of their Covenant, he shall finde (as We said) that it carrieth the overthrow of it in its owne front.

Secondly, say they had power to command the new taking of this oath, (as they had not,) yet what power can be pretended for their interpretation of it? It being a received Maxime, That no less authority can interpret a Law or Refrapt, than that which made it, or those, whom they who made it have constituted Judges to give judgement and sentence according to the true meaning of it. This oath then being first framed and urged by our Royall Father, with the advice of his Council, can it be interpreted by any but by Us, and His and Our successors? And have either We or Our Council given any such interpretation? Nay, can any man, though in authority, induced with Religion or reason, with any conscience or honestie, give not onely so false, but so ridiculous and absurd an interpretation of that Confession of faith, as those of the Table have given? For they have declared, That this Confession is to be interpreted, and ought to be understood, of all the pretended Novations, no lesse then if everie one of them had beene expressed in the said Confession. Had they said that they themselves did prohibite these pretended novations, as other points of Popery in that confession abjured, the words had then carri
ried some sense, as intimating that they themselves did now think that they did tend to Popery: But that they should force any man to swear that the framers of that Confession at the first did so, they being all dead, & so never were asked, nor can be asked the question, or that they should make men living swear what was the minde of the dead, concerning the five Articles of Peart, the Service Book, the Book of Canons, the high Commission, things of which in their lives they never heard, nor perhaps did ever imagine the introduction of them, (they in that Confession abjuring all those Romish corruptions, which in their time had infected the Church,) is such a profane and foolish interpretation, that one would wonder how any one that either hath the knowledge, or maketh conscience of an oath, can either himselfe take, or desire others to take an oath so false and foolish as this: And therefore, with more wit, then honesty, where they met with no scrupulous people, they suffered them to swallow down that wicked gloss which corrupteth the verie text of the Confession: But where multitudes, especially of the Minifters, (who at their admissions had sworn obedience to, and practice of these points which they call innovations,) quarrelled at this their interpretation, they assured them, that it would breed a great division if they should desire but the least alteration of the words in which their Covenant was conceived, but yet that they might verie well swear all, with a reservation of not abjuring Episcopacie, the five Articles of Peart, or any thing establisht by Acts of Parliament and Generall Assemblie: With which Protestation and reservation, and not otherwise, many, especially of the Minifters, did swear their Covenant, as they themselves do well know: which was such a notable piece of Jesuitical equivocation on their parts, who exacted this oath, and contrarie to the verie letter and grammatical sense of the oath itselfe, especially in that part of it, which containeth their interpretation of the Confession, as the like hath scarcely beene heard.

Thirdly, where was it ever heard: that men, pretending for
for a ground of their proceedings, the president of a former Confession and band annexed, did dare to adde any thing to the text of that Confession and band upon which they meant to build their actions? But these men have taken upon them, not onely without authoritie to make an interpretation of that Confession, but flatly against Authoritie, to adde to the very text of the band of maintenance: For whereas the band annexed to the former Confession was made in defence of Us, Our Authoritie and Person, with their fortunes, bodies and lives, in defence of the Gospel of Christ, and liberties of that Our Kingdome, &c. they have added a mutuall defence of one another; So that the band, which was at the first made against those subjects who went about to correspond with forreiners for the subversion of Our Religion and Kingdome, is now made against all persons whatsoever, who shall oppose them in their courses. That band which was made in defence of Our person and authoritie, against all treason at home and invasion from abroad, is now principally made against Us, if We shall oppose their courses, and next, against all such of Our loyall subjects as shall adhere to Us in defence of Our person and authoritie: For these words, against all persons whatsoever, not excepting Us, shewes their bad meaning too well. Now, whether Our Royall Father in the first band, by defence of His person and authoritie, meant maintenance against Us His successor, Our person and authoritie (for they urge the intention of the first Confession and band as a warrant for this new one of theirs,) or whether the words of the Emperour, or any Monarch, or any other Law-giver, in any of their Lawes or Rescripts, can bee taken in any tolerable construction against the Crowne and Dignitie of themselves and succesors; Or how these new Covenanters can with the same breath blow both hot and cold, with the same hand both strike and stroake Us, in one sentence swearing to defend Our person and authoritie, and yet, in the next swearing to defend one another against all persons whatsoever, not excepting Us, if not principally intending Us, We leave it to the world to consider.
Fourthly, what shew of defence can these men make, to save themselves from being punished with all rigour, as movers of sedition, and disturbers of the publick peace and quietness of the Kingdom, since the Act of the tenth Parliament of James the first, Act. 12. and the 75. Act of the ninth Parliament of Queen Marie, to which the Act last mentioned relateth, have declared all leagues of subjects amongst themselves, without the privitie and approbation of the King, to be sedition, and the Authors and Abettors of them to be punished as movers of sedition?

The tenth Parliament of James the sixth, Act. 12.

Forasmuch as there was an Act made in the Regiment of Mary, late Queen dowager, and Regent of this Realme, Our Soveraigne Lords' grandmother of worthy memory, concerning leagues and bands, as being thought, against all law and obedience of subjects towards their Princes; The not observation of which Act since the making, hath given occasion of many troubles which have occurred since: Wherefore Our Soveraigne Lord, with the advice of His three Estates, convened in this present Parliament, ratified, approveth, and for His successors perpetually confirmeth the said Act of Parliament, and ordaineth the same to have full effect and execution in all time to come: And also of new, with the advice of His said three Estates, dischargeth and annulleth all leagues and bands made between His lieges and subjects at any time by past preceding the date hereof: And statuteth and ordaineth, that in time to come no leagues nor bands be made amongst His subjects of any degree, upon whatsoever colour or pretence, without His Highness or His successors privitie and consent had and obtained thereunto; under the paine of being held and executed as movers of sedition and unquietness, to the breach and trouble of the publick peace of the Realme, and to be cited and pursuued therefore with all rigour to the example of others.

The ninth Parliament of Queen Marie, Act. 75.

It is statuted and ordained by the Queenes Majestie, and three Estates in Parliament, That no manner of person or persons of whatsoever
foever qualitie, estate, condition, or degree, lieges of this Realme, attempt to doe or raise any bands of men of warre, on horse or foot, with Culverings, Pistols, Pikes, Spears, Jacks, Splents, Steel-bonnets, white harness, or other warre-like munition whatsoever, for daily, weekly, or monethly wages in any time to come, without speciall licence in writing had and obtained of Our Soveraigne Lady and her succeffours, under the paine of death, to be executed upon the raisers of the said bands, as also upon them that doe conven and rise in bands.

Now Our consent to their Covenant was not onely never granted, but never so much as once asked.

When they have satisfied these important questions and considerations, which are obvious to all men who are acquainted with Lawes and Government, then let them be-thinke themselves how they will anfwer; not onely to all Divines abroad who are not Jesuited, but even to their own Universities at home in that Our Kingdome, in the case of conscience, how any Oath, much leffe such an unlawfull Oath as this, can be administered to any Prince his subjects, without his consent or authoritie. There are but two Universities in Scotland which conferre all Degrees, S. Andrews and Aberdene; both these, upon the first comming abroad of this their Covenant and Oath, did oppose it, and severally set forth, sent abroad and dispersed in writing, those excellent and unanswerable Reasons against it, which Wee have seen and have, but which the Covenanters did never answer. Besides the Divines of Aberdene set out in print their Queries to the three Ministers, sent thither from their Table to perswade their Covenant, which how poorely and pitifull they anfwered, and so againe, how they anfwered the same mens Duplies, as miserably as their former Queries, We leave to the judgement of Schollers, to whom these three Ministers weakened in their anfwers hath made them sufficiently ridiculous. There is likewise an Universitie in Glascow, which because it hath but one Colledge, and hath not of late conferred any Degree above that of Master of Arts, is called the Colledge of Glascow. They of that Colledge were ve-
rie backward to come into their Covenant, until they were extremely threatened; and when they came in, they permitted such interpretations and limitations, as were destructive of the verie foundation of it; some of the Regents never came in at all. In the Colledge of Edinburgh, where there are but foure Regents, how two of them, for not subscribing their Covenant, were expelled from their places, is notoriously knowne. Now one would thinke, that in any Kingdom the judgement of the learned Professors in Universities and Colledges, in a point of conscience, should weigh downe the groundlesse opinions of their Tables, consisting of Noblemen, Gentlemen, Ministers and Tradesmen.

But leaving the many unanswerable reasons which may be brought against this their Covenant, Wee shall desire the Reader to obserue three things, which appeared at the verie first comming out of it: First, how in it they swelled farre above all that ever was complained of; either in their tumults or petitions: In their tumults they complained onely of the Service Booke; in their petition exhibited to Our Councell and sent up to Us, they complained of the Service Booke and Booke of Canons; more of their grievances then, Wee knew not: Now in this their Covenant, besides these two, they complain of, and doe abjure, as they make their adherents believe, the five Articles of Pearth, which were establisht by Acts, first of the generall Assembly, and then of Parliament; Then they complain of the high Commission, which ever since the yeare 1609 hath beene quietly establisht and in practice amongst them; Then they complain of Prelats sitting in civill Judicatories; a thing which Wee cannot chuse but wonder at, not only in regard of Our Selfe, whom by this meanes they would robbbe of the benefit of the abilities of any of Our subjects in Our counsels and affaires of State, as if holy Orders did superinduce a disabillitie for civill Wisedome and Prudence; but especially in regard of themselves, because by this strange conceit they contradict, more then they are aware of, their owne false and prodigious opinions: for what incongruitie can they finde in it, for a Bi-
hop to sit at Our Councell Table, where many causes are heard, in which Religion is concerned; or in Our Session, where many Church-men have trialls for their maintenance; when they themselves hold it not onely convenient, but necessarie, and that even jure divino, that Noblemen, Gentlemen, Merchants, Taylors, Sadlers, Shoomakers, and others of most mechanical Trades, shall sit and give sentence in Parochiall Sessions and in Presbyteries, in Causes Ecclesiasticall, and those of the highest nature, even the last and supremest censures of the Church, Excommunication, and depriving of Ministers; nay, that they shall give sentence in the generall Assembly (a Judicatorie which now they hold to be above Our Session, Councell, or Parliament; for they maintaine that the Acts of that Assembly may, in many cases, disannull and derogate from the Acts of the other three) where they doe assume to themselves to determine all questions de Fide, Cultu & Disciplina, of Faith, Worship or Discipline, and in which of late they did assume to themselves power to determine, and, according to their weake and poore power, did determine controversies concerning Predestination, universal Grace, irrefistibilitie of Grace, concurrence of Free-will with Grace, totall or finall falling from Grace, and other such like intricate points, as some men would be loath to live so long untill they could make them understand them.

Secondly, Wee desire the Reader to obserue with what affections this their Covenant was received abroad, both by Protestants and Papists, at the very first publishing of it: By Papists it was received with infinite joy, as hoping that now the time was come in which both Wee and Our Successors might be brought to abhorre and detest that Religion, whose professed Zelots had beene the authors of such an unsufferable Covenant, which could not consist with Monarchie; which appeared to Us most evidently by the advertisements which then were sent up to Us from some of Our Councell of that Kingdome, that the sudden and frequent arrivall of Priests and Jesuites from Dowway and other Seminaries beyond the Seas, was so great, in hope of their welcome to Us because
because of this seditious Covenant, that unless some speedie order were taken for their present discouragement and sending backe, the evil might quickly passe remedie; which moved Us, notwithstanding these present broiles, to take present order for such proceedings against them, as they were forced to retire. With Protestants abroad, it was received with most offensive, scandal and infinite griefe, which appeared unto Us by advertisements from some of Our publique Ministers abroad, who certified Us, that both the Ministers and others of their Consistorie at Charenton, and of other Reformed Churches in France, as also the Professors, Ministers, and Consistorie of Geneva, and of other neighbouring Reformed Churches in those parts, were so scandalized with this prodigious Covenant, as that they were afraid of nothing more then this, that it would bring an indeleble scandal upon the Reformed Churches, and alienate the minds of all the Princes of Christendome from ever entertaining a good thought of their Religion. Of what condition then and fearfull consequence that Covenant is, which bringeth griefe and offence to Our friends, joy and triumph to Our enemies, is evident to all eyes that are opened.

Thirdly, We desire the Reader to consider with what furie and madnessse this Covenant, after it was conceived, was obtruded to all sorts of people: with what threatenings, with what beating, tearing of the clothes, drawing of the bloud, and exposing to thousands of injuries and reproaches, at Edinburgh, Saint Andrews, Glasgow, Lanarick, and many places more, of those Ministers, who out of religious conscience towards God, and loyall carriage towards Us, did either disswade their Parishioners from entering into it, or could not by their intreaties or threatenings be persuad ed to enter into it themselves. No doubt it cannot be a Covenant approved by God, the first bitter and accursed fruits whereof were the many drops of bloud drawne from many of Gods Ministers, which now no doubt doe call for Gods vengeance upon the whole land.

Now, the fire of this seditious Covenant flaming thorough-
throughout all the corners of the Kingdom, and that to such an unexpected height and violence, as it was past both the skill and power of our Councell to quench it. Our Councell resolved to send up unto Us Sir *John Hamilton* our Justice Clerke, one of our Privie Councell, and one of the Lords of our Session, that he might fully acquaint Us with the passages of this Rebellion, and the consequences of it. After our hearing of him many times, and many consultations had with such of our Councell of Scotland as were then here present, and such of our Councell here in England as we thought fit to communicate this business unto, we resolved to send unto that our Kingdom the Marquess of Hamilton with the full power of an High Commissioner, as in other cases our Royall Father and we had many times done in important business concerning that Kingdom; and in the mean time, we dispatched home the said Sir *John Hamilton* to give notice thereof, both that they might carry themselves quietly until our Commissioner his coming, from whom they were to expect our pleasure, with all favour which might consist with Royall authority, as also that they might before our Commissioners going from hence, have time to make us fully acquainted with the uttermost of their grievances, that so accordingly our Commissioner might receive Instructions from us for giving unto them all just satisfaction.

And so we, having here taken into our serious consideration all their Petitions, which we might have justly rejected, because of the insolence of their demeanour, and their tumultuous way of presenting them to our Councell, yet resolved to take the mildest course. We could for calming of these commotions, and therefore we settled upon a way usually practised by our Royall Father in that Kingdom since his coming to the Crowne of England, viz. to establish an High Commissioner, with full power and authority to conclude and determine all such things as should be found for the good, quietness, and peace of that Kingdom, with as full and ample power as other Commissioners had exercised.
exercised in any time of Our Royall Father, and especially at Parliaments. And considering that none, in the consultations which We held for this businesse, had ever shewed himselfe more forward and inclinable to advices and counsels of peace, nor a more zealous Patriot towards his native country, then Our right trustie and well-beloved Cousin and Councillour of both Kingdomes, James Marqueffe of Hamiltoun, &c. Gentleman of Our Bedchamber, and Master of Our Horfe, We made choice of him for Our High Commissioner to that purpose, being perswaded both of his loyalty and fidelitie towards Us, as also of the great acceptance of his person with Our subiects there, in regard of his birth and place, but especially of his singular care of, and love to his country, which they themselves did know he had so piously and affectionately expressed in all his consultations and counsels here with Us: Him therefore We dispatched from hence with full Instructions, according to which he was to receive his Commission under Our great Seale of that Kingdome at his coming thither, which he received and presented to the Lords of Our Councell, frequently assembled at Dalkeith the fixt of June following, the true tenour of which Commission here followeth.

CAROLUS Dei gratiâ Magne Britannie, Francie, &c. Hibernie, Rex, fideique Defensor: Omnibus probis hominibus suis ad quos presentes literæ pervenerint, Salutem. Sciatis nos considerantes magnos in hoc regno nostro Scotia non ita pridem excitatos tumultus, ad quos quidem componendos multiplices regis nostræ voluntatis declarationes promulgavimus, quæ tamen nimorem fse nostrâ effectum hæcitem fortiter sunt: Et unicuerantibus, ex pio erga diutum antiquum regnum nostrum affectum, ut omnia gratiosè stabiliantur & influantur, quod (per absentiam nostram) non aliâ ratione commodius effici potest, quan fideliter aliquo Delegato constituto, cui posteaatem credere possimus tumultus ejusmodi confopiendi, aliique officia praestandi, quæ in bonum & commodum diæti antiqui regni nostri eidem Delegato nostro imperare nobis videtur: Cum fatis comper tum habeamus obsequium, diligentiam, & fidem prædicti nostri confanguinei
On which day the whole body of Our Councell, with all respectfull and dutifull expressions of joy and thankfulnesse of Our fatherly care of that Our Kingdome in these difficult times, acknowledged and received Our said Commission and Commissioner: And Our said Counfel and Counsellor, the Lord Marqueffe of Hamilton, did with all submissive reverence then and there accept the said Commission, promising the uttermost of his endeavours for settling the peace of that Kingdome, so farre as might consift with Our royall Crowne and Dignity, and the Lawes and Liberties of that Our ancient and native Kingdome, as by the Act of Councell dated
dated at Dalkeith the sixt of June 1638. doth more fully appeare: After which acceptance of our Commission, the said Lord Marquess had by Our Councell, and all others, whencesoever he went abroad, all respects, honour and reverence due to Our Commissioner, performed unto him, Our Chancellor carrying Our great Seale before him, Our High Commission before him likewise.

We, having now taken this course which We conceived most agreeable both to the customes of that Kingdom, and most acceptable to them, in regard of the choyce of Our Commissioner, had then assured hopes, that the dangerous distractions of that Kingdom might be happily composed: But these hopes were quickly blasted; for no sooner had the heads of the Covenant notice of these peaceable courses intended by Us, but they flew out, even before our Commissioners arriving there, into farre greater violence then heretofore, increased the frequent meetings of their Tables, subdivided them into several Committees, increased their provision of Armes, made their Pulpits ring with most seditious Sermons, putting the people in feare, that now there was more danger to be expected from the Lord Marquess his comming home, and all peaceable treaties, then ever; and at their Tables concluded upon a paper, consisting of ten Propositions or articles, which they caused immediately before our Commissioners arrivall, with wonderfull expedition, to bee dispersed throughout all the Shires of that Kingdom: which ten Articles, according to the true copie, We have caused to be here inferred.

First, for observing union, it is thought fit, that no answer be made to any of the State men or others, having Commission from the King, concerning the publike businesse, but with common consent and advice according to the Articles of our Covenant against divisive motions; and if any profound motions tending to the breach of our union, it would be told them plainly, we will repute them as unfriends both to us and our cause.

Secondly, for the better method in preparing and holding of matters
matters to be treated of, it is thought fit that there be a Committee chosen, and that some of the Gentrie, Burrowes, and Ministers be present at the meetings with the Noblemen.

Thirdly, It is thought fit, that all who are interested may attend punctually to Dyets and meetings, with the rest of the number appointed for the good of the publike businesse; and, left our adversaries should (upon the frequent attending of the prime Noblemen and Statesmen) take occasion to affirm, that they have power to dispose of their friends in this cause; their attendance would be the more shunned, to shew we will depend upon no man who is of an adverse judgement, or who are about a contrary employment in the matter of our Covenant and conscience.

Fourthly, if there bee any new Proclamation, it is thought fit that it may be obviat and recontriated with a new Protestation, which would be condescended upon, and would conteine our eight last Articles: And that our Protestation may bee backed with good information and reasons, and sent with diligence to the Commissioners to the severall parts of the Kingdom, that they be not deceived nor surprized with Proclamations or suggestions, and that the copie of the Protestation may be given to the Commissioners of Shires and Burghes, to meet the Proclamation in all points needfull.

Fifthly, if the discharge of the Book of Service, and Canons, and limitation of the High Commission be granted; and that upon the Statesmen and Commissioners offer the King will grant all we can crave which is not repugnant to Law, and alleadge that Episcopall power and Articles of Peareth Assemblie are established by Law; It is answered that the abuses of Episcopall government are contrarie to Law, and cenurable by Law, and the Articles of Peareth should bee rightly interpreted, and our desires for the free and yearely exercise of Generall Assemblies, free admission of Ministers without unlawfull Oaths, and rectifying of the Articles of Peareth Assemblie, and that the Prelates boundlesse usurped power, limited according to the caveat of their admission, are all agreeable to Law for the reasons contained in the Articles: And if the Bishops, Statesmen, and others be of a different judgement from the most part of the Church and Kingdom, the General Assemblie and Parliament (who were the Law-makers,) are onely competent Judges for interpreting
preting their owne Acts, whose direction we crave: And although the Law were interpreted as they allege, which is altogether untrue, and contrarie to the grounds and meaning of the Law, yet the bodie of the Kingdome, for whose good the Law was made, may crave the lawfull redresse of the grievances sustained by that Law, and our complaints, supplications, and protestations against the Bishops, depending in processe for clearing the subjects loyalie, and repairing the wrong complained of; cannot bee otherwise lawfully decided, cannot remedie the present evils, nor prevent the like or worse evils in time comming.

Sixthly, it is thought fit, that all who have subscribed the Covenant, be made sensible that they are obliged by their Oath, not to rest satisfied with lesse then the desire of our Articles, which are agreeable to law, conscience, and reason, and without which we will be frustrated of our ends, our adversaries in time will obtaine the establishment of the evils we complain of.

Seventhly, it is thought fit, that the number of the Commissioners be doubled, against the Stateamens and Marquess a down coming, and that all be warned to be readie upon advertisement.

Eighthly, that the report of the subscriptions of the Covenant may bee sent to Edinburgh from all severall parts of the Kingdome.

Ninthly, that things recommended to our former Committee be adverted to, with the best diligence that can be.

Tenthly, it is thought expedient that all the time of the general meeting there be a Fast.

Our Commissioner upon his way to that Kingdom, did meet with advertisements of these strange fears, which the ringleaders of the Covenant (who were afraid of nothing more then that our subjects shoulde receive satisfaction from Us by Our Commissioner) had possed our people with, & the bad entertainment he was like to receive at his comming thither, acquainted Us therewith, but went forward on his journey until he came to Barwick, from whence he sent to his especiall friends and kindred, and to all such Gentlemen of his owne name and others, as were his Vals and Tenants, and hold their lands from him by service
and attendance on him when he shall require it, he recei-
ved answer that all these Obligations were quite disch-}
ged by the Covenanters Table at Edinburgh, who had
absolutely commanded that none, who had subscribed
their Covenant, should go to meet, or give any personall at-
tendance upon Our Commissioner, untill such time as they
should have leave from their Table so to do; and so Our
Commissioner went from Barwrick unattended by these
Noblemen, or by any other of his owne kindred or va-
sals, unlefe such as had not subscribed their Covenant,
(except some few, whose affection exceeded the command
of the Tables); an affront before that time never offered to
any person of his qualitie in that Kingdome: Yet hee was
verie nobly and honourably received, and conducted to
Dalkeith by all Our Councell, most of the Lords of the
Session, who are the Judges of the Law, great troupes
of the Nobilitie and Gентrie, who had not subscribed their
Covenant.

Now, the reasons why their Table had laid this strict
charge, of not conducting Our Commissioner, upon all
their adherents, were these two, as appeared plainely by
the speeches uttered by many of the Covenanters them-
selves: First, that they might not seem to shew the least
respect to any, especially to those of greater rank, who
were disaffected to their Covenant, as was ordered in the
third Article of their ten last mentioned: Secondly, that
they might make triall of their power with their owne
partie, the heads of the Covenant, being perswaded, that
if they could prevaile with their associates for breaking
through the bonds of nature, bloud, confanguinitie, civi-
litie, vassalledge and dependance in pursuance of their Or-
ders, they should not much need to feare that any other ob-
ligations could be able to divert them from obedience to
their dictats.

Our Commissioner, immediately upon his comming to
Dalkeith, (where the Councell assembled for safetie, be-
cause the combustions at Edinburgh increased daily) met
with many discouragements and difficulties. First, We had
sent some small proportion of Armes, and powder to
to be put into Our Castle of Edinburgh, justly doubting the surprisal of it by the Covenanters, who were there assembled in great multitudes, and had of late made great provision of Armes there. No sooner had the ship (in which these Armes with other goods were) cast Anchor in Leith rode, but the Covenanters sent for the Merchant owner of the goods, commanding him to bring the ship into the Harbour, and discharging him from unloading any thing in the ship, especially Armes; until hee had leave from them, as hee would answer the contrarie at his peril, of which Our Lord Treasurer being advertised, provided that night a Boat which landed the Armes and powder, and Carts which presently carried them to Our Palace at Dalkeith, some foure miles distant: How for this the Merchant was used by them, and how they did threaten to come by force and carry away that provision out of Our own house of Dalkeith, is notoriously known. Much about this time Our Commissioner came to Dalkeith, where he was received for his first welcome with the certaine newes of the increase of the peoples rage in Edinburgh, of the Covenanters resolution first to take the Castle, but (upon better advice) of their deserting that purpose, yet falling upon that which was bad enough, for they had begirt the Castle with strong guards, so that no person nor provision could passe to or from it, but by their permission: Besides, they had entred into consulta- tion, whether they should by force take out of Our Palace of Dalkeith that small provision of Armes and powder which was lately carried thither: which counsell they were perswaded by some not to follow, because of the residence of Our Commissioner there at that time; but one thing they resolved upon, that during the abode of Our Commissioner and Counsell there, though but foure miles distant from Edinburgh, they would take no notice of them, send no Petition to them: and howsoever they allowed some of Our Commissioners particular kinsmen and acquaintance to go thither and visit him, yet they would not depute any to speak with him of the businesse for which hee was sent, or of their
complaints and grievances, but resolved not to leave Edinburgh, where they were well enough, so that if hee had anything to deliver to them, hee might come thither, for to him and Our Councell they would not come: And that they might have some colourable pretence with the people for this their insolent behaviour and resolution, it was cast out and rumoured abroad, that if they went to Dalkeith, there was an intention to blow them up with Gun-powder; not that the Authors of that foule and divelish alpersion entertained the least thought of any such feare, but that they might both have a colour for their unmannerly not addressing themselves thither, as also beget in the minds of their ignorant followers a higher indignation against, and jealousie of Our Commissioners and Councell for such a wicked and treacherous plot.

Now, at this verie time when they made all this stirre about that small provision of Armes for Our Castle, which exceeded not two hundred Muskets, and so many Pikes, with some small quantitie of Powder, the Covenanters had two good Ships come home loaded with Armes and Amunition, which they landed openly and avowedly.

All these difficulties and new troubles, augmented daily of purpose since their notice of Our Commissioners journey, put him and Our Councell to such a stand, as they knew not well what resolution to take. The Covenanters force and rage increafed, which they had not power in any proportion to discharge; they could not discover in them the least inclination to peace; they found they would not so much as address themselves towards them, and they did not hold it agreeable with Our honour, or the dignities of those places which they held under Us, nor yet for their saftety to go to them; At last this means was thought on, no doubt by the advice of those of their Table, who scorned to seeme to yeeld or petition for any such thing themselves.

The Citizens of Edinburgh sent certain Commissioners to Our High Commissioner with a supplication, that he would bee pleased to repaire to Our Palace at Haly-rud-houfe, where
where they might more conveniently give demonstration of their affection to his Majesties service, in attending his Graces directions. Our Commissioner after he had acquainted and advised Our Council with this their supplication, by their advice, as willing to take any occasion to enter into the business for which We sent him, returned this answer to the Commissioners of Edinburgh, That if they would undertake to be Masters and Governours of their owne citie, that their citizens would behave themselves as good and dutifull subjects, and take order that the multitudes, now present in their citie, who called themselves Covenanters, should do so too, and that the Guards about Our castle of Edinburgh should be dismissed and dischaged, he would within a day or two, repair to Our Palace at Haly-rud-house, otherwise not: For that he did hold it not agreeable to Our honour, that he Our Commissioner and Council should reside at Our said palace, which is situate at the one end of the citie, when Our castle, seated at the other end of the same should be blocked up with guards: All which, these Commissioners undertook to performe, and by their words desired to approve themselves most loyal subjects, hoping to cleare themselves from many aspersions laid upon them, when his Grace would be pleased to heare and examine their proceedings.

Hereupon Our High Commissioner, according to his promise, did remove himselfe from Dalkeith to Our palace at Haly-rud-house, attended by all Our Council, such of Our Nobilitie, Gentrie, and others, as were affected to Our service, which consisted of a great number: Some two or three miles from Edinburgh he was met with the whole bodie of the Nobilitie and Gentrie of Covenanters then resident at Edinburgh, who were all mounted on horse-back, and consisted of divers thousands; and besides, in a nearer distance from Edinburgh, by the Ministers then resident there, who were all on foot, and consisted of manie hundreds, and so all the way to Our palace was filled with swarmes of people of all sorts and sexes, many of whose exclamations and outcries were
were very sharpe and bitter, fluffed with curlings of Poperie and Bishops, by which it was apparent that the multitude had been made believe that these two were one and the same thing. Our Commissioner when he first met on the way the Lords who call themselves Covenanters, was entreated by them to heare a speech delivered, as he should passe along, by a Miniffer in the name of the rest: But he, remembering the advertisements which he had received of their most seditious Sermons, and knowing by the same advertisements that he who was to deliver this speech was a deprived Minifter, and one of the most seditious in the whole packe, returned answer to the Lords that he would not heare it, justly doubting that it might be stuffed as full of passages against Our authority as their Sermons used to be; and so that speech was omitted: Now, whether these great troupes of Covenanters, both of horse and foot, in a great bodie by themselves, which did not joine at the first with that companie which attended Our Commissioner from Dalkeith, but stayed for him on the way in a farre greater bodie by themselves, was assembled to doe honour to Our Commissioner, or for shewing their owne power and strength, by way of comparison with the companie whom they met, which they farre exceeded, Wee will not determine. But thus Our Commissioner was conducted to Our Palace of Holy-rood-house, where he was received by the Lord Provost, Bailiffes, Magiftrates and citizens of Edinburgh with outward demonstrations of being welcome. And this was all the entertainment which at any time he had from the body of the Covenanters, during the time of his abode in that Kingdom, which whether it were hearty and sincere, or but onely in show, and to shew their owne power, Wee leave it to be judged by the entertainment and respect which afterward he received from them, which will be found to bee just none at all: For during the time of his continuance amongst them, though he found that they gave civill respects to him as Marqueffe of Hamilton, yet his being cloathed with Our authority and commission did much diminish them,
them, as shall appear now in the next place, by those perpetual affronts which they ceased not to offer daily to him and Our Council, in all their proceedings concerning the business for which he was lent.

Our Commissioner now being settled at Our palace, with the assistance of Our Council, he fell presently upon the maine business with the Covenanters, whom he desired to dismiss their great multitudes; which they did, being indeed necessitated thereunto for the ease of their great charge. The two maine Propositions which he offered to their consideration, were these: First, what they should expect from him in Our name for satisfaction to their complaints, and accommodating their grievances: Next, what might be expected from them for returning to their former obedience, especially in renouncing and delivering up their late Covenant. Both which propositions they did receive with so much fleighting and contempt, as that they avowed, no satisfaction from Us should be accepted which contained any particulars, but that they expected, first, a General Assembly of the Church, and then a Parliament, that in these two Judicatories they would represent and discourse their grievances: And no wonder, for in both these they knew that themselves were to be both judges and parties. For the second, they answered, that they could not return to their former obedience, from which they would never acknowledge that they had departed in the least degree, having done no act but that which became good and dutiful subjects: And for their Covenant, that they would rather renounce their Baptism then renounce it, or abate one word or syllable of the literal rigour of it; it being more available and useful unto them, then all the Laws and Acts of Parliament which had beene enacted in that Kingdom since the time of Fergus the first King thereof: And that it was a proposition which though they had now heard, they were resolved never to heare a second time: And accordingly, after Our propositions thus made and rejected, they presently filled the people with such misreports of the intentions and ends of Our Commissioners coming,
comming, as they wrought them to a greater height of fire
then before, as if now their Religion and Lawes were
brought to the stake: For now new Guards were clapt up-
on Our castle of Edinburgh, the Guards and Watches of the
citie multiplied, the Preachers Prayers and Sermons grew to
be so many Libells, and admonitions that they should take
heed of craftie compositions, or yeelding in the least point of
their intended reformation; for if they should abate in any
one thing, it would be thought that they might be mistaken
in all. They presently printed their weake Reasons against
their rendring up of their Covenant, nay, they grew to that
rage, that on the Saturday having knowledge that Our Com-
missioner (attended with Our Councell) was to heare divine
Service and Sermon in Our owne chappell at Our owne pa-
lace the day following being Sunday, they sent him word
that whosoever should read the English Service in Our chap-
pell should never read more, and that there were a thousand
men provided for the disturbance of it; which forced Our
Commissioner that night to reipaire to Dalkeith, being un-
willing to heare Sermon but in Our owne chappell, or there,
without hearing the English Divine Service, it having beene
continually read there by the space of twentie yeares, in the
audience of Our Councell, manie of the Nobilitie, Judges,
and persons of all qualitie, without any interruption or dis-
like: Nay more, they grew to that boldnesse as to write let-
ters to everie one of Our Councell, requiring them to sub-
scribe their Covenant; which Letter sent to everie one of
them severally, but in the same words, here followeth.

May it please your Lordship,

Wee the Ministers of the Gospell, conveened at this so necessarie
a time, doe finde our selves bound to represent, as unto all, so
in speciall unto your Lordship, what comfortable experience we have of
the wonderfull favour of God, upon the renewing of the Confession of
faith and Covenant, what peace and comfort hath filled the hearts of
all Gods people, what resolutions and beginnings of reformation of man-
ers
ners are sensibly perceived in all parts of the kingdom, above any measure that ever we did finde or could have expected, how great glory the Lord hath received thereby, and what confidence we have (if this sunshine be not eclipsed by some sinfull division or defection) that God shall make this a blessed kingdom, to the contentment of the Kings Majestie, and joy of all his good subjects, according as God hath promised in his good Word, and performed to his people in former times; And therefore we are forced from our hearts both to wish and entreat your Lordship to be partaker and promover of this joy and happiness by your subscription, when your Lordship shall think it convenient: And in the mean while, that your Lordship would not be sparing to give a free testimonie to the truth, as a timely and necessary expression of your tender affection to the cause of Christ now calling for helpe at your hands: your Lordships profession of the true Religion as it was reformed in this land, the national oath of this kingdom sundry times sworn and subscribed, abbling us who live at this time; the dutie of a good Patriot, the office and trust of a Privie Councellor, the present employment to have place amongst those that are first acquainted with his Majesties pleasure, the consideration that there is the time of tryall of your Lordships affection to Religion, the respect which your Lordship hath unto your fame both now and hereafter, when things shall be recorded to posteritie, and the remembrance, that not onely the eyes of men and Angels are upon your Lordships carriage, but also that the Lord Jesus is a secret witness now to observe, and shall be an open Judge hereafter to reward and confesse every man before his Father, that confesseth him before men: All of these and each of them, besides your Lordships personall and particular obligations to God, doe call for no lesse at your Lordships hands, in the cause of so great and singular necessity; and we also doe expect so much at this time, according as your Lordship at the houre of death would be free of the terror of God, and be refreshed with the comfortable remembrance of a word spoken in season for Christ Jesus, King of Kings and Lord of Lords.

Our Commissioner in the meane time resolved to publish Our gracious Declaration, for relieving of their grievances, and satisfying Our people in Our forwardnesse for
for the maintenance of the Religion professed in that King-
dom, and Our averfeness from Poperie, which they of the
Covenants Table having notice of, being above all things
afraid, that Our people should receive any satisfaction from
Us, or rest contented with the grace of Our reasonable pro-
fers of favour, did mightily repine at, came to Our Commissi-
ioner, and wished him for Our honour, his owne fafetie,
and peace of the publike, not to make any fuch Declaration,
which undoubtedly would be encountered with a Protesta-
tion, and that in fuch manner as would be displeafing to him,
and make the publishing of that Declaration be found dif-
serviceable unto Us.

Our Commissioner being perplexed with these unexpe-
ceted and dangerous difficulties, resolved by faire proceed-
gings to gaine fo much time, untill he might make Us acquainted
with them, and receive Our answer and instructions con-
cerning them: In his Letters of advice he acquainted Us
with the danger threatened, if he should publish Our Decla-
ration, which though he knew to be full of grace, yet the
heads of the Covenant would never suffer the multitude of
their members to understand it fo: Two things he defired
of Us; One, that in case Wee continued in Our resolution of
publishing Our Declaration, Wee would be pleased to fweet-
ten it with this further favour, as to restore to the citie of E-
dinburgh the fitting of Our Councell, Our Sefion, and all
other Courts of Justice, which he conceived would be very
acceptable to Our Councillors, Judges, to all Advocates, and
all dependents upon the Law, to all Our fubje<5>ts which had
businesse depending in any of these Courts, but moft of all
to the citie of Edinburgh, which complained much of their
being impoverished by abfence of these Courts, and that this
was like to prove a moft probable persuasion for reclai-
mimg them to their former obedience: Next, that We would
be pleased to give him leave to take a journey unto Us, though
he should returne presently, that he might acquaint Us with
the new emergencies of businesses, and such other things as
could not be conveniently expressed in Letters, and so ac-
dingly
To which Letters of advice We did returne by a speciall dispatch this answer; That We would have Our Declaration no longer delayed, but commanded him presently to publish it, because We would not (whatsoever the event should be) have Our people barred the knowledge of Our Gracious intentions and favours towards them, which We did see the leaders of them studied nothing more then to suppress; And that at his intreatie, We were contented that all the Courts of Justice should presently begin to sit againe at Edinburgh for the reasons contained in his Letters, and in hope of reclaiming of that Citie, which otherwise by their misdemeanour had no reason to expect any such favour from Us; And withall, after the dispatch of these two, that We were contented hee should repair to Us, as hee desired, whensoever hee should finde it convenient, taking first order with Our Councell for keeping all things in order untill his returne.

This answer of Ours so soone as Our Commissioner received, he assembled Our Councell, and made them acquainted with it, who were so well satisfied with the bringing back of Our Courts of Justice to Edinburgh, that presently they sent unto Us a Letter of thanks of this tenour.

Most Sacred Soveraigne,

The Marquess of Hamilton, your Majesties Commissioner, having imparted unto us your Majesties gracious pleasure and allowance that the Judicators of the Councell, of Session, and others, should be returned to the Citie of Edinburgh; Thereupon, the Lord Commissioner being present, order was given for publication at the Market Cross of Edinburgh with all solemnities requisite; and that the like publication should be made throughout the whole Kingdom at all publike places: This hath given so great contentment to all your Majesties subjects, that we cannot express with what dutifull respect and heartie
heartie prayers for your Majestie they have embraced this great and undeserved favour: In consideration whereof we conceive our selves bound in dutie to acquaint your Majestie herewith; and withall to render to your Majesties most humble and heartie thanks for this so great grace and goodness, which wee hope shall contribute to the good of your Majesties service, and to establishing the peace of the Country, for which we all your Majesties good subjects shall ever bee most thankfull, and all in dutie bound to pray for your Majesties long and happy Reign.

Holy-rood-house July 2. 1658.

Subscription

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And accordingly Our Commissioner caused Proclamation to be made at the Croffe of Edinburgh, for the first sitting downe of the Session there, the Tuesday following, being the third of July 1658, which was received with such joy by the Judges, Advocates, and all others having relation to the Colledge of Justice, but above all by the Magistrates and Citizens of Edinburgh, that Our Commissioner and Councell did then well hope all mens minds had bee so well prepared to receive the Declaration of Our Grace and favour which was to bee published in the next Proclamation, with an humble and thankfull acknowledgment, which undoubtedly they had done, if they had not beene not onely diverted, but perverted by those men who
who interpreted every satisfaction of Our subjects received from Us, to be a dividing and pulling them away from themselves: And therefore they quickly cast about to finde out some meanes, how this Our speciall favour might not be refented by them, which was this: They assured their followers that there were two of the Lords of Our Session, viz. Sir Robert Spottwood President of the same, and Sir John Hay Our Clerk of Register (answerable to the Master of the Rolles here in England) sworn enemies to their Covenant, well affected to Episcopall government, procurers: and abettors of the pretended Innovations, that unless these two were presently removed from Our Session, there could be no good intended to them by the bringing of it back to Edinburgh, and therefore advised them to lend some of their number to Our Commissioner to desire that these two Our Judges might presently bee removed from that Court; Not that they who put this in their heads, thought that Our Commissioner could yeeld to a request of so high injustice; but because they knew, that hee neither could nor would yeeld unto it, and that therefore by his deniall they should have means to irritate Our people, even to a disgust of that Our Gracious favour, which the day before they had so well relished.

But yet according to their resolution, some of the principall Covenanters of all sorts sent from their Table, had the boldnesse to repaire to Our Commissioner, and to demand of him that which they were sure no just nor honest man could grant, viz. That they could clearly prove bribery and corruptions frequently to have beene used by these Our two Judges, and therefore intreated him to remove them presently from their places of Judicatorie, after which they would intend proceffe, and so legally proceed in the probation of these crimes objected against them: To which their demand Our Commissioner returned this just and modest answer, That sure they could not expect that he either could or should condescend to this their desire, which yeelded unto, did overthrow the verie foundation and maine rule of Justice, viz. That any man should be punished for any crime before he were legally
legally convicted of it, and therefore he advised them to follow the constant course of justice, which was this: If they thought these Judges clearly convincible of these horrible crimes, they should intend first process against them, and then probation of the crimes; of which if they were found guilty, then they needed not doubt but they should be removed from their places, and receive such further condigne punishment as the Lawes of the Kingdome had provided for such notorious criminals; assuring them, that We his Master would be so farre from hindring the course of Justice against any such offenders, as that We would hold it a speciall service done to Us, to bring the iniquitie of Our Judges to publike triall and cenfure, and that he would make Us acquainted with their demands: with which just answer they were resolved to be so unsatisfied, that they replied unto him, that this his deniall would be attended with a great inconvenience to all Our subjects, for they would in that case of deniall make and publish a Protestation, that whatsoever Act, Decree, or Order, the Lords of Our Sesson should make in any cause at which these two Judges, or either of them, were present and gave voice, should be null and void in Law; and that none of Our subjects either should bee bound or would yeeld obedience to them: (Was not this a strange usurpation upon Regall power?) To this Our Commissioner only added, That everie such Protestation must be made before the Lords of the Sesson, who had the power of admitting or repelling it, and therefore for that point hee remitted them to these Lords as the competent Judges of it; which answer of Our Commissioner they presently laboured to have misconstrued by their partie, telling them that there was no hope of any Justice to be had against any man who was an enemie to them and their Covenant.

At the day appointed by the Proclamation, the Sesson sate down, and Our Commissioner in his owne person went to the place, and opened it, with a short speech to the Judges, to this purpose.

That hee was warrant from Us to recall the Sesson againe to Edinburgh; That the chiefe thing that had moved
moved Us therunto, was the sense of the many incommodities which our subjects in general, and the Judges in particular did sustain by the removing of it; That We had required him to desire and command the Judges to grant all reasonable dispatch to our subjects in the administration of Justice, that so some time which was lost, might be regained; That in Our name be required them to be very careful and circumsest, that in these troublesome times no Order nor Decree might pass from them, which might be prejudicial to Our Crown or Service.

Our Judges hereupon returned to Our Commissioner their humble and heartie expressions of all thankfull acknowledgment, for this Our singular favour and grace to themselves and all Our subjects, and with great submission intreated him to return unto Us their humble and heartie acknowledgment.

And here now We desire the Reader to observe, that the Covenanters neither made any such Protestation against the sitting of the two Judges, as they talked of, nor did ever intend any process or probation against them for the crimes objected, though Our Commissioner immediately after his returne from Us, assured them, that We not onely had given them leave, but would thanke them for so doing; which We are confident they would have done, if they had conceived these Judges guiltie, and giveth to Us good assurance that this calumnie against these Judges, was onely cast in by some of their ring-leaders, to marre and interrupt that resentment of Our grace and favour, which they perceived wrought verie much upon many of Our subjects of their partie, for bringing backe again Our Courts of Justice to Our citie of Edinburgh.

The Session thus settled, Our Commissioner resolved to publish by Proclamation the Declaration of Our grace and favour: The principall Covenanters, when they could not dissuade him from it, presently went about, and both by themselves and their seditious Preachers, filled their followers mindes with such fearfull expectations of it, that some dayes before it was published, they filled the streets with multitudes of people, especially neare the Crosse where it was.
was to be proclaimed, and those in hostile equipage divided into ranks, pulling their swords out of their belts, and with pistols, being arms prohibited by Our lawes of that Kingdom, giving out, that if this Our Declaration were hearkened unto, it would bring undoubted ruine to their Religion, lawes and liberties, though the people knew nothing of what was to be delivered in Our Declaration: Some daies they continued in this posture, which made Our Commissioner delay the publishing of it, untill he might hear of more quietness and peace in the streets, of which being advertised, he caused the Proclamation of Our grace and favour solemnly to be made at the Croffe of Edinburgh: No sooner were the trumpets sounded, but there came to the Croffe a mightie confluxe of people, the Covenanters had presently a scaffold erected, on which they mounted with a Protestation readie written in their hands, before Our Proclamation was pronounced: Our Proclamation was thus.

Charles by the grace of God, King of Scotland, England, France and Ireland, Defender of the Faith. To our Lovits

Heralds

Messengers, our Sherifles in that part, conjunctly and severally specially constitute greeting. For saithlike as We are not ignorant of the great disorders, which have happened of late within this Our ancient Kingdom of Scotland, occasioned, as is pretended, upon the introduction of the Service Book, Book of Canons, and High Commission, thereby fearing innovation of Religion and Law: For satisfaction of which fears, We well hoped, that the two Proclamations of the eleventh of December, and nineteenth of February, had been abundantly sufficient: Nevertheless, finding that disorders have daily so increased, that a powerful rather than persuasive way, might have been justly expected from Us; Yet We out of Our innate indulgence to Our people, grieving to see them run themselves so headlong into ruine, are graciously pleased to try, if by a faire way We can reclaine them from their faults, rather then to let them perish in the same. And therefore once for all We have thought fit to declare, and hereby to assure all Our good people, that We neither
were; are nor by the Grace of God ever shall bee stained with Popish superstition: But by the contrary, are resolved to maintain the true Protestant Christian Religion already profest within this Our ancient Kingdom. And for farther clearing of scruples, We do hereby assure all men, that We will neither now nor hereafter press the practice of the foresaid Canons and Service Book, nor any thing of that nature, but in such a faire and legall way, as shall satisfy all Our loving subjects, that We neither intend innovation in Religion or Lawes. And to this effect have given order to discharge all Acts of Council made thereupon. And for the high Commission, We shall so rectifie it with the help of advice of Our privie Council, that it shall never impugne the Lawes, nor bee a just grievance to Our loyall subjects. And what is farther fitting to be agitate in general Assemblies and Parliament, for the good and peace of the Kirk, and peaceable government of the same, in establishing of the Religion presently profest, shall likewise be taken into Our Royall consideration, in a free Assembly and Parliament, which shall be indited and called with Our best conventione. And We hereby take God to witness, that Our true meaning and intention is, not to admit of any innovations either in Religion or Lawes, but carefully to maintain the purity of Religion already profest and established, and no ways to suffer Our Lawes to be infringed. And although We cannot be ignorant, that there may be some disaffected persons who will strive to possesse the hearts of Our good subjects, that this Our gracious declaration is not to be regarded; yet We do expect that the behaviour of all Our good and loyall subjects will be such, as may give testimony of their obedience, and how sensible they are of Our grace and favour, that thus passeth over their misdeemeans, and by their future carriage make appeare, that it was only feare of innovation, that hath caused the disorders which have happened of late within this Our ancient Kingdom. And are confident, that they will not suffer themselves to be seduced, and misled, to misconstrue Us or Our actions, but rest heartily satisfied with Our pious and real intentions; for maintenance of the true Religion and Lawes of this Kingdom. Wherefore We require and heartily wish all Our good people carefully to advert to these dangerous suggestions, and not to permit themselves, blindly under pretext of Religion, to be led in disobedience, and draw on infinitely, to Our grief, their own ruine, which We have, and still shall strive to save them from, so long as We see not royall Au-

thority
thoritie shaken off. And most unwillingly shall make use of that power which God hath endued Us with, for reclaiming of disobedient people.

Our will is herefore, and Wee charge you straightly and command, that incontinent these Our Letters seene, you passe to the market crosse of Our Burgh of Edinburgh, and all other places needfull, and there by open Proclamation make publication hereof to all and sundry Our good subjects, where through none pretend ignorance of the same. The which to do, We commit to you conjunctly and severally Our full power, by these Our Letters, delivering the same by you duly execute and indorsed againe to the Bearer. Given at Our Court of Greenwich the twenty eight day of June, and of Our Reigne the thirteenth yeer. 1638.

Per Regem.

No sooner was it ended, but this their ensuing Protestation against it begun, and was publicly read; which here, according to their printed Copie, We have cauled to be reprinted.

The Protestation of the Noblemen, Barons, Gentlemen, Burrows, Ministers and Commons, &c.

Wc Noblemen, Barons, Gentlemen, Burgesse, Ministers, and Commons, That whereas wee the Kings Majesties true and loyal Subjects, who have ever esteemed it our greatest happiness to live under a religious and righteous King, and our greatest glory to testify our best affections to our gracious Sovereign, have been in His Majesties absence from this His native Kingdome heavily pressed for a long time past, and especially of late, with diverse innovations, which both in themselves and in the way wherein they have been urged, doe manifestly tend to the prejudice of the Kings honour, and of our Religion, Laws and Liberties, And by which we were brought to such extremity, that there was no way left betwixt the rock of excommunication, and the high paine of rebellion on the one part, and the desperate danger of forsaking the way of true Religion and the breach of our Covenant with
with God on the other, but to represent our cause, and present our supplications to the Lords of secret Council, that being equally pondered by them, they might either be answer'd by themselves, or by their recommendation might ascend to his Majesties owne consideration: And therefore in all humble manner we did to this effect supplicate their Lords: we were most willing (for the modest following of our supplications) to obey their direction in choosing Commissioners, for the great number of suppliants, who flocked together from all quarters of the Kingdom; were careful to order our selves in all Christian and quiet carriage, and, against the tediousness of many and long delays, did wait for a long time with very great patience, till at last they were pleased to receive our supplications, complaints and bills: And conceiving them to contain weightier matters then could by themselves bee determined, they did promise and undertake to represent and recommend the same, according to their more then ordinary importance, into his Majesties Royall consideration, and to report his Majesties answer.

While his Majesties good Subjects of all ranks, throughout the whole Kingdom, had their minds wakened and their hearts filled with the expectation of a gracious and satisfactory answer, worthy of his Majesties pious and equitable disposition, in the month of February last incontinent a rumour flyeth through the Countrie, and filleth all eares, That the Lords of his Majesties secret Council were commanded to make such a Proclamation concerning the Service Booke, Booke of Canons, and the peaceable meetings of his Majesties good Subjects in time comming, as we were perswaded to have beene procured by the secret working, and malignant misinformation of our adversaries, seeking for their owne private ends, without respect to his Majesties honour, and welfare of this Kirk and Kingdom, to stop the course of our legall proceedings, and to escape their owne due censure: And therefore intending to make knowne to the Lords of secret Council what was voiced concerning the Proclamation, bow for the whole Kingdom had been by some sordid mis-information frustrate of their hopes, and their constant desire to have some course taken by their Lords: advice, bow his Majestie being further informed, might deliver his good Subjects from so great grievances and feares, and establish a sure peace in this Countrie for time to come; we found our selves tyed
by order of Law to decline those against whom we had made our complaint, unless we would admit our parties to be our Judges: And in case our Declinator should not be accepted, we behoved to protest, that we might have immediate recourse to the King himself &c.

Thereafter in the Moneth of March finding that by the foresaid Proclamation the innovations supplicated against were approved, our lawful proceedings condemned, our most necessary meetings prohibited, there being no other way left unto us; wee were necessitiate to renew the nationall Covenant of this Kirk and Kingdome, thereby to reconcile us to God, provoked to wrath against us, by the breach of his Covenant within this Land, to clear our Sovereigns mind from all jealousies and suspicions, arising from our adversaries mis-information of our intentions and carriage; and so to make way for his acceptance of our humble supplications; and grant of their lawfull remedies, to guard this Land in defence of Religion, Authority and liberty against inward divisions, and external violences. And that our actions might be answerable to our holy profession, we afterward drew up an humble supplication, containing our grievances, and desires of the ordinary remedies thereof, to have beene delivered to the King himselfe: In the mean time we were directed by those who were intrusted by his Majesty, to attend his Declaration here in Scotland, which would free us of all feares of innovations of Religion, and prove satisfactorie: And left for want of true information of our just grievances and desires it should fall out otherwise, wee expressed to them, with the greatest modestie we could, our desires in some few Articles, and with great patience have attended his Majesties pleasure thereon: And all this moneth by one being frequently convened to heare the same delivered by his Majesties Commissioner, the right Noble and potent Lord James Marquess of Hamilton, &c. we presented a new petition to his Grace as his Majesties Commissioner, craving most humbly the indiction of a free Assembly and Parliament, as the onely remedies thereof: Likewise finding a mis-information or mistake of our Covenant with God, as if it had bee an unlawfull combination to bee the maine hinderance of obtaining our desires, in a new supplication, we have fully removed that impediment, renewed our desires of those supreme judicators, to bee indiciated with diligence, for settling of the Kirk and Kingdome: But being answered only with
with delays after these nine Moneths attendance; and with this Proclamation that contained his Majesties gracious declaration of his pious intentions, not to admet of any innovations in Religion or Law, nor any stature of Popish Superstition, but on the contrary to be resolved to maintaine the true Christian Religion professed in this Kingdome, which we were ever so far from calling in question, as in our supplications, complaints and bills, we used the same as one cause of our desires, one ground of our confidence of a gracious answer, and argument of our adversaries malignant misinformations of so religious a King. And now most humbly (with bended knees and bowed hearts) thank our gracious Sovereigne for the same, Wishing and praying the Lord of heaven, truly and fully to informe his Majestie how far these bookes, judicatories, and all our other evils and grievances are full of idolatrous superstitions, and Popish errors, How destructive of the reformation of Religion in this Land, and of the Laws and Liberties of this Church and Kingdome, and so directly contrary to this his Majesties pious intention and Declaration.

Yet seeing that no Proclamation could sufficiently remove the present evils, nor settle our feares, nor secure us from the re-enterie of any evill or Innovation, which it seemed to discharge or prevent the like in time coming, nor satisfie our humble supplications, craving the present indiction of a free Assembly and Parliament, as the onely remedies of our evils, and means to prevent the like: And seeing this Proclamation doth not so much as make mention, or acknowledge any of our supplications, complaints and grievances, or any just cause thereof, except under the name of great increase of disorders, faults, and misuse, much more, but only our feares of some future Innovation of Religion or Laws, occasioned only (as is pretended) by the introduction of the Service Book, Book of Canons, and High Commission, which feares his Majestie hoped to have beene abundantly and sufficiently satisfied by his two former Proclamations of the ninth of December, and nineteenth of February. And by this his present Declaration, except his subjects bee blindely (under pretence of Religion) led into disobedience. Both misken, passe over, and so in effect deny all our supplications, bills, articles, and desires, especially our complaints against the Prelates our parties. And, that once for all, in a faire and perswasive way, even after the refusall of our last supplication, clearing
clearing us from the calumnie of unlawfull combination; Doth not disallow nor discharge any of the innovations and evils complained upon, but only assureth that his Majesty will not press their practice, but in such a faire and legall way, as shall satisfie his subjects of his intention; which (joynd with the other clause, allowing and confirming the Proclamation the nineteenth of February) evidenceth the liberty left to any Prelate or persons to practise the same, and by all other faire waires to perswade others thereunto; and his Majesties resolution to press their practice in a faire and legall way: And also confirmeth the former Declaration, That the Service Boke is a ready meanes to maintaine the true Religion already professed, and to beat out all Superstition and no waires to be contrary to the Lawes of this Kingdome, but to be compiled and approved for the univerfal use and edification of all his Majesties subjects; Doth not abolish, but promiseth to reftifie the High Commission, with advice of his Privie Councell, implying the Kings power, with consent of the Councell, to establifh this or any judicatory within this Kingdome, without consent of the three Estates conveened in Parliament, contrary to the fundamentall and express Lawes thereof; and by consequent with the like reason, to establifh Lawes and Service Bookes, without consent of the Assembly and Parliament; Which is contrary to the maine ground of all our supplications, against the manner of their introduction; Doth only promise to take into his consideration in an Assembly and Parliament, which shall be called at his best convenience, while as the evident and urgent necessity for settling the combustions threatening the total dissolution and defolation of this Church and State, excuseth our unceafant and importune calling for these present remedies; Doth intimate the continuance and execution of any pretended Lawes for these innovations of worship, and corruptions of Church government, and civill places of Church-men, which by our Covenant wee have obliged our selves to forbear; and the re-establifhment of these evils in an Assembly and Parliament, which he will call in his best convenience, to wit, for that and this other end of satisfying his subjects judgements anent the Service Boke and Booke of Canons; Doth condempt all our former proceedings, even our supplicating, complaining, protesting, subscribing of our Covenant together, and our continuall meeings, as great disorders, increase of disorders, deserving justly a powerfull
powerful rather then a perswasive way, a running headlong into ruin, a perishing in our faults a blind disobedience under pretext of Religion, and doth threaten & denounce, Now once for all, If we be not heartily satisfied, and give testimony of our obedience after this Declaration, but continue, as by our former proceedings, to draw on our own ruin, that albeit unwillingly, he must make use of that power which God hath induced him with, for reclaiming of so disobedient people.

Therefore we, in our own name, and in name of all who will address to the Confession of Faith, and reformation of Religion with in this Land, are forced and compelled, out of our bound duty to God, our King, native Country, our selves and our posterity, (lest our silence should be prejudicial to so important a cause, as concerns Gods glory and worship, our Religion and salvation, the Laws and Liberties of this Church and Kingdom, or derogatory to our former supplications, complaints, protestations, Articles and proceedings, or unanswerable to the solemn oath of our nation covenant with God) To declare before God and man, and to protest, Primo, That we doe, and will constantly adhere, according to our vocation and power, to the said Reformation, in doctrine, use of Sacraments, and discipline, And that notwithstanding of any innovations introduced therein, either of old or of late. Secundo, we protest, That we adhere to the grievances, supplications, and protestations given in at Assemblies and Parliaments, and to our late supplications, complaints, protestations, and other lawful proceedings against the same, and particularly against the Service book, and booke of Canons, as maine innovations of Religion and Laws, and full of Popish superstition, and so directly contrary to the Kings Declaration, and against the High Commission, as a judiciatory established contrary to the Laws and Liberties of this Church and Kingdom, and destructive of other lawful judicatories, which both in respect of the nature of it, and manner of introduction, without consent of the three Estates of Parliament, cannot be any wayes rectified, but absolutely discharged: Tertio, we protest, That we adhere with our hearts to our Oath and subscription of the Confession of Faith, the solemn Covenant betweene God, this Church and Kingdom, and the clauses particularly therein expres sed, and generally contained, and to our last Articles for the peace of this Kirke, and Kingdom, drawn out of it, and to all the matters therein contained, and manner of remedy therein desired. Quarto,
Quarto, We protest, that this Proclamation or act of Council, or any other act, or Proclamation, or Declaration, or ratification thereof, by subscription, or act, or letter, or any other manner of way whatsoever, or any precondemnation of our cause or carriage, before the same be lawfully heard and tried in the supreme judicatories of this Kirk and Kingdom, the only proper judges to nationall causes and proceedings, or any certification or threatening therein denounced, shall no wises be prejudiciall to the Confession of Faith, lawses, and liberties of this Kingdom, nor to our supplications, complaints, protestations, articles, lawfull meetings, proceedings, pursuits, mutuall defences, nor to our persons and Estates, and shall no wises be disgracefull either in reality or opinion, at home or abroad, to us or any of us: But on the contrary, that any act, or letter, or subscription of the Council, carrying the approbation of the declaration, and condemnation of our proceedings indiciata causâ, is and ought to be repute & esteemed unjust, illegal, & null, as here before God and man we offer to clear, & to verifie both the justice of our cause and carriage, and the injustice of such acts against us, in the face of the first generall Assembly of the Church & Parliament of the Estates, unto whom with all solemnities requisite, we do publickly appeal. Quinto, We protest, that seeing our former supplications, left Articles, & our last desire and petition to his Majesties Commissioner, which petitioned for the present indiction of a free general Assembly & Parliament, according to the law and custome of all nations, & of this nation in the like case, to bear the desires, safe the grievances, & settle the fears of the body of the Church & Kingdom, are thus delayed, & in effect refused, to wit, Once for all, till his Majesties convenience for the end contained in this Proclamation, that We continue by this presents to supplicate his Majesty again and again, for the granting of the same. And whatsoever trouble or inconvenience fall out in this land in the mean time, for want of these ordinary remedies, and by the practice of any of these innovations & evils, contrary to our supplications, articles, & confession, it be not imputed unto us, whom most humbly beg these lawfull remedies, but also that it is, & shall be lawfull unto us, to defend and maintain the Religion, lawses and liberties of this Kingdom, the Kings Authority in defence thereof, & every one of us one another in that cause of maintaining the Religion, and the Kings aforesaid Authority, according to our power, vocation and Covenant, with our best counsel, bodies, lives, means, & whole strength, against all persons whatsoever,
ever, and against all externall or internall invasions menaced in this proclamation. Like as that in the great exigence of the Church, necessitating the use of this ordinary and lawfull remedies for settling the commotions thereof; it is and shall be leasome unto us to appoint, hold and use the ordinary means, our lawfull meetings and Assemblies of the Church agreeable to the law of God, and practice of the primitive Church, the Acts of the generall Assemblies, and Parliaments, and the example of our Worthy Reformers in the like case. Sexto, We protest, that our former Supplications, Complaints, Protestations, Confessions, meetings, proceedings and mutuall defences of every one another in this cause, as they are, and were in themselves most necessary, and orderly means agreeable to the lawes & practice of this Church and Kingdom, to be commended as real duties of faithful Christians, loyal Subjects, and sensible members of the body of the Church and Kingdom, and no wise to be stiled nor accounted great disorders, inifdemetors, blind disobedience under pretext of Religion, and running headlong into ruine, &c. So they proceeded only from conscience of our duty to God, Our King, native countrey, and our posterity, and doth tend to no other end, but to the preservation of the true reformed Religion, the confession of Faith, Lawes, and Liberties of this His Majesties most ancient Kingdom, and of His Majesties authority in defence thereof, and satisfaction of our humble desires, contained in our supplications, complaints and articles, unto the which we adhere againe and again, as we would eschew the curse of the Almighty God following the breach of his Covenant: And yet we doe certainly expect, according to the Kings Majesty his accustomed goodness and justice, that his sacred Majestie after a true information of the justice of our cause and carriage, will presently indit these ordinary remedies of a free Assembly and Parliament, to our just supplications, complaints, and articles, which may be expected, and which to be granted from so just and gracious a King, towards most loyal and dutifull subjects, calling for redresse of so pressing grievances, and praying heartily that His Majestie may long and prosperously reigne over us.

W Hereupon a noble Earle John Earle of Caffles, &c. in name of the Nobleman, M. Alexander Gibson younger of Dury in name of the Barons, James Fletcher Provost of Dundy in name of the Burrowes, M. John Ker Minister at Salt-prestoun in name of the Ministers,
Ministers and Master Archbald Johnston Reader hereof, in name of all who adheres to the Confession of Faith and Covenant lately renewed within this Kingdom, took Instruments in the hands of three Notars present, at the said mercat Cross of Edinburgh, being environed with great numbers of the foresaid Noblemen, Barons, Gentlemen, Borrowers, Ministers and Commons, before many hundred witnesses, and craved the extract thereof. And in token of their dutifull respect to his Majesty, confidence of the equity of their cause, and innocency of their carriage, and hope of his Majesties gracious acceptance, they offered in all humility, with submissive reverence, a copie thereof to the Herald.

Now We must appeale to the judgement of the world whether there was any thing in this Our Proclamation, which deserved such an undutifull and rebellious Protestation, or the seditious clamours, which both at their private and publicke meetings, especially in their Pulpits, were made against it.

This Protestation needeth no answere; for after the first part of it, which is nothing but a repetition of that which they have so often said, there is nothing but a number of falsities heaped up together, as the Reader may easily perceive: For whereas they allledge, That they have removed the impediment which caused their Covenant to be mistaken, as if it had beene an unlawfull combination; We suppose that thereby they meant that which they tendered to Our Commissioner, and called it by the name of an explication of their Covenant; which explication was so farre from giving unto Us any satisfaction, that both to Us and all reasonable men it must needs appeare to be a stronger confirmation of their unlawfull combination: For whereas they refused to except Us out of the number of those persons against whom their band of mutuall maintenance is intended, it plainly demonstrateth, that in their intentions We are the person chiefly aimed at. In some few lines after this, they proffesse that they never so much as called in question Our resolution to maintaine the Religion professed in that Kingdom, and Our care for not admitting any
any Innovations in Religion; or any Staine of Popish Super-

fition: Now We doe appeale even to their owne confciences, whether in their private meetings, or even in their pub-

like assemblies and Sermons, they have not endeavoured to

settle in Our good subjects minds opinions, feares, and jea-

lousies, quite contrarie to thee their printed asseverations. In

the last part they ground their Protestation upon no grounds

but such as thee: That they will continue together, because

they have obliged themselves by oath so to doe, and because

they will and are resolvd to adhere constandy to what they

have done, and because they offer to cleare themselves before

a generall Assembly and Parliament, where they themselves

make accompt to be Judges. Now these and such like false

and weake grounds it is very unnecesfarie to confute, the re-

hearsall of them being upon the first view, their sufficient

conviction. After all these, they end their Protestation with

two very unflavoirie conclusions: The first is, that if We

will not allow of their proceedings, they themselves will call a

Generall Assembly, which shall be sure to allow of them. A

notable piece of hypocrisie and disloyaltie together, to be sui-

ters to Us for that which they (as they say) both may doe

and are resolvd to doe without Our leave: The second is,

they proffe, that, notwithstanding any thing which We doe

or shall say to the contrarie, all their proceedings are in them-

selves most necessarie, and orderly meanes, agreeable to the Laws and

pratife of that Church and Kingdome, to be commended as real duties

of faithfull Christians, loyall subjects, and sensible members of the bo-

dy of that Church and Kingdome, and in way to be stiled or accounted

great disorders, misdemeanours, blinde disobedience, under pretext of

Religion, and running headlong into ruine: All which words are

multiplied, onely to make up a verie unmannerly contradi-

tion to the verie words of Our Proclamation.

Our Commissioner seeing, not that he was not able to
give, but that they were resolute not to receive any satisfacti-

on by what was offered, and that the most that they could be

brought to, was that which they called an explication of

their Covenant, but indeed was none, for they would never

yeeld
yeeld that these words, whereby in their Covenant they bound themselves in a mutuall defence against all persons whatsoever, should admit this interpretation (Except the King:) He told them plainly, that since his Instructions were out, he could proceed no further with them without new conference with, and Instructions from Us; and therefore he resolved a speedie journey to Us, to informe Us of what had passed, and make Us acquainted with that explication of their Covenant which they had given him, though as it had given no satisfaction to himselfe, so he was sure it would give none to Us: In the meane time, he entreated them to behave themselves more quietly and peaceably then they had done, untill Our pleafure were further knowne.

That pretended explication of their Covenant was conceived by way of Petition, and was this.

To His Majesties Commissioner: The supplication of the Noblemen, Barons, Burgeffes, Ministers and Commons here attending His Majesties gracious answer of our former petitions, complaints, and desires,

Humbly shewing,

That whereas we expecting from your Grace, as His Majesties Commissioner, a gracious answer of our former supplications, complaints and just desires, have presented to your Grace a petition, humbly craving a free general Assembly and Parliament, as the ordinarie remedy of our grievances, and the pious mean to put this Kirk and Kingdom to quietnesse. It pleased your Grace to shew, that His Majestie, from His princely care of this Kirk and Kingdom, would be most willing to ind & a free general Assembly, and call a Parliament for those good ends, but that your Grace, as His Majesties Commissioner, hath conceived the Confession of faith, and Covenant lately renewed by us His Majesties subjects, to be an unlawful combination against Authority; thereby to cast off our dutifull obedience, and not a Covenant for maintaining of true Religion, of His Majesties Person and
and Authority, and of the Laws and Liberties of the Kingdom. And we being most willing to remove that, as the main hinderance of the obtaining of our desires; Therefore, and for clearing of our loyalty, and vindicating our selves from so great an imputation, We do now in all humility renounce to your Grace, as His Majefties Commissioner, and declare before God and men, that we are heartily grieved and sorrow, that any good man, but most of all that our dread Sovereign should so conceive of our doing: And that we were, and still are so farre from any thought of withdrawing our selves from our dutifull subjection, and obedience to His Majefties government, which by the descent, and under the raigne of 107 Kings, is most clearly acknowledged by us and our predecessors, that we never had, nor have, any intention or desire to attempt any thing that may turne to the dishonour of God, or diminution of the Kings greatnesse and authority. But on the contrary, we acknowledging our quietnesse, stability and happinesse to depend upon the safety of the Kings Majeftie, as upon Gods Vicegerent set over us for maintenance of Religion, and ministration of Justice, have solemnly sworne, not only our mutual concurrence and assistance for the cause of Religion, but also to the uttermost of our power, with our means and lives, to stand to the defence of our dread Sovereigne the Kings Majeftie, His Person and Authority, in the preservation and defence of the true Religion, Liberties and Laws of the Kingdom. And therefore, we His Majefties loyal subjects, free from that and all other imputations of that kind, most humbly beseech your Grace to esteem that our Confession of Faith and Covenant, to have been intende, and to be the largest testimony of our fidelity to God, and loyalty to our King: And that hinderance being removed must still supplicate that your Grace would be pleased to indite a free general Assembly and Parliament, which will undoubtedly redresse all our evils, settle the peace of the Kirk and Kingdom, and procure that cheerfullnesse of obedience which ought to be rendred to His Majesty, carrying with it the offer of our fortunes, and best endeavours for His Majefties honour and hap- piness, as a real testimony of our thankfulness, and our hearty prayers to God that His Majeftie may long and prosperously raigne over us.

Now
Now, doth this Petition deserve the name of an explanation of their Covenant? much less of such an explanation as should give either Us or Our Commissioner any satisfaction. No, for it containeth neither more nor less then this, that they do not mean to shake off their obedience, if we will give way to all their courtes, which by this Petition they justify; so that their meaning is, that they will continue obedient subjects, if we will part from our Soveraigntie, which is in effect, that they will obey if wee will suffer them to command. But where it was expected that to these words of their Covenant, whereby they binde themselves to mutuall maintenance, against all persons whatsoever, should have beene added, except the King and his successors, that was refuted, though even that could have given no satisfaction, unless we should give way to that which divers Acts of Parliament have made sedition, and punishable with death.

Upon notice given by our Commissioner of his intended departure, the debatements at their Table grew very hot and fierce upon this point, whether they should presently indict a General Assembly, and fall upon the violent courtes intended by them, or that they should grant some short time for his journey, his stay with us, his returne to them againe, with our finall answer and last resolution, and in the meantime promise that they would behave their selves quietly and peaceably, and continue all things in status quo untill his returne. This last was agreed unto, though not without much contrarietie of voices, and so some of the principall Covenanters came and acquainted him with their resolution, which was, that they would expect our answer, and his returne upon the fifth of August next, at the furthest, untill which time they would breake up their great meeting, containe themselves and the people in quietnesse and peace, but if by that day he did either not return, or not bring with him from us such an answer as they expected, then they would hold themselves free, and goe on to prosecute the courtes which they had reloloved upon. And so our Commissioner
missioner begun his journey towards Us. After Our Commissioner had at Greenwich made Us fully acquainted with all their insolencies, We speedily dispatched him with new Instructions, and commanded him to return, so that he might be backe in Scotland by the fifth of August, and gave him order for the indicting both of a Generall Assembly and a Parliament, but so, that he should first be fully satisfied, by all informations which he could conveniently receive, of the constitution of a Generall Assembly, with which perhaps many were not acquainted, none having beene kept for divers yeares; And therefore it did require good deliberation, to agree both upon the members of the Assembly (not for their persons but for their qualitie) and of what things were usually treated and handled there.

No sooner was he returned into Scotland, but he found all things in much worse case, and in a farre greater confusion then he left them: For he found that the heads of the faction (being afraid that he might bring backe with him some satisfactory accommodation, which Our subjects might like well, but they themselves resolved to reject) had in the time of his absence affured their followers, that they might compass their ends by such means and upon such conditions as themselves desired: Nay, they proceeded so far, as to make the people beleive what they knew to be most untrue, viz. That Our Commissioner was well satisfied with all their proceedings, and especially with their Covenant, in regard of the late explication they had made of it, and were so impudent as to use that inducement for an argument, whereby they persuaded many of all sorts, especially of the Ministers, who had formerly stood out against their Covenant, to enter into it in this short time of his absence from them. And the three Ministers in their answers to the Queries of the Divines of Aberdene, had the boldnesse to print, that Our Commissioner resteth satisfied with their Covenant, according to their explication of it: With which their notorious calumnie he found himselfe so highly injured, in a point which so much concerned his loyaltie to Us, and the trust reposed in him.
him by Us, that he was enforced to call the Lords of Our Councell, divers others of Our Nobilitie, and some of the Lords Covenanters themselves, to give testimonie of his frequent afseverations in their hearing, that as he himselfe was no way satisfied with that explication, so he was assured that We neither would nor could receive any satisfaction by it, onely that he would present it to Us at their entreatie: And besides the attestation of so many witnesses, he was necessitated, both for clearing of himselfe to Us, and preventing the further encrease of Covenanters, upon that false and groundlesse surmise, to print a Manifeft and Declaration of his own clearnesse and their calumny.

It is true that they printed a weake answer to that Manifeft, in which they confesse, that they never heard him say that he was satisfied with that Declaration, but that by some probable reasons (which are there expressed, and indeed are most improbable ones) they were induced to beleive that he was satisfied with it, although that both to their new Profelytes, and in the Ministers printed answers, they had positively averted, that after he had received that explication he was fully satisfied with their Covenant: Which dealing of theirs gave occasion for many to thinke, that this false aspersion was put upon him, by those who ever laboured to strangple all hopes of reconciliation, onely to raise in Us a distrustfull jealouzie of his service, that so he might be called backe, and the people made beleive that no relieving of their grievances was intended by Us.

About the same time a great stirre was raised in that Kingdome upon a very slender ground, which was this: There had been printed at Antwerp in severall pieces, the pictures of the severall stories of the Gospels and Acts of the Apostles, after the manner as they are usually printed in the Romifli Church; some Papists, and it may be others, had caused these severall pieces to be bound in their Bibles, at the severall chapters of those stories to which they did relate; they found such a Bible printed at Edinburgh, which being printed (as all Bibles are) by Our priviledge, upon a sudden there were made most
most tragicall complaints, that pictures and images were brought into their Bibles by Our authority, aggravated by the heads of that faction, especially the Ministers, with the imminent dangers of the present introduction of Popery, Superstition, & Idolatrie, still to make the people averse from all hope of satisfaction; so that some did conceive, that these pictures might be bound in that Bible by some of themselves, merely to irritate the people, and continue them in their distance from returning to Our obedience: but so far with this particular we cannot charge them.

Now, notwithstanding these new and daily emergent combustions, and their perpetuall working of the people, both in their Pulpits and at their other meetings, to new insolencies and greater heights of rage and furie, Our Commissioner resolved (as well as he could) to passe them over, and to enter into treatie with them for the preparative overtures of a Generall Assemblie, because he did see that all these impediments and blocks were laid purposely in his way, that either hee might stumble at them, or bee so scared as to go back; for it was plainly perceived, that whensoever he made any proposition of peace, likely to take or please, they presently cast about how to dash it with some new violence and accident which should make it impossible, as did most evidently appeare in this particular.

Our Commissioner sent some of Our Councell to conferre with some of the principall Covenanters, concerning some necessarie propositions fit to be resolved upon before the indicting of the Assemblie, both concerning the members of which it was to bee constituted, and concerning the matters to be treated of in it, (two consultations usually previous to that meeting, for the omission whereof in one Assemblie of later times, they had so grievously complained, that in a Petition exhibited by the Ministers of their side, it was alleged for a nullitie of that Assemblie:) This message was received with so much choler and contempt, that they presently blazed it abroad amongst their followers, for a proposition tending utterly to the ruine of the Lawes and liberties both of Church and Kingdome, that the hearkning to any such overtures was an absolute limitation.
limitation of that Assembly, which they intended should be free and general, that neither of the members of their Assembly, nor of the matters to be handled in it, they would speak so much as one word until they came upon the place, and were in the Assembly, that then and there the Assembly itself was to be the sole judge both of the competency of the members elected, of the regularity of their election, and of all matters treated of there, whether they were of their cognizance and jurisdiction or not, and likewise gave out, that they did not much care whether Our Commissioner would indict an Assembly or not: they would indeed like it better if it were indicted by Our authority, but if we requested by them so to do, should refuse it, they both could and would do it of themselves: Then did their Pulpits again begin to ring with this monstrous proposition, as they called it, of the utter subversion of the liberties of their Church, by the prelimitation of their Assembly, as if this conference propounded by Our Commissioner concerning the orderly proceedings in that meeting, had been a such a blow to their Church, as they could not fear a greater from Rome itself.

And to make Our Commissioner believe that they were in good earnest, they had a little before caused the Presbytery of Peebles to begin with the election for their Commissioners to the General Assembly, being a place not above twenty miles distant from Edinburgh, so that they were sure it must speedily come to his knowledge: To this election all the Gentlemen within the compass of that Presbytery resorted, intruded themselves by violence, and in despite of the Ministers would give their voices to the choosing both of the Ministers and one lay-man to be Commissioners for that Presbytery at the next Assembly, whenever, and wherefover it should be kept, when as yet no Assembly was indicted.

Our Commissioner weighing well these two things; First, that the principal Covenanters, Noblemen, Gentlemen, and Ministers, as he had occasion to speak with them severally, and upon several occasions, had protested unto him, that their meaning never was quite to abolish Episcopall government, but only to have it limited and restricted,
restricted, according to the Laws of that Church and
Kingdome, and that they might bee accountable to, and
censurable by the Generall Assemble, if they should trans-
gress these limits; adding, that they had far rather live
under that government, then under the tyrannie of the
Presbyteries, which they had heard their fathers so much
complaine of, and had given them charge to beware of;
the like Protestations they having likewise made to divers
of Our Councell, and others: And secondly, considering
that he now found that they begun to speak more sparing-
ly and reservedly in that point, and would not so much as
treat of it before the Assemble, and that some of them had
given out, that they had resolved upon a way to throw off
that grievous burthen of the Presbyteries, with the weight
whereof their fathers were so much grieved, viz. by joying
so many Laiick Elders to every Presbyterie as there
should bee Ministers in it, by which means the Laitie
should be able to keep the Presbyterie under, without the
help of Bishops. Our Commissioner was now once a-
gaine at a stand, not knowing how to proceed, as not be-
ing sufficiently warranted by Our instructions to indict a
Generall Assemble or Parliament, unlefe he should first
be satisfied by advice of them who understood the formes
of Assemblies, what course was to be held, both for the
members of that Assemble, and the manner of their e-
lection, and for a previous consultation of the principall
things to be treated there, all which consultations the Co-
venanters did utterly reject: He therefore resolved once a-
gaine to make a journey to Us, and acquaint Us with these
new occurrences; since he found them daily increasing in
their obstinacie, and so changed, as hee was not able to
make any judgement, either of their resolutions, or desires,
or of what would give them satisfaction.

And therefore Our Commissioner told them plainly,
that he had no authoritie from Us to indict an Assemble,
unlesse some particulars were agreed upon, both concern-
ing the constitution of the Assemble, the present settling
the peace of the Kingdom, and the righting and restoring to
their places such Ministers as had beene displaced without
order
order of Law, who might againe be displaced, if at the Assembly they were found to deserve it: The summe of Our demands he delivered to the chief Lords Covenanters in these ten Articles, which will bee found by the reading of them to be very just and reasonable.

1. That all Ministers deposed or suspended by the Presbyteries since the first of February last, without warrant of the Ordinary, shall be restored to their owne places, till such time as they shall be legally convicted.

2. That all Moderators of Presbyteries, deposed since the foresaid day by the Presbyteries, without warrant of the Ordinary, be restored, and all Moderators appointed by the said Presbyteries without warrant foresaid, to desist from executing the office of Moderator.

3. That all Ministers admitted by the Presbyteries since the foresaid day, without warrant from the Ordinary, shall desist from exercising the function of their ministerie in that place to which they have beene so presented and admitted.

4. That all Parishioners shall frequent their owne Churches, and heare their owne Minister, and that the Elders assift the Minister in the Session, and other exercises of the discipline of the Church, as formerly they were used to do.

5. That all Bishops and Ministers, have their rents and stipends duly and thankfully paid them.

6. That all Ministers bee appointed presently to repair to their own Churches, that none of them come to the Assembly, or to the place where the same shall be held, but such as shall bee chosen Commissioners from the Presbyteries.

7. That according to the Act of Assembly 1606. Moderators of Presbyteries being found necessary members of the Assembly, every one of the said Moderators be appointed to be Commissioner from that Presbytery where he is Moderator.

8. That Bishops and other Ministers who shall attend the Assembly, may bee secured in their persons from all trouble and molestation.

9. That the Commissioners from Presbyteries, be chosen by the Ministers of that Presbytery onely: And that no lay-person whatever,
whateuer, meddle in the choice, nor no Minister without his owne Presbyterie.

That all Convocations and meetings bee dissolved, and that everie man repair to his owne house, and that the Countrey not onely be made peaceable, but also that all such Acts be forborne, as may make it appeare to be otherwise.

And since his Majestie is still displeased with the Covenant, wisdome and our dutifull obedience to our Soveraigne require, that some such course should be taken, whereby his Majestie may receive satisfaction therein; and in the mean time, that there be no pressing, threatening, or persuading of men to subscribe the Covenant, nor no mention be made thereof any more in Pulpits.

To these (according to their usuall manner) they would no way condescend, but returned to Our Commissionet these most unjust and unreasonable answers.

Answers to the particulars propounded by his Majesties Commissioner.

Having seriously considered with our selves, that nothing in this world is so precious, and ought to be so deare unto us as our Religion, that the diseases of the Church after long toleration did threaten no lesse then her utter ruine; and the expiring of the truth of Religion at last; and that a free General Assemble was the ordrarie remedy appointed by divine Authoritie, and blessed by divine providence in other Churches, and after a speciall manner in the Church of Scotland; wee have often and earnestly supplicated for the same, and have laboured to remove what was objected, or what we could conceive to be any hinderance to the obtaining of our desire, like as we have now for the same good end resolved to returne this answer to the particulars propounded, to be performed by us before any Assemble be indicted.

The particulars propounded, are either concerning matters Ecclesiastical, or Civill: Ecclesiastical, or Church matters are,
The first, concerning Ministers deposed or suspended by the Presbyteries, since the first of Februrie last, without warrant of the Ordinaries, that they bee restored to their owne places.
The second, concerning Moderators of Presbyteries deposed since
since the foresaid day, to be restored, and all Moderators appointed by
the said Presbyteries without warrant aforesaid, to desist from
executing the office of Moderator. The third, concerning Ministers
admitted since the foresaid day, that they desist from exercising
the function of the Ministerie in that place, to which they have
been admitted. These three particulars do concern the power,
duty, and particular facts, or faults of Presbyteries, wherein we
have no power to judge or determine, whether they have proceeded
lawfully or not; farther less, can we urge or command them to re-
call what they have determined or done, in the suspending, depo-
sing, or admitting of Ministers, or Moderators; they being pro-
perly subject to the Superior Assemblies of the Church; and in
this case and condition of the Church, to the General Assembly,
where, if they shall not after triall justifie their proceedings, from
the good warrants of Scripture, reason, and the acts and practices
of the Church, they ought to sustaine their owne deserved cen-
sure. And since on the one side, there be many complaints a-
gainst the Prelats for their usurpation over Presbyteries in the like
particulars; and on the other side, there be such complaints of the
doings and disorders of the Presbyteries to the offence of the Pre-
lats; wee trust that his Majesties Commissioner will not esteeme
this to bee any hinderance of the indiction of a Generall Assembly,
but rather a powerfull and principall motive with speed to con-
vene the same, as the proper Judicatorie wherein to determine
such dangerous and universall differences of the Church. Neither
do we heare that any Ministers are deposed, but only suspended
during this Interim till a Generall Assembly, for their erroneous
doctrine and flagitious life; So that it were most offensive to
God, disgracefull to Religion, and scandalous to the people, to
restore them to their places till they bee tried, and censured.
And concerning Moderators, none of them (as wee understand)
are deposed, but only onely changed, which is verie ordinarie in
this Church. The fourth, concerning the repairing of Parishes-
ners to their owne Church; and that Elders assift the Ministers
in the discipline of the Church, ought to bee cognosced and judg-
ed by the particular Presbyteries, to which the Parishioners and
Elders are subject; since the cause may be in the Ministers no lecente
then in the Parishioners and Elders. And in case they finde no
redresse there, to assent till they come to a Generall Assembly,
the want whereof maketh disorders to bee multiplied, both in
Presbyteries and particular Parishes.

To the sixth, That ministers wait upon their owne Churches,
and that none of them come to the Assembly, or place where
the same is kept, but such as shall bee chosen Commissioners
from Presbyteries, we answer, That none are to come to the place
of the Assembly, but such as are either allowed by Commission
to have voice, or otherwise have such interest as they can
justifie to his Majesties Commissioner, and the Assembly con-
vened.

To the seventh, Concerning the appointing of Moderators of
Presbyteries to bee Commissioners to the Generall Assembly,
only constant Moderators, who have ceased long since, were
found in the Assembly 1606. (which yet was never reputed by
the Church to be a lawfull national Assembly) to be necessary
members of the Generall Assembly. And if both the Moder-
ators, who if they be necessary members need not to bee chosen,
and the chosen Commissioners repair to the Assembly, the As-
sembly it selfe can judge best of the members whereof it ought
to confi$t.

To the ninth, That no lay person whatsoever meddle with the
choosing of Commissioners from the Presbyteries, and no Mi-
nifter without his owne Presbyterie, we say, That according to the
order of our Church discipline, none but Ministers, and Elders of
Churches ought to have voice in choosing Commissioners from
Presbyteries, and that no Minister, or Elder should have voice
in Election, but in his owne Presbyterie.

The rest of the particulars are concerning civill matters:
As the fifth concerning the paying of Rents and Stipends to
Ministers and Bishops, concerning which we can say no further,
but that the lawes are patent for them, as for his Majesties other
subjects, and that the Generall Assembly ought not to be delayed
upon any complaint in that kinde.

The eighth, requiring that Bishops, and Ministers be secured
in their persons, we think so reasonable, that wee will pro-
mise every one of us for our owne parts, they shall suffer no vio-
lence from us, and that we shall hinder others so farre as wee
may;
may; And if any trouble them otherwise, or make them any kind of molestation in that attendance but by order of Law, the parties are justly punishable according to the degree of their fault as other subjects are.

To the tenth, concerning the dissolving of all Convocations and meetings, and the peaceablenesse of the Country; These meetings being kept for no other end, but for consulting about lawfull remedies against such pressing grievances as threaten the desolation of this Church and State, cannot be dissolved till the evils be removed. And we trust, that nothing in these our meetings hath escaped us, which carrieth in it the smalest appearance of undutifulnesse, or which may seeme to tend to the breach of the common peace: But although our adversaries have herein calumniated us, yet we have alwayes so behaved our selves, as besemeth his Majesties most humble and loyal subjects, petitioning his Majestie for a legall redresse of our just grievances.

To the last, concerning the Covenant; the Commissioner his Grace having many times and most instantly pressed us with that point, we did first by invincible arguments make manifest, that we could not, without sinning against God, and our owne consciences, and without doing wrong to this Nationall Church, and all posteritie, recind or alter the same: And thereafter did at large declare the same of all unlawfull combination against Authoritie, by our last SupPLICATION and Declaration, which his Majesties Commissioner * accepted, as the most readie and powerfull of all other means, which could come within the compass of our thought to give his Majestie satisfaction, The subscription of this our confession of Faith, and Covenant being an act so evidently tending to the glory of God, the Kings honour, and happiness of the Kingdome. And having alreadie proved so comfortable to us in the inward of our hearts, It is our ardent and constant desire, and readie wish, that both bis Majestie and all his good subjects may be partakers of the same comfort, Like as we finde our selves bound by conscience, and by the Covenant it selfe, to persuade all his Majesties good subjects to joyn with us for the good of Religion, his Majesties honour, and the quietness of the Kingdome: which being modestly used by us without presing, or threatening of the meanest, we hope shall never give bis Majestie the least cause of discontent. 

Seeing
Seeing therefore, according to our power and interest, we are most willing to remove all hinderances, that things may be carried in a peaceable manner, worthy our Profession, and Covenant, doe aim at nothing but the good of the Kingdome, and preservation of the Church, which by consumption, or combustion, is like to be desperately diseased, except remedy some way bee speedily provided; and wee delight to use no other means, but such as are legal, and have beene ordinarie in this Church, since the Reformation: Wee are confident that without further delay, for preventing of greater evils and miseries, then wee can expresse, our just desires shall be granted. So shall we be encouraged in the peace of our souls, still to pray for his Majestie, all encrease of true honour, and happiness.

Upon their refusall, he sent for some of the chief Lords Covenanters, and told them of his resolution for a new journey; that he found their wayes such as he could not goe along with them; that he had power to grant them a free General Assembly, but that he could not conceive that to be a free one, in which they should bring in everie man to have a voice whom they had a minde to: If they would let him know what manner of persons should sit there, and what they intended to doe there, he would give his best concurrence, if he found their intentions to be agreeable to the lawes and customary of that Church and Kingdome; if they rejected these motions, he knew nothing left for him, but to return back againe to Us, yet he desired them before his journey that they would let him know what it was they would have, and that they would expresse what was the uttermost of that which they desired from Us, without which they would not rest satisfied; that with their desires he would make Us acquainted, and that within a few dayes he would either returne to them himselfe with Our answer, or otherwise it should be speedily sent unto them.

Their answer to Our Commissioner was, that they would make their Tables acquainted with his proposition, and he should shortly receive their answer: At their Tables it was much debated, whether he should have any further time allowed him for a new journey, and a speedie returne,
or if they should leave him to his owne choice and counsels, and they in the meane time to indict a Generall Assembly, and goe on with the prosecution of their intended resolutions: At last, not without contrarietie of suffrages in this also, it was by most voices concluded, that to give the people satisfaction, they would yet forbear the indicting of the Assembly, until the 21. day of September, before which time, if he or some other did not returne with such answer as should content them, then they would hold themselves free to goe on with their designes: And for expressing their desires, or what satisfaction they expected from Us, they would not descend to particulars, onely they looked for a free Generall Assembly, and a Parliament, in which two great Courts their desires should be made knowne: And this being all the answer Our Commissioner could obtaine from them, he told them that he would report it to Us, and intended presently to begin his journey.

No sooner were they parted from him, but they betooke themselves to their old courses, both of incensing the people, and daishing in Our Commissioner all hope of doing any good in this service: The first they did by scattering a report amongst their followers, that Our Commissioner neither had power from Us, nor any intention in himselfe to give them any satisfaction, but that he onely delayed time, until all things might be in a ripeneffe and readinesse for their ruine, an evident argument whereof was, that now he had taken two journeys thither, & yet had never offered any thing, nor were they in better case then before he was sent unto them: A thing which they knew to be most untrue, both because in Our last Declaration We had granted them verie many things concerning their pretended grievances, which We had not granted before, being the same things which at first they onely desired; as likewise because Our Commissioner had now lately tendered them in writing ten propositions, upon the yeelding to which he would presently indict an Assembly: But that was all one with them, for so they could perswade the people that nothing yet had been offered.
at all to content them, they cared not by what reports (true or false) that perversion were wrought in them: Our Commissioner, to assure the people that he intended really, and devoured their content, if possibly it might be effected upon any reasonable terms, contracted his former propositions into these two (which we here insert) and caused many copies of them to be dispersed through the City, that so the people might not be kept from the knowledge of Our favour towards them.

If the Lords and the rest will undertake for themselves and the rest, that noe Laicks shall have voyces in choosing the Ministers to bee sent from the severall Presbyteries to the Generall Assembly, nor none else but the Ministers of the same Presbyterie:

If they will undertake that at the Assembly they shall not go about to determine of things established by Acts of Parliament, otherwise then by remonstrance or petition to the Parliament, leaving the determining of things Ecclesiasticall to the generall Assembly, and things settled by Act of Parliament, to the Parliament:

Then I will presently indit a Generall Assembly, and promise, upon my Honour, immediately after the Assembly to indit a Parliament, which shall cognosce of all their complaints.

This did so irritate their Leaders, that they presently entered upon a course that should put Our Commissioner out of hope of ever doing any good in this service; for they presently gave order, even before the beginning of his journey, for the election of the Commissioners to the generall Assembly throughout the whole Kingdom, to be made before his returne, or the inditing of an Assembly; which caused him presently to lend for the chief of the Covenanters, and absolutely to tell them, That if they did proceed to the election of any Commissioners for the Assembly before his returne, he would not go his journey at all; he would not move us for a Generall Assembly, nor for any thing else; he would leave them to their owne wayes; as a private man he would stay...
in the Kingdome and expect the issue of their counsels: Which resolution of his, because it should not be concealed from the people, he caused likewise by many copies of it in writing to be divulged amongst them: This his determination these Lords Covenanters to whom he delivered it, communicated to their Tables, who were very stiffe in their former conclusion for the present election of Commissioners; yet because they could not well perceive how to satisfie the people, if they should break off all treatie upon such a nice point, it was at the last agreed unto, and talked of as a singular favour done to Our Commissioner, that the election of the Commissioners to the Assembly should be delayed until his returne; which we pray the Reader to observe, because it shalbe knowne at his returne with what a horrible equivocation they did elude this their promise.

Before Our Commissioner begun his journey towards Us, he entred into a serious consultation with Our chiefe Officers of State and principall Councellors there, what further advice they had to recommend by him unto Us for the settling of the peace of that Kingdome, since they clearly perceived that all Our royall and gracious intentions to that people, were frustrated by the rebellious and obstinate courtes of some few who mislead the rest; and since he could not possibly draw from the Covenanters their designes, nay, nor their desires, whereby he might learne what they expected for their satisfaction, he desired of them their best counsell, and that he with them might conceive in writing what they supposed would reduce the Kingdome to peace and quietness, and without which they thought it could not be effected, but by force and armes, which he was sure We would never use, but in an unavoidable extremity, and for the preservation of Our Crown and dignitie. This Our Commissioner did not adventure to communicate with the whole Councell, because he did know that some of Our Councell were Covenanters in their hearts, though for dangerous ends, they had forborne the subscribing of the Covenant with their hands, and that they would acquaint the
the Covenanters with it, with whom they kept private meetings.

This proposition being much debated amongst these Councillors, they fell upon that way which they conceived would fully satisfy, or else none could; which was this: Since the Covenanters would not express their own desires in particulars, they thought best to take an exact view of all their Petitions, Remonstrances, Grievances, Declarations, Protestations, either written or printed, which they had since the first beginning of these troubles exhibited to Our selves, Our Commissioner, Our Councell; and to extract out of them the particulars of all their grievances and desires, and to represent them unto Us.

And besides all these, We being assured by Our Commissioner, that the principal motive which the heads of the Covenanters had used to Our people for alienating their minds from Us, was that false opinion of Our averse fitte from the Religion Reformed, and of Our inclination to Popery; We resolved, above all that was desired, to take a course which should give Our subjects full and unquestionable satisfaction in that point; and therefore propounding unto Our selves the example of Our Royall Father, We concluded to command and urge the renewing of that Confession of Faith, which was first framed and afterward renewed in His name, by which means We made account that We should both benefit Our subjects and right Our Self: For, perceiving that they had grounded and fathered their spurious Covenant upon that Confession and Covenant urged by Our Father, We resolved by this Act of Our authority to legitimize it, that it being commanded by Us, might save Our people, who were to sweare it, from incurring the danger of Our Lawes, which have made it very criminal to enter into any Covenant without Our authority: As also to vindicate Our selves from that false and wicked asperssion which the heads of their Covenant had most seditiously laid upon Us, viz, that Wee had a resolution either to bring in Pope-rice, or at least to tolerate it in Our Kingdomes, which though they
they themselves did not believe, yet they believed that this was the most powerfull means of alienating the minds of Our people from Us (which they only intended) if they could possibly worke them to that belief. And so both Wee and Our Commissioner, who had lately come from them, were perswaded that not only Our people, but all people in the World, to whose notice it should come, must rest satisfied, that Wee could not possibly be that way inclined, if Wee should command, and by Our authority effect a new subscription and swearing of that Confesfion of Faith, which is more directly opposite to Poperie then any Confesfion besides extant in the World. This being added to the former advice of Our Councell, which was to ease them of all those things which they pretended to bee their principall grievances, Wee well hoped should have settled the peace of that Church and Kingdome: For by granting the removing of those former grievances, without this last superaddition of Our favour, Our Councellours were perswaded that Our subjects for the most part would be satisfied, desert their Leaders, and adhere to Us with their lives and fortunes, as they themselves would doe who signed this their Counsell with their hands, and sent it up to Us by Our Commissioner.

No sooner was he come to Us at Oatlands, but We were astonishe with his relation of their proceedings, and when he presented unto Us, not only the improbability, but also the impossibility that ever the King-leaders of that Rebellion would desist, untill they had obtained their wicked ends, and that the only hope of peace was placed in dividing the people from them, by proffering unto the people such gracious favours, as in all likelihood they neither could nor would reject; and well weighing the advice given unto Us by Our principall Councellours and Officers of State there, After mature deliberation with such as We were pleased to call unto Us, and especially at the humble and earnest im-
portunity of Our Commissioner, so zealously affected to the peace.
peace of Our and his native Countrey, We did resolve to pursue that advice of his and Our other Councellours, and did againe make a very exact survey of whatsoever they had petitioned for, from the very first, either of Us, Our Commissioner, or Council, and resolved to grant them all, and besides all these, to renew the former Confession of Faith and the Band annexed, which We made account would have given them satisfaction above all things, especially in that wherein they had been most wickedly abused, that is, in their opinion of Our inclination to Poperie. The particulars of Our gracious grants unto them you shall finde in Our next Proclamation made after Our Commissioners returne to that Kingdome; whom, within eight dayes after his comming to Us, We dispatched back againe, overjoyed with Our gracious grants, as making full accompl, that he should be received this last time as an Angell of God, bringing in his mouth the branch both of piety and peace: But how farre both We and he and Our Councellours, and all Our good, religious, loyall, and peaceable subiects of that Kingdom were deceived herein, the next ensuing narration (which is almost above credit) will sufficiently declare.

For Our Commissioner, returning before the day agreed upon, he found all things in the time of his absence so perplexed and imbroiled by the heads of the Covenanters, who were afraid of nothing so much, as that he should returne with an answer satisfactory to Our people, that he begun most clearly to perceive, that these men were resolved that nothing should satisfie them, which appeared by their whole proceedings in the time of his absence, and especially in these two particulars: First, whereas they had promised that no election of Commissioners for the Assembly should be made before the 21. day of September, the day agreed upon for his returne, they gave order that the election should be made the 22. day of September, being the next day after that, which they knew was to be paffed before he could posibly returne Our answer to them: According to which resolution of theirs, Commissioners for the Assembly were elected in many Presbyteries upon that day, before any of the Covenanters
naters did, or could come to know Our answer from Our Commissioner, or before the Assembly was indicted, which was not until some days after these elections were past: Now, We desire to know whether ever there were heard a more grosse, absurd, and palpable equivocation then this, and that from men, who would be accounted the greatest opposites in the world to Popish tenets, and to none more then that of equivocation. They promise that no election shall be made until Our Commissioners returne, and before such a day; and that promise grounded upon Our Commissioners resolution before his departure from them, that unless they would give him that assurance, he would not undertake his journey, nor move Us any more in this business; but if they would expect his returne and Our answer by that time, he would doe both. These holy men resolve to expect that time before any election shall be actually made, but give order that it shall be made the next day after, before it could be knowne in most parts of the kingdom whether he were returned, or in any part of the kingdom, or by any person of the kingdom, what answer he had returned from Us: The insinceritie of which proceedings (condemned by many Covenanting Ministers at their meeting at Edinburgh for a most desperate equivocation) We are confident every man will detest, especially in those men who boast themselves to be the only sincere Professours of these times.

Besides, Our Commissioner found that these men (who would not so much as hear him speak of any precedent conference of any thing concerning the Assembly, nor of any directions to be agreed upon for the more orderly proceeding in it, but cried out against them as unsufferable prelimitations and prejudgments of the liberties of Christ and his Church) had in the time of his absence at their Tables agreed upon certaine directions comprehended in eight Articles, which they had dispersed through the whole kingdom, and commanded to be observed by the severall Presbyteries thereof in their elections; the true copie whereof here followeth.
A direction for Presbyteries.

That every Presbytery have a copy of the Act made at Dun-die the seventh of March 1597, concerning the number of Commissioners; the tenour whereof followeth.

Because there hath beene no order hitherto anent the number of Commissioners to be directed from everie Presbytery to the Generall Assembly, therefore it is statuted and ordained, that in all time coming three of the wisest and gravest of the Brethren shall be directed from everie Presbytery at the most, as Commissioners to everie Assembly, and that none presume to come without Commission: And likewise, that one bee directed from everie Presbytery in name of the Barons, and one out of every Burgh, except Edinburgh, which shall have power to direct two Commissioners to the Generall Assembly.

That every Presbytery have a copy of the Commission to be given to the Commissioners; the tenour thereof followeth.

T. T. the day of The which day after calling upon the name of God, We the members of the Presbytery of having diligently considered the manifold corruptions, innovations, and disorders, disturbing our peace, and tending to the overthrow of our Religion, and Liberties of the reformed Church within this Realme, which hath come to passe, especially through the want of the necessarie remedie of Generall Assemblies, as well ordinarie as pro re nata, enjoied by this Church for many yeares, and ratified by Act of Parliament, And now expeeting shortly by the mercie of God the benefit of a free Generall Assembly, do by these presents nominate and appoint Minister of as also in name of the Burrowes, conjunctly and severally our lawfull Commissioners, giving and granting unto them our full power, Commission, and express charge, to repaire to the said Assembly at the day and place, when and where it shall happen to sit, in any safe and commodious place within this Kingdome, and there with the rest who shall be authorised with lawfull Commission, in our name to propose, treat, reason, vote, and conclude, according to the word of God, and confession of faith approved by sundrie Generall Assemblies, and received throughout the whole Kingdom in all Ecclesiastical matters, competent to a free Generall Assembly, and tending to the ad-
...cession of the Kingdome of Christ, and the good of Religi-
on, as they will answer to God, and his Church thereupon, and to report to us their diligence therein. In testification of this our Commission and charge, we have subscribed these presents with our hands, and which they have accepted with the lifting up of their hands.

That everie Church Session send one of the most qualified Elders into the Presbytery the day of chusing Commissioners to the General Assembly: That by common consent of the Ministers and those Elders present in the Presbytery, there may bee chosen both the Commissioners for the Ministers, and also some well affected and qualified Nobleman, or speciall Gentleman, being an Elder of some particular Church Session within that Presbytery, in name of the Barons: For this is the constitution of the Presbyteries, (otherwise called Elderships) appointed by the Church in the books of discipline, Acts of the General Assembly, practised for many yeares after the reformation, and ratified in the Parliament, the twelfth of King James the 6. and never since altered nor rescinded; neither can be with reason altered, seeing that same is the constitution of the supreme and General Assemblies, and of the inferior and Church Sessions, as is at more length cleared by some reasons.

That such as are erroneous in doctrine, or scandalous in life, be presently proceeded, that they be not chosen Commissioners; and if they shall happen to be chosen by the greater part, that all the best affected, both Ministers and Elders, protest and come to the Assembly to testify the same.

To send to everie Presbytery a copie of the printed reasons for an Assembly.

That Moderators by vertue of their office bee not Commissioners to the Assembly, except they be chosen.

That the Presbyteries in one of the ordinarie meetings, appoint to convene solemnly after the twentieth of September, either upon the 21. 22. 23. 24. or 25. for chusing of their Commissioners to the Assembly, and for to send them hither to Edinburgh before the first of October, or so soon as they can, that with common consent, they may receive the Kings last answer, and advise upon the next lawfull remedies, in their extreme necessities of Church and State.
That in the Fast to be observed on the sixteenth day of September, the second day preceding their election, they may crave God's direction therein.

To these eight Articles they joyned (by way of information) a very impertinent, long and tedious discourse of Ruling Elders, too long and too simple to be here inserted; which was added no doubt only to persuade the Ministers to admit Lay-men to have voices in their Presbyteries at the election of the Ministers who were to be Commissioners for the Assembly, or in case of their refusal, to persuade the Lay-men to put themselves in possession, and give their voices in these elections, whether the Ministers would or no, as shall appear afterwards, both by that instruction which these lay Elders used in many Presbyteries, where the Ministers refused to admit them; and by some of the Tables more private instructions, by which they were ordered so to do.

Now, we desire the Reader to consider, whether the conference which Our Commissioner desired for debating of what members the Assembly was to be constituted; and the matters which were principally to be discussed there (with so much bitterness exclaimed against by them) could in any construction or sense be taken for such a prelimitation of the Assembly; either in the members, matter, or manner of it, as these eight Articles composed and commanded by their Tables. In the second Article, they set downe to every Presbyterie a set forme of a Commission to be made to their Commissioners, which was never done before; and at the Assembly, when the severall Commissions were read, it was observed that all the Commissions were the same verbatim, except a very few from some Presbyteries, who would not be ruled by the Table; and gave power to their Commissioners to continue no longer in the Assembly, then Wee or Our Commissioner in Our name should continue it. In the same Article they will have the Presbyteries in their Commissions to take it pro confesso, that the pretended and complained of Infor-
vations are corruptions and disorders disturbing the peace, and tending to the overthrow of their Religion and Liberties within the reformed Church of that Realm: If this bee not to pre-judge, and take that for granted, which was to be tried by the Assembly, whether it was so or not, viz. whether these things complained of were Innovations and corrup-
tions introduced in Religion, We must leave it to the Rea-
der to judge. In the third Article they appoint Lay-men to sit in Presbyteries, which had not beene done for above forty yeares before, Nay, and these Lay-men to be equall in number with the Ministers, which is contrarie to their owne book of Discipline allledged by them, which did then order that the Ministers should always exceed the number of the Lay-Elders, so that before this time they never were equall in number: Nay, that these Lay-men should have voices, not only in the chusing of their owne Lay-Elder, but, which is insufferable, should have suffrage in the Election of the three Ministers Commissioners for the Assembly; which they themselves do know was never heard nor practised in that Church before, in the very first and strictest times of reformation, nor ever since. In the fourth Article they order a notable tricke and device of their owne to bee put in practice, whereby they were ascertained, that no Minister should bee chosen Commissioner in any Presbyterie where they had any power, but such as did undoubtedly concurre with them in their rebellious courses: for they appointed (and accordingly it was practised) that every man suspected to bee of a different judgement from them, should presently be proceeded and brought under the scandal of erroneous life or doc-
trine, and so made uncapable of being chosen Commissi-
oner, according to which Article there were very few Mi-
isters in the Kingdome, who had not subscribed their Covenant, but they were presently suspended by their Presbyterie, where they had voices to do it, or at the least put under process by some one or other, which could not be prevented; for no man can bee denied an originall pro-
cesse against any man whom he will implead: but yet this Article left no evasion, if it should happen that such a one should
should be chosen Commissioner, for in this case they ordered, that the rest who gave not voices should protest against the election, and complain of it to the General Assembly, where they were sure enough to proceed him there, and lay him aside until his protest should be discussed, which they did put in practice upon some Ministers, who did not concur in judgement with them at the first sitting downe of the Assembly. The sixth Article is directly against the Constitutions of their Church then in force, and till then practised; the Moderator of the Presbytery being constantly one, as being most able to give an account to the Assembly of all Presbyterial actions. The seventh Article gives order for practising the above mentioned equivocation, and enjoyneth them to make their elections before they received Our answer, and that they repair to Edinburgh immediatly after their election, that all the Commissioners elected may consult before hand upon what was to be said or done at the Assembly, which is in effect neither more nor lesse, then to receive directions from their Tables how to carry themselves at the Assembly, and indeed to preconvene and hold the Assembly at Edinburgh before their meeting at Glasgow.

These were their publike instructions which they were not ashamed to avow and send abroad from their Tables, as it were by publike authoritie, to the severall Presbyteries of that Kingdome; And whether they do not containe prelimations of the Assembly, We shall leave it to the Reader to judge: But whether, if Wee, Our Commissioner, or Councell, had sent any such directions and instructions to the severall Presbyteries, they would not have exclaimed against them as unsufferable prelimations of that Assembly, and prejudgings of the liberties of the Church of Christ in that Realme, We do appeale even to their owne consciences. And yet these publike instructions are nothing to the private ones, which they durst not communicate to all their partie, but onely to some one Laick, and one Minister, their speciall confidents in every Presbytery, of which you shall heare more afterwards in their due place.

Notwith-
Notwithstanding all these discouragements arising from the disorderly proceedings of the Covenanters in the time of his absence, Our Commissioner the day after the time prefixed for his return, viz. the 22. day of September 1638, assembled our Councill at Our Palace of Holy-rood-house, and there first delivered unto them this letter from Us, as followeth.

Apud Holy-rood house Septemb. 22. 1638.

The which day James Marquess of Hamilton His Majesties Commissioner produced and exhibited before the Lords of Privy Council, the two Missives underwritten, signed by the Kings Maiestie, and directed to the said Lords, which being read, heard and considered by the said Lords, They have ordained, and ordains, the same to be inserted and registred in the books of secret Council, therein to remain ad futuram rei memoriam, whereof the tenour followeth.

CHARLES R.

Right truly &c. being certainly informed, that the distractions which have happened of late, (both in Church and Commonwealth) in this our ancient Kingdom of Scotland, have much troubled the minds of many of our good and loyall subjects; and that these distractions have been occasioned upon jealousies and fears of innovation of Religion and Laws, as tending to the introduction of Popery, and not without some suspicion as if Wee our selves were inclined that way; Upon occasion whereof, many of our subjects have of late subscribed a band or Covenant for preferring the true Religion and Laws already established, and for defending the Kings person, and each others, in defence thereof: But the same not being warranted by Royall authority (as that which was in our deare Fathers time) must needs of it selves be ineffectuall, and much prejudicial to the ancient Forme and Custome of government kept within that our Kingdom of Scotland: Wherefore Wee, out of our inborne love to our said native Countrie, and for obviating these conceived feares, and satisfying of you and all our loving people, have thought good to ordaine the Confession of Faith, and band subjoined thereto, of the date at Edinburgh, January 28. 1580.
1580. and signed by Our Royall Father to bee renewed: And to that effect have given Order to Our Commissioner, with advice of Our Counsell, to set downe and settle some solid course, whereby the same may be subscribed by Our Counsell, Judges, Magistrates of Burroughes, and all other Our people of that Kingdome. And for further clearing of Our selfe, Wee declare, That as We are and ever have beene satisfied in Our judgement and conscience for the reformed Religion now established, and against the Roman: so We purpose, by Gods grace, both to live and die in the practice thereof, and to preserve and maintaine the same in full strength and integritie, according to the Lawses of that Our ancient Kingdome. What We have thought further fitting to be done at this time, concerning the particulars contained in Our Subjects petitions; you shall receive Our full pleasure therein from Our Commissioner. And that this Our Declaration concerning Our selfe, and Our pious intention, for settling the Reformed Religion within that Our Kingdome may appear to posterity. Our pleasure is, that these presents be registred in the Books of Counsell.

Oatlands Septem.9. 1638.

This Our Letter being received by Our Counsell with all submissive, joyful, and thankful acknowledgment, Our Commissioner made them further acquainted with the particulars of Our grace and favour, for the appeasing of the troubles of that Our kingdome, who (upon hearing of the same) were filled with excessive joy, as making full account that now malice it selfe could not finde the least pretence of keeping Our people from being satisfied, all things which ever yet since the beginning of these troubles they had desired, being granted unto them. But so soone as some of Our Councillours, who were not only Covenanters in their heart, but the very heart of their Covenant, had made some of the chiefe covenanting Lords acquainted with the unexpected excess of Our favours towards Our people, these Lords, making full accompt that their reignes was upon the point of expiration if the people should understand Our grace
grace and favour, bestowed themselves with might and main to disperse rumors amongst them. That the newes brought home by Our Commissioner, importing Our answer, did tend to the utter subversion of their Religion and liberties; That there was a new Covenant to be set on foot by Us, to destroy theirs, and that if they now did not resist, all they had done was quite undone and lost: After which, the principal of them came downe, first, to Our Commissioner, and then to Our Council, requesting them, or indeed rather requiring them, that they would not subscribe the Confession of faith, nor require it to be subscribed by others, by any authority from Us, threatening in a manner, that if they did, they would repent it, and that a present rupture would follow: Our Commissioner and Council heard them twice fully, but found not the least ground of reason for the delay of the declaration of Our grace and favour towards Our people, as seeing it proceeded only from an earnest desire in these Lords to have it concealed from them; and therefore resolved, and imparted unto the Lords covenanters their resolution, that they would publish it that day, being Saturday. The Lords covenanters did then seeme to abate something of their requests, or rather demands, and desired Our Commissioner and Council to delay the publishing of Our Declaration onely till the Munday following, before which time, if they could not shew good reasons for the stopping of it, they would be content with the publication thereof: Which motion of theirs wanted not seconding from some of Our Council there present, who were indeed the first and chiefest of them: But Our Commissioner and Counsellors well and wisely foreseeing that this delay was desired, first, that these Lords Covenanters might have time to pen and prepare a Protestation against this Our gracious Declaration, with the contents whereof some of Our Counsellors (heartie Covenanters) had made them acquainted; which Protestation could not be provided nor penned in the space of so few hours: secondly, that the Lords covenanters made no question, but that the next day being Sunday, their Ministers
Ministers in all the Pulpits of Edinburgh, by their subscription, should so conjure up the spirits of our people against our gracious Declaration, as they should not be easily and readily laid again. Thirdly, that they might have time to dispatch messengers and Poasts abroad with copies of their Protestantation, in all Burroughs where our Declaration was to be published, before, or as soon as our Declaration could be sent to those places: for these important considerations our Commissioner and Councell did declare unto the Lords, after full hearing of them, that considering the invalidity of their reasons to the contrary, our gracious Declaration should be published that day at the Cross of Edinburgh. And so accordingly our Declaration that day was proclaimed, as here it followeth:

Charles, by the grace of God, King of Scotland, England, France, and Ireland, defender of the faith. To our Loyal Messengers, our Sheriffs, in that part conjointly and severally specially constituted, greeting. Forasmuch as the cause and occasion of all the distractions which have happened of late both in Church and Common-wealth of this our Kingdom, have proceeded from the conceived fears of innovation of Religion and Laws; to free all our good subjects of the least suspicion of any intention in Us to innovate any thing either in Religion or Laws, and to satisfy not only their desires, but even their doubts, we have discharged, and by these presents do discharge the Service Books, Book of Canons, and High Commission, and the practice of them, or any of them; and by these presents unmills and refunds all Acts of Council, Proclamations, and other acts and deeds whatsoever, that have been made or published for establishing them, or any of them, and declares the same to be null and to have no force or effect in time coming. And being informed, that the urging of the practice of the five Articles of Perth Assembly hath bred great distraction and division in the Church and State, we have been graciously pleased to take the same into our consideration, and for the quiet and peace of Church and State, do not only discharge with the practice of the said Articles, but also discharge, like as by these presents we discharge all and whatsoever persons from urging the practice thereof, upon either Laick or Ecclesiastical person whatsoever. And we do hereby...
hereby free all Our subjects from all censure and paine, whether ecclesiastical or secular, for not urging, practising, or obeying the same, notwithstanding of any thing contained in the Acts of Parliament, or general Assembly, to the contrary. And because it hath beene, to the disgrace of government, disaffected and surmised throughout this Our Kingdom, that some of Our subjects have exercised such illimited and unwarranted power, and have held themselves exempt from censure and punishment, to which others Our subjects are lyable, We doe by these presents declare, that if any of Our subjects, whether ecclesiastical or civill, of whatsoever qualitie, title, or degree, have, or shall at any time presume to doe any such act, or assume to themselves any such exemption or power, That they shall, like as by these presents We make and ordaine them to be lyable to the triall and censure of Parliament, general Assembly, or any other Judicatories competent, according to the nature and qualitie of the offence. And for the free entry of Ministers, that no other oath be administrate unto them than that which is contained in the act of Parliament. And to give Our subjects full assurance, that We never intend to admit of any change or alteration in the true Religion already established and professed in this Our Kingdom, And that all Our good people may be fully and clearly satisfied of the realitie of Our intentions towards the maintenance of the truth and integritie of the said Religion, We have thought fit and expedient to injoin and authorize, like as We by these presents doe require and command all the Lords of Our privie Council, Senators of the Colledge of Justice, Judges and Magistrates to burgh and land, and all Our other subjects whatsoever, to subscribe and renew the Confession of Faith subscribed at first by Our deare Father and His boyldes, in the yeare of God 1580. Thereafter by persons of all rankes, in the yeere 1581, by ordinance of the Lords of secret Counsell, and acts of the general Assembly. Subscribed againe by all sorts of persons in the yeere 1590, by a new ordinance of Counsell at the desire of the general Assembly, with their generall band of maintenance of the true Religion and the Kings person. And for that effect We doe require the Lords of Counsell to take such course asent the foresaid confession and generall band, that it may be subscribed and renewed throughout the whole kingdom with all possible diligence. And because we will not leave in Our subjects minds the least scruple or doubt of Our royall intentions and reall resolutions, We have given warrant to Our Commissioner to indiet a free generall
generall Assembly, to be helden at Glasgow the twenty first day of November, in this present yeare 1638. And thereafter a Parliament to be helden at Edinburgh the fifteenth day of May Anno 1639, for settling a perfect peace in the Church and Common-weale of this kingdom. And because it is likely that the disorders and distractions which have happened of late, have beene occasioned through the conceived feares of innovation of Religion and Lawes, and not out of any disloyaltie or disaffection to soveraigntie, We are graciously pleased absolutely to forget what is past, and freely to forgive all by-gones to all such as shall acquiesce to this. Our gracious pleasure, and carry themselves peaceably as loyal and dutifull subjects, and shall ratifie and approve the same in Our next ensuing Parliament. And that this Assembly may have the better successe, and more happy conclusion, Our will is, that there be a solemn Fast proclaimed and kept by all Our good subjects of this kingdom, a foureteene dayes before the beginning of the said Assembly: the causes thereof to be a begging a blessing from God upon that Assembly, and a peaceable end to the distractions of this Church and Kingdom, with the averision of Gods heauie judgement from both. And Our pleasure is, that this Fast be kept in the most solemn manner as hath beene in this Church at any time heretofore upon the most extraordinary occasion.

OU R W I L L is herefore, and We charge you straightly and command, that incontinent these Our Letters seenn, ye passe, and make publication hereof by open proclamation at the market Crossees of the head burrowes of this kingdom, where-through none pretend ignorance of the same.

Given at Our Court of Oatlands, the ninth day of September, 1638.

Per Regem.

After this Declaration was proclaimed, the Confession of Faith, as it was at the first commanded by Our Royall Father, as also the band annexed for defence of the Religion now established, and of Our Person and authoritie, with the subscriptions of Our Commissioner and Councell to them both, doe here follow.
The Confession of Faith of the Kirke of Scotland;

Subscribed at the first by the Kings Majesties umwhile dearest Father of blessed memory, and his Household in the year of God 1580. Thereafter by persons of all ranks, in the year of God 1581, by ordinance of the Lords of Secret Council, and Acts of the General Assembly. Subscribed again by all sorts of persons in the year 1590, by a new Ordinance of Council, at the desire of the general Assembly, with the general Band for maintenance of the true religion. And now renewed and subscribed again by his Majesties speciall command, by the right noble Marqueffe James Marqueffe of Hamilton, Earle of Arran and Cambridge, Lord Even and Evendall, his Majesties high Commissioner, and Lords of secret Council under subscribing. And that of and according to the date and tenor of the said Confession of Faith, dated in March 1580, and of the Band, dated in Anno 1589.

E All, and every one of us underwritten, protest, That after long and due examination of our owne consciences, in matters of true and fale Religion, are now thoroughly resolved in the truth, by the Word and Spirit of God, and therefore we beleive with our hearts, confess with our mouths, subscribe with our hands, and constantly affirm before God and the whole world, that this onely is the true Christian Faith and Religion, pleasing God, and bringing salvation to man, which is now by the mercy of God revealed to the world by the preaching of the blessed Evangel.

And received, beleived, and defended by many and sundry notable Kirkes and Realmes, but chiefly by the Kirke of Scotland, the Kings Majestie, and three Estates of this Realme, as Gods eternall truth and onely ground of our salvation; as more particularly is expressd in the Confession of our Faith, established, and publikly confirmed by sundry Acts of Parliament, and now of a long time hath beene openly professed by the Kings Majestie, and whole bodie of this Realme, both in Burgh and land. To the which Confession and forme of Religion, wee willingly agree in our consciences in all points, as unto Gods undoubted Truth and Veritie, grounded onely upon his written Word: And therefore Wee abhorre and detest all contrary Religion and Doctrine, But chiefly all kinde of Papistrie in generall
nerall and particular heads; even as they are now damned and
confuted by the Word of God and Kirk of Scotland: but in spe-
ciall, we detest and refuse the usurped authority of that Roman
Anicripft upon the Scriptures of God, upon the Kirk, the civill
Magistrate, and conscience of men: All his tyrannous lawes made
upon indifferent things against our Christian liberty. His errone-
ous doctrine against the sufficiency of the written word, the perfe-
tion of the Law, the office of Christ and his blessed evangel. His
corrupted doctrine concerning original sin, our natural inability,
and rebellion to Gods law, our justification by faith onely, our im-
perfect sanctification and obedience to the law, the nature, num-
ber, and use of the holy Sacraments. His five bastard Sacraments,
with all his rites, ceremonies and false doctrine, added to the mi-
nification of the true Sacraments without the word of God. His
cruell judgment against infants departing without the Sacrament.
His absolute necessitie of Baptisme. His blasphemous opinion of
Transubstantiation, or reall presence of Christs bodie in the ele-
ments, and receiving of the same by the wicked, or bodies of men.
His dispensations with solemne oathes, perjuries, and degrees of
marriage forbidden in the word. His cruelty against the innocent
divorced. His divellish Maffe. His blasphemous Priesthood. His
profane sacrifice for the sins of the dead and the quicke. His
canonicalization of men, calling upon Anges or Saints departed, wor-
shipping of imagery, reliques, and crosses, dedicating of Kirks, al-
tars, days, vowes to creatures. His purgatory, prayers for the dead,
praying or speaking in a strange language, with his processions and
blasphemous letanie, and multitude of advocates or mediatours.
His manifold orders, auricular confession. His desperate & uncer-
taine repentance. His generall and doubtome faith. His satis-
factions of men for their sins. His justification by works, Opus ope-
ratum, works of supererogation, merits, pardons, peregrinations,
and stations. His holy water, baptizing of bels, conjuring of spirits,
crossing, fasting, anointing, conjuring, ballowing of Gods good crea-
tures, with the superstitious opinion joyned therewith. His world-
ly Monarchy, and wicked Hierarchy. His three solemne vowes,
with all his shavelings of sundry sorts. His erroneous and bloody
decrees made at Trent, with all the subscribers and approvers of
that cruell and bloody band, conjured against the Kirke of God.
And finally, we detest all his vain allegories, rites, signes, and
traditions brought in the Kirke, without, or against the word of
God,
God, and doctrine of this true reformed Kirk. To the which we joyn our selves willingly, in doctrine, faith, Religion, discipline, and use of the holy Sacraments, as lively members of the same, in Christ our head: promising and swearing by the great Name of the Lord our God, that we shall continue in the obedience of the doctrine and discipline of this Kirk, and shall defend the same, according to our vocation and power, all the dayes of our lives, under the paines contained in the law, and danger both of body and soule in the day of Gods fearfull judgement. And seeing that many are stirred up by Satan and that Roman Antichrist, to promise, swear, subscribe, and for a time use the holy Sacraments in the Kirk deceitfully, against their owne consciences, minding thereby, first, under the externall cloak of Religion, to corrupt and subvert secretly Gods true Religion within the Kirk, and afterward, when time may serve, to become open enemies and persecuters of the same, under vain hope of the Popes dissenption devised against the word of God, to his greater confusion, and their double condemnation in the day of the Lord Jesus.

We therefore, willing to take away all suspicion of hypocrisy, and of such double dealing with God and his Kirk, protest, and call the Searcher of all hearts to witnesse, that our minds and hearts do fully agree with this our confession, promise, oath, and subscription: So that we are not moved for any worldly respect, but are persuaded only in our consciences, through the knowledge and love of Gods true Religion, printed in our hearts by the holy Spirit, as we shall answer to him in the day when the secrets of all hearts shall be disclosed. And because we perceive, that the quietnesse and stability of our Religion and Kirk doth depend upon the safety and good behaviour of the Kings Majefty, as upon a comfortable instrument of Gods mercie granted to this country, for the maintenance of his Kirk, and ministration of justice amongst us, we protest and promise with our hearts under the same oath, hand, and paines, that we shall defend his person and authority, with our persons, bodies, and lives, in the defence of Christ his Evangel, liberties of our Country, ministration of justice, and punishment of iniquity, against all enemies within this Realme, or without, as we desire our Lord God to be a strong and mercifull defender to us in the day of our death, and comming of our Lord Jesus Christ: to whom, with the Father, and the holy Spirit, be all honours and glory eternally, Amen.

We
Wee under-subscribing, and considering the strait linke and conjunction betwixt the true and Christian Religion presently profest within this Realm, and Soveraigne Lords estate and standing, having both the selfe same friends and common enemies, and subject to the like event of standing and decay, and weighing therewithall the imminent danger threatened to the said Religion, the preservation whereof being dearer to us then whatsoever we have dearest to us in this life; And finding in his Majestie a most honourable and Christian resolution, to manifest himselfe to the world that zealous and religious Prince which he hath hitherto profest, and to impoy the meanes and power that God hath put into his hands, as well to the withstanding of whatsoever foraigne force shall meane within this land, for alteration of the said Religion, or endangering of the present state, as to the represing of the inward enemies thereto amongst our selves, linked with them in the said Antichristian league and confederacie; Have therefore in the presence of Almighty God, and with his Majesties authorising and allowance, faithfully promised, and solemnly sworne, like as hereby we faithfully and solemnly sweare, and promise to take a true, effauld, and plaine part with his Majestie amongst our selves, for diverting of the appearing danger threatened to the said Religion, and his Majesties state and standing, depending thereupon, by whatsoever foraigne or intelline plots or preparations. And to that effect, faithfully, and that upon our truth and honours, binde and oblige us to others, to conveene and assemble our selves publickely, with our friends in armes, or in quiet manner, at such times and places as we shall be required by his Proclamations, or by writ or message direct to us from his Majestie, or any having power from him, and being conveened and assembled, to join and concurre with the whole forces of our friends and favourers against whatsoever foraigne or intelline powers or Papists, and their partakers, shall arrive or rife within this land, or any part thereof, ready to defend or pursue, as we shall be authorized and conducted by his Majestie, or any others having his power and Commission, to join and hold hand to the execution of whatsoever mean or order shall be thought meet by his Majestie and his Councell, for suppressing of the Papists, promotion of the true Religion, and setting of his Highness estate, and obedience in all the countries and corners of this Realm, to expound and hazard our lives, lands, and goods, and whatsoever means God hath lent us, in the defence
fence of the said true and Christian Religion, and his Majesties person
and estate, against whatsoever Jesuits and Seminaries or Mass-priests,
condemned enemies to God and his Majestie, to their utter inroads and
extermination, according to the power granted to us by his Majesties pro-
clamation and acts of Parliament, to try, search, and seek out all ex-
communicates, practisers, and others Papists whatsoever, within our
bounds and Shire where we keep residence, and delate them to his
Highness and his Privie Councell, and conforme us to such directions,
as from time to time we shall receive from his Majestie and his Coun-
cell in their behalves. And especially so many of us as presently are, or
hereafter shall be appointed Commissioners in every Shire, shall follow,
pursue, and travaile by all means possible, to take and apprehend all
such Papists, Apostates, and Excommunicates, as we shall receive in writ
from his Majesty. And we, the remnant within that Shire, shall con-
curre and assist with the said Commissioners with our whole friends and
forces, to that effect, without respect of any person whatsoever. And
generally to assist in the mean time, and defend every one of us ano-
ther; in all and whatsoever quarrels, actions, debates, moved, or to be
moved against us, or any of us, upon action of the present Band, or other
causes depending thereupon. And especially in defence and pursuit
against whatsoever shall offer or intend any injure or revenge against
any one of them for the premises, making his cause and part that is pur-
sued, all our parts. Notwithstanding, whatsoever private grudge, or
displeasure standing betwixt any of us, which shall be no impediment
or hinder to our said assist joining in the said common cause; but to
bye over, and be mis-known, till they be orderly removed, and taken away
by the order under-specified. To the which time we for the better fur-
therance of the said cause and service, have assure, and by the tenor
hereof, every one of us taking the burden upon us for our selves, and all
that we may let, assure each other to be unshorn, unharm'd, or any
ways to be invaded by us, or any our forefaids, for all meet or not; other-
wise than by ordinary course of law and justice, neither shall we, nor
any of our forefaids, make any provocation, or trouble, or displeasure to
others in any sort, as we shall answer to God, and upon our Honours and
fidelitie to his Majestie. And for our further and more beartie union in this service, we are content, and content, that all whatsoever our feids and variances fallen, or that may fall out be-
twixt us, be within fortie days after the date hereof amicably refer-
ed
red and submitted to seven or five indifferent friends, chosen by his Majestie of our whole number, and by their moderation and arbitration composed and taken away. And finally, that we shall neither directly, nor indirectly separate nor withdraw us from the union and fellowship of the remnant, by whatsoever suggestion or private advice, or by whatsoever incident regard, or by such resolution as by common deliberation shall be taken in the premises, as we shall answer to God upon our consciences, and to the world upon our truth and honours, under the pain to be esteemed traitors to God and his Majestie, and to have lost all honour, credit, and estimation in time coming. In witness whereof, by his Majesties speciall command, allowance, and protection promised to us therein, we have subscribed these presents with our hands. At 1589.

We James Marqueffe of Hamiltoun, Earle of Arran and Cambridge, Lord Even and Evendail, his Majesties High Commissioner, and Lords of his Majesties Privie Council under subscribing by virtue, and conform to a warrant and command signed by his sacred Majestie of the date of Sept. 9. 1638. and registrate in the bookes of Councell upon the 22. day of the said month, Swear, and with our hearts and humble and true affections to Gods truth, and to his sacred Majestie, subscribe the Confession of faith, of & according to the date and tenour above specified: and also renew, Swear, and subscribe the forelaid general Band of the tenor above written, for preservation of the true Religion, and maintenance of his sacred Majesties authoritie, according to the tenor thereof, and siclike, as amply as the same was conceived in favours of his Majesties while blessed Father of eternall memorie, by the said Band. In witness whereof, we have subscribed these presents with our hands, At Holy-rood-house Septemb. 22. 1638. Sic subscribitur,

Hamiltoun,


V
At the same time was a proclamation made for the indiction of the generall Assembly, which was this.

At Holy-rood-house the 22. day of September 1638.

Forasmuch as it hath pleased the Kings Majestie, out of his pious and religious disposition to the true Religion, and out of his fatherly care for removing of all feas, doubts, and scruples, which may arise in the minde of his subjects, for preservation of the pурitie thereof, and upon divers great and weightie considerations, importing the glory of God, the peace of the Kirke and Common-wealth of this Kingdome, to appoint and give order, that a free generall Assembly be indiqted, kept, and holden at the Citie of Glasgow the 21. of November next : Therefore the Lords of secret Councell ordaines letters to be directed, charging Maffars, and Officers of Armes, to passe and make publication hereof by open Proclamation at the Market Crosse of Edinburngh, and the head Burrowes of this Kingdom, and other places needfull. And to warne all and sundry Archbishops, Bishops, Commissioners of Kirkes, and others having place and vote in the Assembly, to repaire and addressse to the said Citie of Glasgow the said one and twentieth day of November nexte to come, and to attend the said Assembly induring the time thereof, and beinge while the same be dissolved, and to doe and performe all which to their charges in such cases appertaineth, as they will answer to the contrarie at their highest perill.

Immediately after that, this Proclamation was made for the indiction of the Parliament.

At Holy-rood-house the 22. day of September 1638.

Forasmuch as it hath pleased his Majestie, out of his pious and religious disposition to the true Religion, and out of his fatherly care for removing of all feas, doubts, and scruples which may arise in the minde of his subjects, for preservation of the pурitie thereof, and upon divers
divers other great and weighty causes, importing the glory of God, the peace of the Kirk and Common-wealth of this Kingdom, to appoint and give order, that the Soveraigne and High Court of Parliament shall be held at the Citie of Edinburgh upon the 15 day of May next to come, with continuation of days; Therefore the Lords of secret Councell ordain letters to be direct to Maiffars and officers of Arms, charging them to passe to the market Cross of Edinburgh, and other places needfull, and there by open Proclamation to make publication of the holding of the said Parliament, and to warne all and sundry Noblemen, Prelates, and Commissioners for the Barons and Burrowes, and all others having voice and place in the said Parliament, that they and every one of them, in their most decent and comely manner, make their addresss to the said Parliament, attend and await thereat during the time thereof, and to discharge that duty which is incumbent to them, and each one of them, as they will answer on the contrary at their peril.

And last of all was published and proclaimed first the Act of the Lords of Our Councell for requiring all Our subjects to subscribe the said Confession of Faith and Band annexed, which here followeth.

At Holy-rod-houle the 24 day of September Anno 1638.

The which day a Noble Earle, JAMES Marquess of Hamilton, Earle of Arran and Cambidge, his Majesties Commissioner, having produced and exhibit before the Lords of secret Councell, upon the twenty second day of this instant, a warrant signed by his Majestie, of the date the ninth of September instant; wherein among others of his Majesties gracious and royall expressions for preservation of the purity of Religion, and due obedience to his Majesties authority in the maintenance thereof, his Majestie did will and ordaine that the Lords themselves should sware the Confession and general Band mentioned in his Majesties said warrant, and also should take such order.
order, as all his Majesties lieges may subscribe the same: And the said Lords of Secret Councell acknowledging his Majesties pious and gracious disposition and affection to the purity of Gods truth, did upon the 22 day of September instant, unanimously and with all humble heart, and sincere affection, swear and subscribe the Confession of Faith, dated the second of March 1580, according as it was then profest within this Kingdome. Together with the foreaid generall Band dated in Anno 1589. And now to the effect that all his Majesties lieges may give the like obedience to his Majesties so pious desire, therefore the said Lords have ordained and ordains all his Majesties lieges, of whatsoever estate, degree or qualitie, Ecclesiastical or Civil, to swear and subscribe the said Confession, dated the second of March 1580 and that according to the said date and tenour thereof, and as it was then profest within this Kingdome. Together with the said generall Band dated in Anno 1589, as they will answer at the contrarie upon their obedience. And ordains Officers of Armes to passe to the market croffe of Edinburgh, and make publication thereof, and at all other places needfull, wherethrough none pretend ignorance of the same.

And next after that was proclaimed the Commission of the Lords of Our Councell, whereby they appointed and designed several Commissioners for requiring and taking the subscriptions of Our subjects to the said Confession and Band annexed, throughout the several Shires within the Kingdome, which here followeth.

At Holy-rood-house the 24 day of September Anno 1638.

Forasomuch as a noble Marquess, James Marquess of Hamilton, Earle of Arran and Cambridge, his Majesties Commissioner and the Lords of Secret Councell, by an Act of the date of the twenty second of this instant, have by speciall warrant of his sacred Majestie sworne and subscribed, with all humble and heartie affection and unanimously, the Confession of Faith, dated the second of March 1580 and at length
insert in the Bookes of Privie Councell, of and according to the said date and tenour thereof, and according as it was then profest within this kingdom: Together with the generall Band insert therewith in the said Bookes of Privie Councell, dated in Anno 1589. Like as also the said Lords of Councell, by their Act of the date of these presents, acknowledging his Majesties pious and gracious disposition and affection to the puritia of Gods truth, and as thereby they conceive themselves bound to condescence and humble dutie to use and follow forth all possible diligence, for procuring the subscriptions of all his Majesties Lieges thereto. And to this effect have thought fit that the care and diligence in procuring thereof be committed to some of his Majesties Councell, and others of the Nobilitie and Gentrie within the severall Sherifftedomes and Provinces of the Kingdom, in manner after specified. Therefore the said Lord Commissioner, and Lords of Secret Councell, give power, warrant, and commision to such of their number, and others after following, within the bounds after specified, viz. For the Sherifftedome of Edinburgue principal, William Earle of Lothian, Archibald Lord Naper, S. John Dalmahoy of that ilke, S. George Towers of Innerleith. For the Burgh of Edinburgh, the Provost and Baillies of Edinburgh, that are, or shall be for the time. For Eastlothiane Robert Earle of Roxburgh, Lord privie Seale, Thomas Earle of Hadintoun, John Earle of Lauderdaill, Harric Lord Ker, S. Patrick Murey of Elbanke, S. Patrick Hepburn of Wanchton, and James Maxwell of Innerweik. For the Stewartie of Dalkeith, John Earle of Traquair, Lord Treasurer, William Earle of Dalhousie, and S. James Macgill of Cranstonriddell. For the Sherifftedome of Peebles, and Ettrick forest, the said Lord Treasurer, and John Lord Yeffer. For the Sherifftedome of Selkirkie, the said Lord Treasurer, the Earle of Hadintoun, S. William Scot of Harden, and Generall Ruthven. For the Sherifftedome of Roxburgh, the Lord Privie Seale, the Earle of Lauderdaill, the Lord Ker, S. Andro Ker of Greenhead, S. William Douglas Sheriff of Twivotdaill, and S. Thomas Ker of Caivars. For the Sherifftedome of Berwick, the said Lord Privie Seale, James Earle of Home, the Earles of Hadintoun and Lauderdaill, and Laird of Blacader. For the Sherifftedome of Fyffe, John Earle of Rothes, Charles Earle of Brunfermeline, John Earle of Amandall, John Earle.
Wigtoun, the Lords Lorn & Flemming, S. George Stirline of Keir, and S. William Stewart Captain of the Castle of Dumbarton. For the sheriffdome of Perth, stewartries of Monteith and Strathern, the Earls of Airth, Montrois, Atholl, Perth, Tullibardine, and Kinmou; Mungo Vicount of Stornont, the Lairds of Keir, and Layers elder and younger, the Lairds of Duncrub elder and younger, and Blair of Balnachioc. For the sheriffdome of Forfar, the Earls of Montrois, Kincardine, and Southesk, the Lords Carnegie and Ogilvie, the Master of Spynie, Patrick Maule of Panmure, the Constable of Dunbar, S. Andro Fletcher of Innerpeffer, the Lairds of Din, Eshie, Balnane, Alabar, Bontyton, Letbotie, and Innerubarratie. For the sheriffdome of the Mervais, the Earls of Mairishall and Southesk, the Lord Carnegie, S. Thomas Burnet of Leyes, the Lairds of Glenbervie, Arbuthnet, Morphi, Balmayne, and Halkerton elder. For the sheriffdome of Aberdene, the Marquess of Huntly, the Earles of Mairshall and Kingarne, the Earl of Kingarne for hisselfe, and as Tutor to the Earl of Erroll, the Lords Forbes and Fraser, and Laerd of Drum. For the sheriffdome of Banff, the Marquess of Huntly, the Earls of Mairshall and Finlatter, For Elgin and Forres, the Earl of Murray, the Laird of Innes, Brodie of that ilk, and Dunbar, sheriff of Murray. For the sheriffdome of Innernesse, the Marquess of Huntly, the Earl of Seafor, the Lord Lovatt, the Lairds of Grant and Makintosh. For the sheriffdome of Caithnes and Sutherland, the Earls of Sutherland, Caithnes, and Seafor, the Master of Berridall, and S. Robert Gordoun. For Orkney and Zetland, the Earl of Caith, S. John Buchannan of Scotiferaig, and Will. Stewart of Magnus. For the sheriffdome of Bute, the Lord Lorn and sheriff of Bute. For the Iles, the Lord Lorn. With power to them conjunctly and severally, to passe to the severall bounds above written, at such times & places as they shall think fit, and there to exhibit the said Confession of Faith and generall Band above specified, marked and subscribed by the Clerk of Counsell, and to require all his Majestys lieges of whatsoever rank and quality to subscribe the said Confession of Faith, dated March 2. 1580, according to the said date and tenour thereof, and as it was then profest within this kindedome together with the generall Band dated in Anno 1589, as they will be answerable to his Majestie and the said Lords upon their
their duty and obedience: and to make report of their said diligence betwixt and the thirteenth day of November next.

And because many did conceive, though falsely, that these pretended Innovations had made some alteration in the Religion which was sworn at the first in the said Confession, Our Commissioner and Council knowing well that suggestion to be made by those who were enemies to all peace, and only to that end that Our subjects might be kept from returning to their obedience, did declare most truly and justly that Our intention; and to accordingly the oath which they had now taken was to defend the true Religion and Confession of faith as it was professed in that Kingdom, and sworn unto in the year of our Lord 1580. by which they did assuredly conceive that all Our good people would rest fully satisfied. The Act of Council containing that short explication here followeth.

Apud Holy-rood-house 22. Septembris
Anno 1638.

The which day a Noble Marquesse, James Marquesse of Hammiltoun, Earl of Arran and Cambridge, his Majesties Commissioner, and Lords of secret Council, in all humble and heartie affection unanimously swore, and subscribed the Confession of Faith above written, dated 2. March 1580. according as it was then profest within this Kingdom: Together with the general Band above speciied dated in Anno 1589. Whereupon S. Thomas Hope of Craighall, his Majesties Advocate, in his Majesties name asked instruments.

With all these Our gracious proceedings the Lords of Our Council were so fully satisfied themselves, that they did verily believe that there would remaine no more scruples in the
the minds of Our good subjects, and that nothing now could keep them from a cheerfull and thankfull returning to their former obedience. Their own resentment and satisfaction they testified both by an act of Councell, and a particular Letter directed to Us for that purpose, which here do follow.

The Act of Councell.

The Lords of secret Councell having read and maturely considered his Majesties letters, and particular declaration of his pleasure aent the ammulling of the Service Book, Book of Canons, and high Commission, discharging the pressing of the practice of the five Articles, making all persons, Ecclesiastick and Civill, of what title or degree soever, lyable to the tryall and cenfure of Parliament, generall Assembly, and other Judicatories competent, antient the not administrating to Ministers at their entry any other oath than that which is contained in the Act of Parliament aent the subscribing and renewing the Confession of Faith, subscribed by his Majesties Father of blessed memory, and his household, in Anno 1580. and Band following thereupon, antient the indiction of a generall Assembly, to be holden at Glasgow the 21. day of November, 1638. and Parliament at Edinburgh the 15. of May, 1639. and antient his gracious goodnesse in forgetting and forgiving all by-gones, and indiction of a Fast for craving of Gods blessing to this Assembly; find themselves so fully satisfied therewith, and the same to be so satisfactory for removing all the sakes of the subjects, antient innovation of Religion or Laines, that we hold our selves bound in duty, not only to acquiesce therewith, as the best mean to secure both Religion and Laines, but also to use our best endeavours that all his Majesties good subjects may likewise rest satisfied therewith: And that they with us, and we with them, may testify our thankfulnesse for so great a grace and goodnesse with all the heartie expressions of dutifulnesse and loyalty; And that our true sense hereof may the more clearly appeare to our sacred Soveraigne, Wee doe by these humbly and heartily make offer of our lives and fortunes in the defending and assisting of his Majesties sacred person and authority, in the maintenance of the forefaid Religion and Confession, and reproving of all such as shall hereafter presume to disturb the peace of this Kirk and Kingdom.

In witness whereof we have heartily and freely subscribed these presents.
presents with our hands. At Holy-rood-house the 22. day of September 1638.

Sic Subscribitur.

Hammiltoun.


The Letter of Our Council.

Most Sacred Soveraigne,

If ever faithfull and loyall subjectes had reason to acknowledge extraordinary favours, shown to a Nation, and in a most submissive and heartie manner give reall demonstrations of the grace vouchsafed; then doe we of your Majesties Councell, of this your ancient Kingdome, unanimously professe, that such acts of clemency vouchsafed us, cannot proceed from any Prince, saving him who is the lively image on earth of the great God Authour of all goodnesse. For return of so transcendent grace, fortified with the reall expression of unparalleled Pietie, roiall inclination to Peace, and universal love, not onely to those of our number, but likewise to all your Majesties loyall Subjectes, wee doe all in one voice, with all resentment can bee imagined, in all humility render our most bounden thankes, and offer, in testimonie of our full satisfaction and acquiescence herewith, to sacrifice our lives and fortunes in seconding your Sacred Majesties commandements, and representing all such as shall hereafter preffe to disturb the Peace of the Kirk and Kingdome. And for some small signification of our alacrity and diligence in your Sacred Majesties service, we have all, without the least shadow of any scruple subscribed the Confession of Faith and Bond appointed to be received by all your Majesties loyall Subjectes, sent the affidavit in Councell, with our other proceedings, which wee doe most humbly represent to your Royall view. And wee be
feach your Majestie to be pleased, to be perswaded of the unmiolable devotion of all, here subscribers, who doe all in all humilitie pray for your Majesties most happy and flourishing reigns.

Sic subscribitur.

**Hamiltoun,**


It is not for men to judge of other mens hearts; but We doe challenge the most rigid Covenanters to name any one particular ever desired by them, in any of their Supplications, Remonstrances, Proteftations, Declarations, written or printed, exhibited to Us, Our Commissioner, or Councell, which is not in this Our gracious Declaration granted to Our people: For not onely all and every one of their particular grievances any way petitioned against by them, are hereby discharged and removed, but even the two generall things, which they made the people beleewe was the summe of all their desires and expectatiouns, viz, a free Generall Assembly, and a Parliament are indicted, and in that order upon which they stood so earnestly, first the Assembly, and then the Parliament: And besides all these, their owne Confession of faith, the ground, as they pretend, of their Covenant renewed and established.

Who would not now have expected a happie period to all the distractions of that Kingdome, upon this Our gracious affenting to all their owne desires? But the divellish obstinacie and malice of those factious spirits, who did see that all their designes were utterly defeated, and that their hopes

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for compassing of them were now a bleeding and drawing their last breath, if they could not find some means to blindfold Our peoples eyes, and so keep them from discerning and acknowledging Our grace and goodness towards them: They presently before the houre that this Our Declaration was to be proclaimed, filled Our peoples minds and ears with fearfull expectations of most terrible things to be delivered in this Our Proclamation, and so destructive of the laws and liberties of that Church and Kingdom, especially of their late sworne Covenant, that presently they wrought the people to a detestation of Our Declaration, before they knew what it was; They presently erected a large scaffold under the Cross where Our Proclamation was to be made, upon which were mounted, not one or two from every Table, to protest in the name of the rest, as heretofore they had done, but a great number of Earles, Lords, Gentlemen, and others, with their swords in their hands, and hats on their heads, not without jeering and laughing during all the time of Our Proclamation, which no sooner was ended, but with a most insolent and rebellious behaviour they assisted one John Flux in reading of a most wicked, treasonable and ignorant Proteftation, which within few days after they printed, and We doe here insert, as being confident that all subjects in the world who shall come to read it, will abhorre and detest, if ever they did feele in their owne hearts the leaft touch or taste of a Princes favour and clemencie, or carry any affection to loyalty, justice, and government: The very reading of it will bring every good subject and religious honest man so farre out of love with it, as it needeth no further confutation then the very perusal of it: For who can endure to heare Scripture so grossely abus'd, the holy name of God so solemnly invoked as a witniffe to such notorious falfhoods, to their rebellious courtes and Covenant those attributes of infallibilitie given, which are onely proper to the sacred Scripture, and royall authoritie affronted with such peremptorie asfervations, ignorant and fensifte reafons, the falfhood and inconfequence whereby most needs appeare upon
upon first view, to any one who shall cast his eye upon them; The Protestation follows, thus:

The Protestation of the Noblemen, Barons, Gentlemen, Burrowes, Ministers, and Commons, the 22. of September 1638.

We Noblemen, Barons, Gentlemen, Burgesse, Ministers, and Commons, his Majestie true and loyal subjects, that whereas our continual supplications, complaints, articles, and informations, presented first, to the Lords of his Majestie Privie Council, next, to his sacred Majestie; and last, from time to time to his Majestie Commissioner, our long attendance and great patience this twelve-month bygone, in waiting for satisfaction of our most just desires, our zeal to remove all rubs out of the way, which were either mentioned unto us, or could be conceived by us, as hinderances of our pious intentions, aiming at nothing but the good of the Kingdom, and preservation of the Kirk, which by consumption or combustion is likely to expire; delighting to use no other means but such as are legal, and have beene ordinaries in this Kirk, since the reformation; and labouring according to our power and interest, that all things might be carried in a peaceable manner, worthy of our Professions and Covenant; our Protestation containing a hearty thanksgiving for what his Majestie in his Proclamation from his justice had granted of our just desires, and our Protestations and hopes for so much as was not as yet granted: all these made us confidently to expect from his Majesties royall and compassionate disposition towards this his native Kingdom; that a free Generall Assembly and Parliament should have beene indited, as the ordinary and most proper remedies of our grievances, and did constraine us to renew our petition, earnestly requesting that his Majesties Commissioner would be pleased to represent unto his Majestie the condition of this Kirk and Kingdom, crying in an extreme exigency for present help, with the lawfulness of the remedies prescribed by his Majesties Laws, required by us and presented to him in some particular Articles, which his Grace promised to recommend to his Majestie, and to doe his best endeavours for obtaining the same; especially the first Article, that there might be indicted a full and free Generall Assembly, without prelimitation, either
in the constitution and members thereof, in the order and manner of proceeding, or in the matters to be treated: And if there should be any question or doubt about one of these, or such like particulars, that the determination thereof might be remitted to the Assembly it selfe, as the only proper and competent Judge. And now, after so many supplications, complaints, articles, and informations; after our necessary protestation, expressing the humble thankfulness and continued desires of our hearts; after so long expectation, and so much dealing, having with open eares and attentive minds, heard his Majesties Proclamation, It is our desire, purpose, and endeavour so to proceed, that we may upon the one part still be thankful to God and the King for the least blinke of his Majesties countenance, and the smallest crunns of comfort that fall unto us from his Majesties Royall hands; beseeching the Lord yet further to inlarge his Majesties heart, for our full satisfaction and rejoicing, to the honour of God, the good of this Kirk and Kingdom, and his Majesties never dying fame and glory; that his wise government and zeal to the service of God may be a measure and pattern of desires to all generations hereafter, when they shall be willing for a religious and righteous King: And on the other part, that Christ our Lord, the King of kings, through our neglect or luke-warmness may want no part of his Sovereignty and Dominion, and that in our Religion, which is more dear unto us then our lives, we deceive not our selves with that which cannot satisfy and make up the breach of this Kirke and Kingdom, or remove our fears, doubts, and suspicions of the innovations of Religion: This hath made us to observe and perceive, that his Majesties Proclamation doth ascribe all the late distractions of this Kirke and Common-wealth to our conceived fears of the innovation of Religion and Law, as the cause and occasion thereof, and not to the innovations themselves, with which we have beene for a long time, and essentially of late, heavily pressed and grieved, as if the cause were rather in apprehension and fancie, then in reality and substance. That the Service book and booke of Canons are not so far discharged by this Proclamation, as they have beene urged by preceding Proclamations; for this Proclamation onely discharges the practice of them, and rescinds the Acts made for establishing their practice, but doth not rescind the former Proclamations, namely, that of the 19. of February at Stirling, and that of the fourth of July at Edinburgh, which give
an high approbation to these Books, as fit meanes to maintaine Religion, and to beat down all superstition; and withall declares his Majesties purpose, to bring them into this Kirk in a faire and legal way; And thus both our feares that they may be introduced hereafter, must still remaine, and the libertie of the Generall Assembly, by such a Declaration of his Majesties judgement, is not a little prejudged in the minds of so many as wisely consider and compare the preceding Proclamations with this which we now heare, although others who looking upon one step and not upon the whole progresse, run on rashly, and neither considering what they are doing, nor with whom they are dealing may be easily deceived, Qui paucæ videt, cità judicat, a short sight maketh a judden judgement.

That it is declared in this Proclamation, That his Majestie neither intendeth to innovate any thing in Religion or Laines, or to admit of any change or alteration in the true Religion already establisht and professed in this Kingsome: and withall, this is interposed, That the articles of Pearth are establisht by the acts of Parliament and generall Assembly, and dispension of the practice only granted, and discharge given, that no person be urg'd with the practice thereof; and consequently his Majesties intention for the standing of the Acts of the Assembly and Parliament appointing the Articles of Pearth, is manifeatt, which is no small prejudice to the freedome of the Generall Assembly, That while the Proclamation ordaineth all his Majesties subjects to be liable to the trial and centurie of the judicatories competent, and that none of them shall use any unlimited and unwarranted power, likewise that no other oath be administered to Ministers at their entrie, then that which is contained in the Act of Parliament; in both these Articles the Bishops are meant, who are only thereby for the present curbed, against their exorbitantie and enormities in exercising their office, but the office of Bishops is thereby not only presupposed as unquestionable, but also so strongly establisht, that his Majestie declareth, for the present, his intention, to admit no innovation therein, which is more evident by the indiction of the Parliament, warning all Prelats to be present, as having voice and place in Parliament, and by the indiction of the Assembly, warning all Archbishops and Bishops (for so are their divers degrees and offices Ecclesiastical) here designed and supposed, to be present, as having place and voice in the Assembly, contrary to the caveats, acts of the Kirk, and our declinator, and thus a third and great limitation is put upon the Generall Assembly.
The Proclamation, by reason of these many real limitations, and prejudices of the liberty of the Assembly in the very points which have wrought so much woe and disturbance in this Kirk and Kingdom, and wherein the liberty of the Assembly is most useful and necessary at this time, can neither satisfy our grievances and complaints, nor remove our fears and doubts, nor cannot (without protestation) be admitted by us his Majesties subjects, who earnestly desire that Truth and Peace may be established; and that for the reasons following.

1. To keepe silence in any thing that may serve for the good of the Kirk, whether it be in preaching, prayer, or in proposing and voicing in a lawfull Assembly of the Kirke, is against the word of God. Eph. 6.2. 6. Yee that are the Lords remembrancers, keepe not silence, and give him no rest till he establish, and till he make Jerusalem a praise in the earth. 1. King. 18. 21. Like the halting of the people betwene two opinions, and their not answering a word, when the Lord called them to give a testimony. Act. 20. 20. I have keepe nothing that was profitable unto you: and againe, 1 Cor. 12. 7. Mat. 15. 18. Rom. 1. 18. Revel. 2. 14. 20. and 3. 15: and therefore to keepe silence, or not to meddle with corruptions, whether in doctrine, sacraments, worship or discipline, in a generall Assembly of the Kirk, convened for that end, were the ready way to move the Lord to deny his Spirit unto us, and to provoke him to wrath against our proceedings, and might be imputed unto us for prejudice, for collusion, and for betraying our selves and the posterity.

2. This predetermination is against our supplications and protestations, wherein we have shewn our selves so earnest for a free generall Assembly, contrary to every limitation of this kind; so far prejudging the liberty thereof, is against the Confession of Faith registrated in the Parliament 1567. declaring that one cause of the Councils of the Kirk is for good policie and order to be observed in the Kirk, and for to change such things as men have devised when they rather foster superstition then edifie the Kirke, using the same; and is against our late Confession, wherein we have promised to forbear all novations till they be tried, which obligeth us to forbear now, and to try them in an Assembly, and by all lawfull means to labour to recover the former purity and liberty of the Gospel, to which this limitation is directly repugnant, our liberty in a Generall Assembly being the principall of all lawfull means serving to that end.

3. This
3. This were directly contrary to the nature and ends of a general assembly, which having authority from God, being convened according to the laws of the Kingdom, and receiving power from the whole collective body of the Kirke, for the good of Religion, and safety of the Kirke; whatsoever may conduce for these good ends in wise and modesty should be proposed, examined, and determined without Prelimitation, either of the matters to be treated, or of the liberty of the members thereof. It being manifest; that as farre as the assembly is limited in the matters to be treated, and in the members to be used, the necessary ends of the Assembly, and the supreme Law, which is the safety of the Kirke, are as far hindered, and pre-judged.

This limitation is against the Discipline of the Kirke, which Booke 2. chap. 7. declareth this to be one of her liberties. That the Assembly hath power to abrogate and abolish all Statutes and ordinances concerning Ecclesiasticall matters that are found noysome and unprofitable, and agree not with the time, or are abused by the people, and against the acts of the general assembly. Like as the pretended Assembly 1610. declareth for the common affairs of the Kirk (without exception or limitation) it is necessary that there bee yearly general Assemblies, And what order can bee hoped for hereafter, if this assembly indited after so long intermission, and so many grosse corruptions be limited, and that more than ever any lawfull Assembly of the Kirke was, when it was yearly observed.

5. It is ordained in Parl. 11. act. 40. K. James 6. anent the necessary and lawfull forme of all Parliaments that nothing shall be done or commanded to be done, which may directly or indirectly pre-judge the liberty of free voicing or reasoning of the Estates, or any of them in time comming. It is also appointed in Parl. 6. act. 92. K. James 6. that the Lords of Counsell and Session proceed in all civil causes intended or depending before them, or to be intended, to cause execute their decrees notwithstanding any private writing, charge, or command in the contrary, and generally by the acts of Parliament appointing every matter for its owne judicaturie, and to all judicatories their owne freedome. And therefore much more doth this liberty belong to the supreme judicatory ecclesiasticall in matters so important as concerneth Gods honour and worship im-
medially, the salvation of the people's souls, and right constitution of the Kirk whose liberties and privileges are confirmed. Parl. 12. K. James 6. Parl. 1. K. Charles; for if it be carefully provided by diverse Acts of Parliament, especially Parl. 12. act 148, K. James 6. That there be no forstalling or regrating of things pertaining to this natural life: What shall be thought of this spiritual forstalling and regrating which tendeth to the famishing or poymoning of the souls of the people both now and in the generations afterward.

6. It were contrary to our Proteflations, proceedings and complaints against the late innovations. And it might bee accounted an innovation and usurpation as grosse & dangerous to us, & the posterity and as prejudicial to Religion as any complained upon by us, to admit limitations, and secret or open determinations, which belongeth to no person or judicatory, but to an Assembly. Or to consent to, and approve by our silence the same predeterminations. It were to be guilty of that our selves, which we condemn in others. We may easily judge how the Apoftles before the Council of Jerusalem, the Fathers before the Nicene Council, and our Predecessors before the Assembly holden at the Reformation, and afterwards, would have taken such dealing.

That this proclamations commanded all his Majesties Subjects for maintenance of the Religion already established to subscribe and renew the Confession of Faith subscribed before in the year 1580 and afterward. And requireth the Lords of privy Council to take such course anent the same, and the general Band of Maintenance of the true Religion, and the Kings person, that it may be subscribed, and renewed throughout the whole Kingdom with all possible diligence, which cannot now be performed by us. For although of late we would have been glad that our selves and other his Majesties Subjects had been commanded by authority to sweare, and subscribe the general Confession of Faith against Popish errors, and superstitions: and now would be glad that all others should join with us in our late Covenant & Confession descending more specially to the novations and errors of the time, and obliging us to the defence of Religion; and of the Kings Majesties person, and authority, and for these ends to the mutual defence every one of us of another, let can we not now after so necessary, and so solemn a speci-
fication returne to the generall for the reasons following.

1. No means have been left unassayed against our late Confession of Faith and Covenant so solemnly sworn and subscribed. For first we were prest with the rendring and recinding of our Covenant. Next an alteration in some substantiall points was urged. A Declaration was motioned, which tended to the enervation thereof, and now we finde in the same strain, that we are put to a new triall, and the last mean is used more subtile than the former: That by this new subscription our late Covenant, and Confession may be quite absorbed and buried in oblivion, that where it was intended to be an everlasting Covenant never to be forgotten, it shall be never more rememberd, the one shall be cryed up, and the other drowned in the noise thereof, and thus the new subscription now urged, (although in a different way) shall prove equivalent to the rendring of the Covenant, or what of that kinde hath before been assayed. Like as the reasons against the rendring of the Covenant, doe militate directly against this new motion.

2. If we should now enter upon this new Subscription, we would think our selves guilty of mocking God, & taking his Name in vain, for the tears that began to be poured forth at the solemnizing of the Covenant are not yet dryed up and wiped away, and the joyful noise which then began to sound hath not yet ceased, and there can be no new necessity from us, and upon our part pretended for a ground of urging this new subscription, at first intended to be an abjuration of Popery upon us who are knowne to hate Popery with an unfained hatred, and have all this yeare bygone given large testimony of our zeal against it. As we are not to multiply miracles on Gods part, so ought we not to multiply solemn oaths and Covenants upon our part, and thus to play with oaths, as children doe with their toys, without necessity.

3. Neither would we in giving way to this new subscription think our selves free of perjury: for as we were driven by an undeclineable necessity to enter into a mutual Covenant, so are we bound, not only by the law of God and nature, but by our solemn oath and subscription, against all divisive motions to promote and observe the same without violation: and it is most manifest, that having already refused to render, alter, or destroy our Covenant, nothing can bee more contrary and adverse to our pious intentions and sincere refo-
That and former union, like and authority have been made to extinguishe, and to drawne in oblivion the Band of our union and conjunction that they be no more remembered. In this case we are called to lay seriously to our hearts, 1. That we have sworne that we shall neither directly, nor indirectly suffer our selves to be divided and withdrawn from this blessed and loyal conjuntion, which consisteth not only in the general Confession, but also in our explanation, & application thereof, but on the contrary, seal by all lawfull means, labour to further and promote the same. 2. That our union and conjunction may be observed without violation, (and so without mutilation of our application) we call the living LORD to witnesse, as we shall answer to Christ in the great Day, &c.

4. This new subscription, instead of performing our vows, would be a reall testimony and confession before the World, That we have been transgressors in making rash vows, that we repent our selves of former zeal and forwardness against the particulars express first in our Supplications, Complaints, and Protestations, and next abjured in our Covenant, that we in our judgement prefer the general Confession unto this, which necessarily was now made more special; and that we are now under the faire pretext and honest cover of a new oath, recanting & undoing that, which upon so mature deliberation we have been doing before. This beside all other evils, were to make way and open a door to the re-entry of the particulars abjured, and to repent our selves of our chiefest consolations, and to lie both against God and our owne soules.

5. It hath been often objected, that our Confession of Faith, & Covenant was unlawful, because it wanted the warrants of publick authority, and it hath been answered by us, that we were not destitute of the warrant civil and ecclesiastical which authorized the former Covenant. And although we could have wished that his Majesty had added both his subscription & authority unto it, yet the lesse constraint from authority and the more liberty, the lesse hypocrisy, and more sincerity hath appeared: But by this new subscription urged by authority we both condemn our former subscription as unlawful, because alleged to be done without authority, and precondemned alfo the like laudable course in the like necessity to be taken by the posterity.

6. What is the use of merch stones upon borders of Lands, the like
use hath Confessions of Faith in the Kirk, to determinate and divide betwixt Truth and error: and the renewing and applying of Confessions of Faith to the present errors and corruptions, are not unlike ryding of merches. And therefore to content our selves with the general, and to return to it, from the particular application of the Confession, necessarily made upon the invasion or creeping in of errors within the borders of the Kirk, if it be not a removing of the merch sone from the own place, it is at least the hiding of the merch in the ground that it be not seen, which at this time were very unseasonable for two causes. One is, because Popery is so pregnant, and powerful in this land, as we have learned of late. The other, because the Papists, who upon the urging of the Service book & Canons, have prevailed of our return to Rome, will upon this our subscription arise from their dispairing of us, unto their wonted presumption. None of us will deny, but the large Confession of Faith register'd in the Acts of Parliament, doth by consequence contain this short confession and abjuration: Yet were it not sufficient against Popery to subscribe the one without the other: how then shall we think that the more general Confession & abjuration at this time, when the urging of such Popish books hath extorted from us so necessary an application, and doth still call for a testimony, to be compleat enough without it.

7. The Papists shall hereby be occasioned to renew their old objection against us, Annuas & menstruas fides de Deo decernunt, That our Faith chang'd with the Moon, or once in the yeare. Other reformed Kirks might justly wonder at our inconstancy in changing our Confession without any reall necessity, and that in one and the same yeare: it cometh forth larger, & more particular, than shorter, & more general: & our Adversaries will not fail to traduce us as troubles of the peace of the Kirk & kingdom without any necessar cause.

3. It will likewise prove a confirmation of their error, who think they may both subscribe the Confession of Faith, and receive the Service book, and Canons, which is not only a direct scandal of them, but also a ready way to put a weapon in their hands against our selves, who maintain and profess, that these and such other evils are abjured in the Confession of Faith.

9. If we should now declare this Confession, we should be obliged by our oath to maintain Perth articles, which are the innovations already introduced in the worship of God, and to maintain Episcopacy, with
with the civil places, and power of Kirkmen. Because we are bound
to swear this Confession by virtue of & conform unto the King's
command signed by his sacred Majesty of the date September 
1638. (These are the very words subscrib'd to the Confession and
Band, and prefixed to the Subscriptions) and it cannot be denied,
but any oath ministered unto us, must either be refused, or else taken
according to the known mind, professed intention, and express command of Authority urging the same: And it is most manifest, that
His Majesties mind, intention, and Commandment, is no other, but
that the Confession be sworn, for the maintenance of religion, as it is
already or presenty professed, (these two being coincident, altogether
one and the same, not only in our common form of speaking, but in all
His Majesties Proclamations) and thus as it includeth, and containeth within the compass thereof, the forewent novations and Episco-
pacy, which under that name were also ratified, in the first Parliament held by his Majesty. And where it may be objected, that the
Counsellors have subscribed the Confession of Faith, as it was pro-
fessed 1638, and will not urge the Subscription in another sense
upon the Subjects, We answer, First, the Act of Counsell containing
that declaration, is not as yet published by Proclamation. Secondly, if
it were so published, it behooved of necessity either be repugnant to
His Majesties declared Judgement and Command, which is more
nor to (swear without warrant from Authority (a fault although
unjustly, often objected unto us) or else we must affirm, the Religion
in the yeare 1580, and at this time to be altogether one and the
same, and thus must acknowledge, that there is no novation of Reli-
gion, which were a formal contradiction to that we have sworn.
3. By approving the Proclamation anent the Oath to be administered
to Ministers, according to the Act of Parliament, which is to swear
simple obedience to the Diocesan Bishop, and by warning all Arch-
bishops and Bishops to be present, as having voice and place in the
Assembly. They seem to determine, that in their Judgement, the Con-
fession of faith, as it was professed 1580, doth consist with Episco-
pacy, whereas We by our oath have referred the tryall of this or any o-
ther question of that kinde to the general Assembly & Parliament.
10. This subscription of oath in the mind & intention of authority,
& consequently in our swearing thereof may consist with the corrup-
tions of the Service book & Canons, which we have abjured as other
heads of Popery: For both this present proclamation, and his Majesty's former proclamations at Linlithgow, Striveling, Edin-
burgh; The Lords of privy Council in their approbation of the same, and the prelates and doctors who stand for the Service book &
Canons, Doe all speak plainly, or import so much, That these books are not repugnant to the Confession of Faith; and that the introduc-
ing of them is no novation of religion or law: And therefore wee must either refuse to subscribe now, or we must confess contrary to our late Oath, and to a cleare Truth, That the Service book and Canons are no innovations in Religion. And, though the present books be discharged by proclamation, yet if we shall by any deed of our own testify, that they may consist with our Confession of Faith, within a very short time either the same books, or some other like unto them, with some small change, may be obtruded upon us, who by Our abin-
ration (if we adhere unto it) have freed both our selues, and the po-
sterity of all such corruptions, and have laid a faire foundation for the pure worship of God in all time comming.

Although there be indeed no substantiall difference between that which We have subscribed & the Confession subscribed 1580.,
more then there is between that which is hid, and that which is re-
valed: A March stone hid in the ground, and uncovered, betwixt the
hand closed and open, betwixt a sword sheathed and drawne, or be-
twixt the large Confession, registra't in the AEs of Parliament, and
the short Confession, or (if we may with reverence ascend yet higher)
between the Old Testament & the New, yet as to sheath our sword
when it should be drawn, were imprudency, or at the commandement
of Princes, professedly Popish in their dominions, after the Subiects
had subscribed both Confessions, to subscribe the first without the
second, or at the will of a Jewish Magistrate, openly denying the New
Testament, to subscribe the Old alone, after that they have sub-
scribed both, were horrible impiety against God, and Treachery
against the Truth: Right so, for Vs to subscribe the former a part,
as it is now urg'd and framed, without the explanation and ap-
plication thereof at this time, when ours is relev'd; and the sub-
scribers of the former refuse to subscribe ours, as containing some-
thing substantially different, and urge the former upon us, as dif-
ferrnt from ours, and not expressing the speciall abiration of the
evils, supplicated against by us, were nothing else, but to deny and
part
part from our former subscription, if not formally, yet interpretative-ly. Old Eleazar, who would not seeme to eate forbidden meate, and the Confessours and Martyrs of old, who would not seeme by delievering some of their papers, to render the Bible, or to deny the Truth, may teach us our duty in this case, although our lives were in hazard for refusing this Subscription: And who knoweth, but the Lord may be calling His people now, who have proceeded so far in professing His Truth at this time, to such Trials and Confessions, as His faithfull Witnesses have given of old; that in this point also our doing may be a document both to the succeeding ages, and to other Kirks to whom for the present we are made a spectacle.

12. If any be so forgetfull of his oath (which God forbid) as to subscribe this Confession, as it is now urged, he doth according to the proclamation acquiesce in this declaration of his Majesties will, and doth accept of such a pardon as bath need to be ratified in parliament, And thus doth turne our glory unto shame, by confessing our guiltinesse, where God from Heaven hath made us guiltlesse, and by the fire of His Spirit from Heaven hath accepted of our service, And doth depart from the commandement of God, the practice of the Godly in former times, and the worthy and laudable example of our worthy and religious progenitours, in obedience whereof, and conform to which we made profession to subscribe: for there is no particular Act required of us, to whom the pardon is presented in this proclamation, but this new subscription allanerlie.

13. The generall band now urged to be subscribed, as it containeth many clauses not so fittting the present time as that wherein it was subscribed, so is it deficient in a point, at this time most necessary, Of the reformation of our lives, that we shall answerably to our profession, be examples to others, of all Godliness, sobernesse and righteousnesse and of every duty we owe to God and man; without which we cannot now subscribe this Confession, lest we loose the bands to wickednesse, seem to repent of our former resolutions and promises, and choose to have our portion with hypocrites, professing and swearing that we know God, but in our works denying him, being abominable, disobedient, and unto every good work reprobate.

14. Since the narrative of the generall band is now changed, some lines,
lines, expressing at length the Papists, and their adherents to be, the partie from whom the danger to Religion, and the Kings. Majestie was threatened, are left out, and no designation made of the partie from whom the danger is now threatened, We are made either to think, that our subscription at this time is unnecessary; or to suspect that we who have supplicated, and entred in Covenant, are understood to be the partie, especially since the Lords of Council have in the Act September 22, ratifying the Proclamation, found themselves bound to use their best endeavours; that all his Majesties good subjects may rest satisfied with his Majesties Declaration, since also we have beene (although undeservedly), challenged of disorders, distractions, and dangers to Religion, and his Majesties authority, and since in the foresaid Act, and in the missive directed to his Majestie, the Lords of Council offer their lives and fortunes to his Majestie, in reprefeing all such as shall hereafter preufe to disturb the peace of this Kirk and Kingdom, which being expressed in a generallity is by many applied to us, and interpreted of our adhering to our Covenant. We should therefore, by our subscription of the Covenant, as it is now conceived, both do directly against our owne minds in condemning our selves, wherein we are innocent, and should confess to our owne hurt, to the suppressing of the cause which we main- taine, and to the suppressing mutually one of us of another, directly contrarie to our former Solemne Oath and Subscription, 15. The subscribing of this Confession by the Lords of his Majesties privie Council, who by their place and high employment are publicke Peace-makers, and by others who have not subscribed the late Confession will make the breach wider, and the lamentable division of this Kirk more desperate then ever before; some having sworne to labour by all lawfull meanes to recover the former Libertie, and puritie of Religion, and others maintaining that for puritie, which is already established; some believing and professing that the evils supplicated against are abjured in that Confession of Faith; and others maintaining the Confession of Faith, and these corruptions (although for the present discharged by Authoritie) not to be inconsistent; and beside this, many divisions and subdivisions will ensue to the dolefull resting of the Kirk and Kingdom, making way for the wrath and many judgements of God often threatened by his faithfull
faithfull servants, which all the godly ought to labour by all
means to perfect.

16. Wee represent also to the honourable Lords of privie
Councell to be considered, That the Doctrine, Discipline, and Life
of Sacraments are sworne, and the contrary abjured, according
to the Word of God, and the meaning of the Kirk of Scotland in
the books of Discipline, and Acts of Assemblies; And that in the
Oath there is no place left to the generalitie of any mans concep-
tion of the true Faith and Religion, nor to any private interpreta-
tion, or mentall reservation.

For these and the like considerations, in our owne name, and
in name of all who will adhere to the late Covenant, subsribed
by us, and sealed from Heaven, We (from our dutie to God, our
King, our native Countrey, our selves, and the posteritie, left
our silence import a satisfaction of our desires, and a stopping
of our mouths from necessarie supplication for things yet to be
obtained from his Majesties just and gracious disposition) are con-
strained to declare and protest; First, that the cause and occasi-
on of the distractions of the Kirk and Common wealth, are no
waies to bee imputed unto us, or our needless feares, but to the
innovations and corruptions of Religion, which against the Acts
and order of this Kirk, and the Laws of the Kingdom, have
beenne pressed upon us, the people of God, and his Majesties loyall
subjects; who, although under great thraldom, were living in peace
and quietnesse, labouring in all godlineffe and honesty to do our
dutie to God and man. Secondly, We protest, that all questions
and doubts that arife concerning the freedome of the Assembly,
whether in the constitution and members thereof, or in the mat-
ters to be treated, or in the manner and order of proceeding, be re-
mitted to the determination of the Assembly it selfe, as the onely
proper and competent Judge, And that it shal be lawfull for us,
being authorized with lawfull Commissions, as at other times
when the urgent necessitie of the Kirk shall require, so in this ex-
giency to assemble our selves at the Diet appointed, notwithstanding
any impediment or prorogation to the contrary: And being a-
sembled, against all qualifications and predeeterminations, or pre-
suppoofals to propose, treat, reason, vote, and conclude, according
to the Word of God, Confession of Faith, and Acts of lawfull Assem-
bles, in all Ecclesiasticall matters pertaining to the Assembly,
and tending to the advancement of the Kingdom of Christ, and
good of Religion.

Thirdly, since Archbishops and Bishops have no warrant for
their office, in this Kirk, since it is contrary both to reason and to
the Acts of the Kirk, that any have place and voice in the Assembly, who are not authorized with lawful Commissions, and see-
ing both in common equity, and by the tenour of this Proclamati-
on, they are made liable to the trial and censure of the Assembly,
Wee protest, that they bee not present, as having place or
voice in the Assembly, but as ye to compare, for underlying tri-
all and censure upon the generall complaints already made, and
the particular accusations to be given in against them; And that
the warning given by his Majesties Proclamation, and this our
Protestation, be a sufficient cytation to them, to compare before
the Assembly, for their triall and censure, in life, office, and be-
nefice.

Fourthly, Wee solemnly protest, that Wee do constantly adhere
to our Oath and Subscription of the Confession of Faith and
Covenant, lately renewed and approved with rare and undeniable
evidences from heaven, of the wonderfull workings of his Spirit
in the hearts both of Pastors and people, through all the parts of
the Kingdom; And that we stand to all parts and clauses there-
of, and particularly to the explanation and application, containing
both our abjuration of, and our union against the particular evils
and corruptions of the time; a dutie which the Lord at this time
especially craveth at our hands.

Fifthly, We also protest, that none of us who have subscribed,
and do adhere to our subscription of the late Covenant, be char-
ged, or urged, either to procure the subscriptions of others, or to
subscribe our selves unto any other Confession or Covenant, con-
taining any derogation therunto, especially that mentioned in the
Proclamation, without the necessarie explanation and the applica-
tion thereof, alreadie sworn by us, for the reasons above expressed:
And because, as we did in our former Protestation appeale from
the Lords of his Majesties Councell, so do we now by these renew
our solemn appeale, with all solemnities requisite, unto the next
free General Assembly and Parliament, as the onely supreme
national Judicatories competent, to judge of nationall causes
and proceedings.

Sixthly,
Sixthly, We protest, That no subscription, whether by the Lords of Councillors others, of the Confession mentioned in the Proclamation, and enjoined for the maintenance of Religion; as it is now already, or at this present time established and professed within this Kingdome, without any innovation of Religion or Law, be any manner of way prejudicial to our Covenant, wherein we have sworn to forbear the practice of Novations already introduced, &c. till they be tried in a free Assembly, and to labour by all lawfull means, to recover the puretie and libertie of the Gospell as it was established and professed before the forefaid Innovations: And in like manner, that no subscription foresaid be any derogation to the true and found meaning of our worthy predecessors, at the time of their subscription in the yeare 1581 and afterward: Withall, warning and exhorting all men wholay to heart the cause of Religion, against the corruptions of the time, and the present estate of things, both to subscribe the Covenant as it hath bin explained, & necessary applied, and as they love the puretie and libertie of the Gospell, to hold back their hands from all other Covenants, till the Assembly now indited be convened, & determine the present differences and divisions, & preserve this countrey from contrary oathes.

Seventhly, As his Majesties royall clemencie appeareth in forgiving and forgetting what his Majestie conceiveth to be a disorder or done amisse in the proceeding of any, so are we very confident of his Majesties approbation, to the integrity of our hearts and peaceableness of our wayes and actions all this time past: And therefore We protest that we still adhere to our former complaints, protestations, lawfull meetings, proceedings, mutuell defences, &c. All which, as they have been in themselves lawfull, so were they to us, pressed with so many grievances in his Majesties absence from this native kingdome, most necessary, and ought to be regarded as good offices, and pertinent duties of faithfull Christsians, loyall subjects, and sensible members of this Kirk and Common-wealth, as we trust at all occasions to make manifest to all good men, especially to his sacred Majestie, for whose long and prosperous government, that we may live a peaceable and quiet life in all godliness and honesty, We earnestly pray.

Whereupon a noble Earle, James Earle of Montrose, &c. in name of the Noblemen, M. Alexander Gibson younger of Burie,
And now for triall of what Wee have said, the Reader may reflect upon these particulars: Not far from the beginning, they averre that they did confidently expect from Us a free Generall Assemblie and Parliament to be indicted, and that Our Commissioner promised to recommend unto Us this their suit for a free Generall Assemblie, without prelimitation either in the constitution and members thereof, in the order and manner of proceeding, or in the matters to be treated of; and do insinuate as if Wee had not given order for any such Assemblie in Our Declaration; which everie Reader (looking upon Our Declaration) may see to be most untrue: for in it We give warrant to Our Commissioner to indict a free Generall Assembly. Nor is there either mention or meaning of any prelimitation, though they themselves did use very many, some whereof you have heard already, and shall hear of more hereafter. Afterwards they quarrell with Our Declaration for ascribing all the late distractions of this Church and Common-wealth to their conceived feares of the Innovation of Religion and Lawes; and not to the Innovations themselves: No doubt a great crime, that We will not acknowledge that the Service Book, which was penned at first by those who laid downe their lives in opposition to Popery, is an introduction.
We do profess that we did discharge that Booke only to remove their fears and doubts; and ease their pretended grievances: nor can wee condemn that Book, without condemning the Service Book of England, for the Covenanters arguments strike alike at both. Then immediately after, They take it ill that though we have discharged the practice of these pretended Innovations, and revoked all Acts made for the establishing of them; yet we have not rescinded our former Proclamations at Sterling and Edinburgh. As if nothing could content them, unless we should disgrace our own Proclamations which did not any way establish or authorize the things complained of: Nay more, unless we will call back our owne words, which cannot be interpreted to any such sense as they would force upon them, they would make our people believe, that the liberty of the generall Assembly is prejudged, &c. in a suspicious, undutifull and dangerous phrase, tell them; That they do not consider with whom they are dealing; as if no truft were to be given to us: Next, they quarrell with our discharging of the practice of the Articles of Peart, but not the Articles themselves which are established by acts both of Parliament and Generall Assembly, and yet we dare say, that they would hold it for a strange position, if we should use our Prerogative to the disannulling of any thing established by these two Judicatories; nay; if we and the Parliament joyntly should (as the world goeth now) offer to disannull any act of their Generall Assembly: So glad they are to quarrell with our Declaration, that in their eagerness they destroy their owne grounds. Their next cavill, if it were possible, is as fensifles as the former, whereby they averre, that our naming of Bishops in our Proclamation for the indiction of the Assembly is a prelimitation of it; because thereby we take it as granted, that the office of a Bishop is unquestionably an office in that Church and Kingdom: and this they call a great prelimitation put upon the Assembly; but with what shew of consequence we cannot possibly conceive: For who would not take that undoubtedly for an office in any Church or Kingdom, which is established by the Lawes and acts of both? and such is the office of a Bishop.
After these fancied prelinitations, they add six reasons why they should not be admitted, which are so ignorant and simple, as it is not possible to draw them into any form of reasoning or concluding. And though they could be so drawn yet they were very needless; For to what end should reasons be brought against the admitting of these prelinitations, when there were no prelinitations offered? and these that are alleged are no prelinitations at all: And therefore these six Reasons, at least so called by them, are to be passed over with contempt, as having not one word in them worth the answering.

Next, they must up sixteen Reasons against the subscription to the confession of Faith urged by Our authoritie in that Declaration, of the verie same piece with the former six Reasons, everie way as full of non-sense as they: The first is, That it will make their Covenant bee forgotten. A matter of great consequence indeed, that their unlawfull acts should be drowned by any act of lawfull Authoritie: For this We think they should thank Us. The second reason is, That if they should subscribe this confession now, they would think themselves guiltie of mocking God: A notable whimsey, that acts of Authoritie must want obedience if they croffe some peoples foolish thoughts and idle fancies; But in the meane time what a fearful mocking of God, and taking of his Name in vaine is it for them to say so, and use that great Name for so groundlesse a supposition? The third reason is, That they are afraid that this subscription will introduce a division amongst themselves, it being against their Oath in their late Covenant to admit of any divisive motions. And truly whatsoever they pretend in all their other reasons, this is the maine, if not the onely reason of the principall Covenanters furious proceedings in all their waies, and especially in this their Protestation; Because they did plainly perceive that if Our people should once see and acknowledge Our Grace and clemencie, or be brought to subscribe to the same thing by Our authoritie, to which they had subscribed before by their perswasion, then they would begin againe to relish government,
government, and so fall off, and divide themselves from those who have resolved never to induce it: In the meantime, the Reader shall doe well to observe the wonderfull strength of this reason: We must not subscribe, because it will occasion some division amongst us, by the same reason, all hope of peace must be banished out of that Kingdome for ever: For certainly, if they themselves should set downe in writing the utmost of their desires, and Wee should assent unto them, yet undoubtedly some would dislike and not admit of those propositions of peace, which the rest had agreed upon: Are they therefore sworne by their Oath to reject all proffers of peace, because some will dislike them, upon which a division must follow more or lesse? The fourth reason is plaine Poperie, and the maine ground of most of the errors established at the Councell of Trent: If they subscribe now, it will bee thought that they have erred in their former proceedings; but where the reason of this Reason lies, is past ordinarie finding: The fifth reason hath in it a reach beyond the Meone; This subscription is urged by Authoritie, but our former subscription proceeded from our owne heads, and therefore is to be preferred, as carrying with it more libertie, more sincerity, and lesse hypocritie; A reason fit to bee answered by none but such as have lost their Reason: The sixth reason is in the same case; for truly Wee understand it not: The seventh reason supposeth that there is a Papist in the world so foolish and simple as to think, that the same Confession of Faith, consisting of the same words and syllables, injoynd to bee sworne without Authoritie, if it shall bee commanded to bee sworne by Authoritie, becommeth a new and different Confession of Faith, or if that Wee every yeere of Our Reigne should renew and command a subscription to the same Confession, that then every yeere Wee should establish a new Faith. Sure they need not trouble Our peoples heads with such foolish fears; for undoubtedly there will be no such foolish fellowes found amongst the Papists: The eighth reason, hath not a shew of any Reason: For their ninth reason, We are confident, that if they had knowne as much as now they doe, and have expressed in
their answer to Our Commissioners last Declaration, they
would have left this quite out: for the truth is, that no man
can subscribe this confession of faith commanded by Us, and with a safe conscience hold that Episcopacie is abjured
by it, for many reasons, amongst which this alleged by
them is but one, yet a very true one, viz. That an oath must
either be refused or taken according to the knowne intention
of him that ministred it, and it being well knowne, that
We, according to the Laws of all Our Kingdomes, are
resolved to maintaine Episcopall government, no man can
swear any oath adminiftred by Us or Our authority, which
may not consist with that government: And it is as true, that
there is nothing in that confession of faith, which being
sworne unto abjureth Episcopacie, by whomsoever the
oath shall be adminiftred, and therefore it is a very unjust
and unnecessary fear, which seemes to make them swear
at the end of this ninth Reason, viz. That this subscription
commanded by Us, seemeth to determine, that the con-
feffion of faith as it was professed 1580. doth consist with
Episcopacie: That this subscription determineth it, is un-
doubtedly a very simple conceit, but that the confession it
selfe made in 1580. may and doth consist with Episcopa-
cie, is unquestionably true; and it is so determined by the
Covenanters themselves, who assured many who made
that scruple, and would not have come into their Cove-
nant unleffe the Covenanters had first resolved them of it,
that they might swear the same confession, and yet not
abjure Episcopall government; which likewise the three
Ministers in their first answer to the Divines of Aberdene,
have positively affirmed, averring, that Episcopacie was not
abjured by that confession, nor their Covenant, but onely re-
ferred to the triall of an Assembly and Parliament. Now it
is most certaine, that when We commanded this subscrip-
tion to that confession, no Assembly (true or pretended)
had determined that it was abjured, nor hath any Parlia-
ment done so yet; and therefore the Covenanters them-
selves have determined, that when We required this sub-
scription, a man might safely subscribe without abjura-

A a
tion of Episcopacie: But to let the weakness of this ninth reason pass, it is a wonder to observe how these men in their answer to the fourth reason (contained in Our Commissioners last Declaration) are constrained by maine force of argument to deny their own most true proposition, expressed at the beginning of this ninth reason: For there they affirm it plainly, that a man may swear secundum rem jurata, though he know that that which he swears to, is against the meaning and sense of him that gives the oath; Which is such a notable piece of equivocation, and indeed, of such dishonestie, as is not to be expressed by Us in its proper name, for no patron of equivocation hath yet out-gone it. The 10. reason propoundeth an undoubted truth, viz. that by swearing that confession, none of these pretended innovations is abjured. What then? Is it not sufficient, that by Our authority they are discharged, and referred to the trial of a generall Assemblie and Parliament? The eleventh reason repeateth againe the dark parable of the March-stone which was in the sixth reason; it would break any mans teeth to crack it, and it is not to be hoped, that ever any man will find the pith and kernell of it, and therefore let it bee as unintelligible as the sixth. The 12. reason is such a one as certainly no rationall man could ever have dreamed of: If we subscribe the confession by the Kings authoritative, then it will be thought that we acquiesce in His Majesties Declaration, and that we are contented to be pardoned by Him, and that is such a thing as it turns all our glory into shame, by confessing our guiltinesse: A strange fancie, that men should account that a shame, which the Scripture calleth giving glory unto God. But truly it is not farre from blasphemy, when they affirm, that God by the fire of his Spirit from heaven hath accepted their service: If they mean their Covenant, what more can be said of the holy Scriptures? For sure to be indited by the Spirit, and to bee approved by the fire of the Spirit from heaven, is much about one; if there bee any difference, the odds will seeme to lye upon the acceptation of it from heaven by the fire of the Spirit; for the Spirit descending upon the Apostles in
fierie tongues, was that which both sealed their calling unto them; and enabled them for it, and for inditing those holy Scriptures which they wrote: And thus, before they are aware, they make themselves patrons of a notable point of Poperie, viz. That their Covenant, which sure was penned by men, and so but a humane writing, is of equal authority with the sacred Scriptures: for if it bee approved from heaven by the fire of the Spirit, it must be so. But we hope that every man will pity this frenzy; and give no credit to it, until they make it appear unto Us when and where God from heaven by the fire of his Spirit did seal and approve this Covenant. The 13. reason is a mad one indeed, for it doth condemn the Confession of faith which was first subscribed in 1580, upon which Confession they doe solely ground their owne Covenant; for that Confession hath no such oath for reformation of life annexed unto it: The truth is, something they would have said against Our Declaration, but they did not well know what: their wits were runne very low, when in an extraordinarie Vow and Covenant with God, they would put in Reformation of life, unto which every man is tyed by the ordinary morall precepts both of Law and Gospel, and by the doctrine of repentance contained in both: For the reason which is in their 14. 15. and 16. Reasons, We leave it for them to find that can; We are persuaded they will lose their labour who seek it.

After their Reasons, they conclude with 7. Protestations, which truly need not to be taken notice of; for being grounded upon so weake and inconsiderable considerations, the Reader is unreasonable, like them, if he should expect a conclusion stronger than the premises. In the preamble to them, take notice only of their dangerous and fearfull approach unto blasphemy, while they affirm, That the Covenant made by them was sealed from heaven. Their first Protestation is utterly invalid, being Protestatio contra factum, for it is plaine to the whole World, that the rebellious distractions of that Kingdome proceed from them alone. Their second

Protestation
Protestation is void most evidently upon the same ground, for they themselves, both by their publicque instructions, of which you have heard, and in their private instructions, of which you shall heare, have used many prelimitations in all the particulars against which they protest, but neither We nor any by Our authority have ufed any. The third Protestation begins with a supposition, which they themselves do know to be most false; for both Archbishops and Bishops had, at the time of this their Protestation, both by the Acts of the Church, and by the Acts of Parliament, a settled office in the Church, and have so still by Parliament, nay and by Assembly too, unleſs they do pitifully begge that which will never be granted them. That their last Assembly at Glasgow was a lawfull Assembly, after Our Authority had dissolvd it. And as it beginneth with a false supposition, so it endeth with as false and foolish a position and petition; For it maintaineth, That all those who are to undergo any tryall at the Assembly, either upon any generall complaint already made, or upon any particular accusation to be given in against them, are to compleeare at that Assembly, not to have voice, but as rei: upon which ground none of themselves could have voice there; for they were all liable to tryall and censure upon any particular accusation that was to be given in against them: And then their petition is, That the warning given to the Bishops by this Our Proclamation, and this their Protestation, should be a sufficient Citation to them to appeare as rei: That their Protestation should be so, We protest it is so foolish a request, as We are confident no man ever heard of the like before; nor could they expect that any man, indued with reason, would yeeld unto it: And that our warning of the Bishops by Proclamation to appeare at the Assembly, as We did all the rest of the members of it, should make them appeare as rei, is such a conceit, as We wonder any man could light upon it, unleſs they doe hold, that every one of themselves was to appeare as reus too, for all of them were warned by Our Proclamation to appeare at the Assembly as well as the Bishops. In their fourth Protestation We onely admire their rare and undeniable impudence, Who dare affirme,
that their Covenant is approved from heaven with rare and undeniable evidences, when all the Christians in the world (except themselves and their faction) who have heard of it, doe acknowledge that no such Covenant or Combination can come from Heaven, but from Hell, from whence cometh all faction and schisme. In their fifth Protestation they doe runne into an act of high treason; for they appeale from Us and Our Councell, which by an Act of Parliament is made high treason, and which they know themselves was adjudged to be so in the case of the Ministers, who held an Assembly at Aberdene after it was prorogued by Our royall Father, who being cyted to compeere before the Lords of the Councell to answer that high contempt, and compeering, declined the authority of Our royall Father and his Councell and appealed to a Generall Assembly, were therefore arraigned of high treason upon that Statute before the Lord chiefe Justice of that Kingdome, and after pleading to it by their Advocates, were found by a Jurie or Assize guilty of high treason, and had received sentence accordingly, if Our royall Father, out of his singular clemencie and gracious respect to their calling, had not reprieved them before sentence, and only inflicted upon them perpetuall banishment, which they did undergoe. The Act of Parliament upon which they were arraigned was this.

The eighth Parliament current holden at Edinburgh the 22. of May, in the yeere of God 1584. by the right Excellent, right High and Mighty Prince James the Sixt, by the Grace of God King of Scots, and three Estates of this Realme.

An Act confirming the Kings Majesties royall power over all Estates and Subjects within this Realm.

Forasmuch as some persons being lately called before the King, Majesty and his secret Councell, to answer upon certaine points to have beene inquired of them, concerning some treasonable seditions and
contumelious speeches uttered by them in Pulpits, Schooles and other
ways, to the disclaiming and reproach of his Highness, his progenitors, and
present Council; contemptuously declined the judgement of his
Highness and his said Council in that behalf, to the evil example of
others to doe the like if timely remedy be not provided: Therefore our
Sovereign Lord, and his three Estates assembled in this present Parlia-
ment, ratified and approved, and perpetually confirmeth, the Royall
power and authority over all Estates, aswell spiritual as temporall,
within this Realme, in the person of the Kings Majestie our Sovereign
Lord, his Heires and Successors: And also statueth and ordaineth that
his Highness, his Heires and Successours, by themselves and their
Councils are, and in time to come shall be Judges competent to all
persons his Highness subjects, of what estate, degree, function, or
condition forever they be of, Spiritual or Temporall, in all matters
wherein they or any of them shall be apprehended, summoned or charged
to answer to such things as shall be inquired of them by our said So-
veraigne Lord and his Council. And that none of them which shall
happen to be apprehended, called or summoned to the effect aforesaid,
presume to take in hand to decline the judgement of his Highness, his
Heires and Successors or their Councill in the premises, under the pane
of treason.

Their sixth Proteftation is nothing but a repetition of that
which they have said so oft, even unto tediousnesse: In their
seventh and laft they bewray an unexampled boldnesse, in
avowing their confidence of Our approbation to the inte-
gritie of their hearts, and peaceablenesse of their waies and
actions all this time past, when in their owne confences
they doe know, that We doe hold and detest their waies and
actions, as most unpeaceable and seditious.

And now having taken a short survey of this their Prote-
ftation, We doe appeale to any man, who shall compare it
with Our Declaration, whether Our gracious Proclamation,
against which they protested, did not rather deserve an hum-
ble and hearty acknowledgement of Our many graces and
favours towards them, with a joyfull and submissive accep-
tation of them, then first to be traduced to the people before

it was made, for a Proclamation tending to the utter ruine and subversion of the Religion and Lawes of that Church and Kingdome; and then afterward to bee encountered in publique with such an impudent, insolent, seditious, and fennelike Protestation: And lastly, after all this, to bee railed at in their Pulpits, and Our people made to beleve, that that part of it which required subscription to their owne confession of faith, but lately sworne and subscribed unto by themselves, was a device of the Divell, and hatched in Hell, as shall appeare by that which followeth.

For the next day, being Sunday, all the Pulpits of Edin-
burgh, nay and many places where there were no Pulpits (for they heard Sermons in many Halls, and other pro-
fane and common places) did ring with bitter invectives and declamations against this Our gracious Declaration, especially against that part of it which they conceived would bee most satisfactorie to Our people, and prove a speciall Antidote for expelling that poifon which they had made them swallow, concerning Our declining from the Reformed Religion, and inclining to Poperie, viz., the sub-
scription to their owne confession of faith now comman-
ded by Us: For, they branded it so with most hideous and horrible names of the very depth and policie of Satan, that the common people, who were well persuaded of the pi-
etie of their Preachers, could not chuse but imagine that there was some wickednesse in it, which their Preachers could and did dive into, though they did not. One Preacher in his Sermon prayed God to scatter them in Israel, and to di-
vide them in Jacob who were the authors of this scattering and divisive counsell. Another Preacher in his Pulpit told his people, that the urging of this subscription, was an Ita-
lian and a divellish device, first to make them renounce God, and perjure themselves, and then afterward there was an intention to destroy their bodies, and so that this subscription imported no lesse then the destruction both of their bo-
dies and soules. These and many more such false feares suggested, first from two of the Preachers of Edinburgh, and from them transmitted to their fellowes through-
out the Kingdom, did work so strongly with Our good but simple and seduced people, as that they were wrought unto a persuasion, that this subscription to their owne confession of faith, commanded by Us, for removing that false opinion which their Leaders had put into their heads of Our inclination to Poperie, was of a far deeper reach, and of more dangerous consequence, then if We had beene inclined to Poperie indeed; still adding, That if they did subscribe it now by Our authority, it could receive no acceptation at Gods hands, God rejecting any service done to him by constraint (it being very familiar with them at these times to term obedience to Authoritie constraint) but when they subscribed it voluntarily, or by the persuasion of their Leaders, then it was acceptable to God; and, if they durst have used such a Popish word, no question they would have added, Meritorious. And thus you see, what undutifullnesse Our gracious Declaration was entertained.

Yet it was not so received by all: For first, all the Lords of Our Counsell (amongst whom were some, who never seemed to bee satisfied before) were so fully satisfied, and so much over-joyed with this Our gracious Declaration, that they did condemn and utterly detest this odious Protestation of the Covenanters, whereupon Our Counsell Letter of thanks and proffer of service was sent Us, as was before declared.

Next, the greatest part of the Ministers of that Our Kingdome did rest satisfied with it, as shall bee made evident, if it come to triall: But this is most certaine, that the Ministers assembled at Edinburgh that morning at the Gray-Friars Church by the name of the fourth Table, or Table of the Ministers ordinarily resident at Edinburgh all this time, for attendance upon the business of the Covenant, being sent unto by the other Tables, and desired by them to send some of their number up to the great Committee of all the Tables, to joyne with them in a Protestation which was to be made that afternoone against Our Declaration, which then they expected would be proclaimed; the Ministers returned this answer
answer by their whole voices (not above two or three at the most dissenting). That they would not agree to any Protestantation which should be made against Our gracious Declaration, unless it should be sent downe unto them, that it might be throughly advis'd upon; especially considering that they had heard so much of the contents of that Our Declaration, importing the removing of their grievances which occasioned their Covenant, that they could not conceive the necessity of any Protestantation. Which answer being returned to the other Tables, did so trouble them, that they sent a second message to them, intreating them presently to come up to Saint Gyles Church, and to sit there, that so being in a place of a neere distance from their great Committee, they might the more easilie consult with them. Thither they came, and stay'd a great while, but heard nothing from the Committee, who it seemes were much distracted and puzzled about the penning of their Protestantation, and had certaine Ministers with them (especially Rollock) at that consultation, who were not deputed by the Table of Ministers to bee present at it, and having stay'd in that Church untill neere one of the clock in the afternoone, dissolved themselves, took their leaves one of another, and resolved not to meet untill the next week, many of them going home presently towards their owne country Churches, where they were to preach the next day, being Sunday; and at their parting they deputed none to joyne with the Committee from the other Tables, either to consult about, or to assist at any Protestantation which should be made against this Our gracious Declaration: And all this was averred by divers Ministers then present, before divers of the Lords of Our Councell, and other persons of speciall rank and quality, who likewise would have averred it before the last pretended Generall Assemblie, if they durst have done it without running the hazzard of their fortunes, if not their lives: And yet in that afternoone about three of the clock, Rollock, in the name of the Ministers, did upon a Scaffold joyne with the deputies from the three other Tables, in that wicked Protestantation, without deputation (as
is presumed) from the Table of Ministers, unless perhaps he called some few stragling Ministers about the town, of whom it may be he asked the question.

Besides, many thousands of Our subjects Covenanters were fully satisfied with Our Declaration, though they durst not, as many of them have professed, subscribe this confession of Faith urged by Us, for feare of being troubled by the major part. And it is knowne, that whereas, Our Declaration was published, before that the Covenanters from their Tables sent their emissaries to dissuade the acknowledgement of it, and copies of their Protestations against it, it was received with all expressions of joy and thankfull acknowledgement; insomuch that when it was proclaimed at the market Croffe at Glasgow, it was afflished with all these expressions, both by the Magistrates and all the inhabitants, by the Principall, the Regents and Professors, by all the Ministers of that Citie, though Covenanters, who out of the great sense of the many obligations and favours, which We had laid upon that whole Kingdom, by this Our gracious Declaration, directed their severall Letters of thankes and acknowledge-ment to Our Commissioner, which are here exhibited.

The Letter of the Provost, Bailiffs, and the Councell of Glasgow.

Most Honourable and our very good Lord,

Having received a Letter directed from your Grace to us with this bearer your Graces Cousin, and having read the same, and heard and weighed his Majesties gracious Proclamation, which was this day proclaimed within this Citie, to the great joy of all the hearers; We cannot but praise God, who hath enuied his sacred Majestie our dread Sovereigne, with such wisdome, piety, clemencie, and fatherly care of this Church and Kingdom; and pray God for a long and happie Reign to his sacred Majestie, and his Highnesse posteritie over us and succeeding generations; And shall ever indavour to approve our selves.
selves his Majesties most loyal subjects; And wish from our hearts all happiness to your Grace, and your Graces most noble family, for the well-wishing to this Citie; and especially for the great paines taken by your Grace in this so weighty an emploment, hoping and praying to God that the fame may obtain the wished for accomplishment, and shall ever remaine.

Glasgow this 24. of Septemb. 1638. Your Graces most humble and obedient servants,

James Stewart Provost. Colme Campbell.
Colme Campbell Bailiffe. Richard Barnes.
Nninian Anderson Bailiffe. Walter Stirling.
Gabriel Cunningham. Gavin Nesbit.
Patrick Bell. Robert Horner.
Matthew Hamilton.

The Letter of the Ministers.

Most Honourable and our very good Lord,

Having received the Letter directed from your Grace, and having heard and considered his Majesties most gracious Proclamation published this day in this Citie, with joyfull aclamations universally of the hearers as we of the Ministry and University of Glasgow, who were present, with great contentment and joy of heart applauded thereto; and doe praise God, who hath inspired our dread Soveraigne with such wisdom, pietie, clemencie, and fatherly care of the Church and Common-wealth of this Kingdom, as is abundantly manifested in the said Proclamation; So we would gladly testify, by what means we can, our thankfulnesse to his Majestie, our Crowne of rejoicing, and the breath of our nostrils; not omitting our bound duty to your Grace, whom God and his Majestie hath appointed so fit and happy an instrument in this great errand, for your singular prudence, rare pietie, and zeale to God, your Prince, and Countrey, and incredible paines in this honourable
Now, besides these, in many places of the Kingdom whither they sent their Proteftation to be read, it was refused by divers, who had subscribed their owne Covenant. The Assembly being indicted, the Covenanters did now goe about to effect all which they had plotted and designed concerning the election of the Commissioners to it. That all, and none but they might be choen, whom they had resolved upon, and were of the moft rigid ranke, whom they were sure would receive no satisfaction, and keep all others (to farre as in them lay) from accepting of any: Their device was this; They perceived that moft of the Ministers throughout the Kingdom would gladly embrace peace, if they might fee their confciences fatisfied in these fears and doubts, upon which they entred into the late Covenant. The Leaders resolved not to truft any fuch moderate men, confidering that all their scruples were removed by Our laft Declaration, and the indiction of a free General Assembly, and therefore they took order by their secret instructions, that none of them fhould be choen, though they were Covenanters. For Ministers Non-covenanters, they took order, that if in any place by pluralitie of voices such a one should be choen

Glasgow Sept. 24. 1638.

Your Graces humble and most obedient servants,

M. Ro. Wilkie. John Strang
M. Bell younger. Will. Wilkie.
M. Blair.

ble and weighty employment, which we pray God may still prosper in your hands, untill it be brought to a full and blessed conclusion; being willing for our part to contribute what lyeth in our poor power by our earnest prayers and best endeavours.
chosen, then he should be proceeded and protested against, (which no man could avoid) and so he should be sure to be let by at the Assembly, and cast from having any voice there. And whereas they might fear, that the rigid Ministers, designed by them for this Assembly, might want a sufficient number of their fellow-Ministers for their elections in their several Presbyteries, they took an order, That not only for this time, but for all times to come, there should be no Minister chosen Commissioner from any Presbytery to any Assembly, but such as the Laity should make choice of: For they presently gave order from their Tables, That every particular Parish should send to the Presbytery in their bounds one Lay-man, whom they called a Ruling Elder, who by their appointment should have voice in the Presbytery as well as the Minister of the Parish; so that when the whole Presbytery was assembled together, the number of the Lay-men was at the least equal to the number of the Ministers; By which new device, the Laity gained of the Ministers, undoubtedly these four things: First, That never any Minister should be chosen Commissioner to the Assembly, but whom they would, for they being equal in number in voices with the Ministers, and sixe of the Ministers being to be put in the Lift and to stand in election, out of which sixe three must be chosen, and all these sixe must be removed in the time of the election, and have no voices themselves in it, it is clear, that the number of the Lay voices in these elections must needs exceed the number of the Ministers voices at least by sixe: Or, if in some Presbyteries (as We heare was done in some few) these sixe Ministers before their removing gave voices to whom they pleased, yet (no man being able to give a voice to himselfe) of necessity the number of the Lay voices must exceed the number of the Ministers by one. Secondly, the Laity gained this, That in all other Presbyteriall meetings, which are weekly, the Ministers should never have a casting voice, to determine any thing but what they liked; the Lay-men being alwaies at the least equal to them in number. Thirdly, this they gained, That whatsoever should be concluded
concluded in a General Assembly, should ever be concluded likewise in a Parliament, if our negative voice did not stop it: (and we hear that they have not spared to give out, that they will take from us and our successors, that which all our predecessors have enjoyed, that is, a negative voice in Parliament, as they have done in assemblies, for as much as lies in them:) for by their instructions they ordered, that where any nobleman lived in any presbytery, he should be chosen lay elder there for the Assembly; and all noble men are hereditary members of the parliament: and where there wanted a nobleman, they should choose some special gentleman, who in all probability standeth faire for being chosen one of the commissioners of the shire for the parliament, which made the covenanters stand so importunately for that point, viz. to have the assembly held before the parliament, as making just account, that all the lay voices in the assembly were engaged to give their voices to the same conclusions, when they should sit in parliament; and so that the parliament, for its acts, should depend upon the general assembly, and the general assembly (for the acts passed there) should depend upon them; but neither the one nor the other depend upon us. Fourthly, the laity gained this, that they exempted themselves for ever hereafter from all fears of the power of the clergy: for they being resolved (so far as in them lay) to overthrow episcopal government, and yet fearing by so doing to be brought again under the tyranny of presbyterian government, of which they had heard their fathers so grievously complain, they pitched upon this way of equal number of lay elders in every presbytery; being assured thereby to curb their ministers, most of whom had their stipends and rents paid by these lay patrons; and so now the laity made account, that if in their elections to this assembly they could compass these conclusions and resolutions, they had brought the church and churchmen under for ever.

These conclusions, though effected by the laity with violence, yet received great resistance by many ministers in most presbyteries.
Presbyteries, and in some by all: For when these Lay-Elders came to sit with them, they either refused to admit them, or desired time to deliberate, how they (who being Covenanters, and had complained of Innovations) could admit of such innovations as those which seemed to threaten the ruin of the Libertie of the Church, for these Reasons: First, because, that above these forty years no Lay-Elder had sat in their Presbyteries, and therefore it was a great Innovation: Secondly, because at the beginning of the Reformation, when there was a kind of necessity to require the assistance of Lay-men for the government of the Church, (Ministers being then so few and scant) yet it was provided that they should ever bee fewer in number than the Ministers, and that therefore this obtruding of themselves in equal number, was not only an Innovation, but directly against the book of discipline, upon which they did so much ground their proceedings: Thirdly, that it was a thing never heard nor practised before in that Church, that Lay-men had voices in the chusing of the Ministers Commissioners for the Assembly; and therefore, if they would chuse, they desired them to chuse their owne Lay Commissioner, but for the Ministers Commissioners to leave it to themselves, who were better able to discern of their Ministers abilities, since they were weekly conversant with them, then they whom they had never seen in their Presbytery before.

But all this opposition and arguing was fruitless: For the Lay-Elders, according to their secret instructions from the Covenanters Tables, which afterward shall be related, would not remove, but put themselves in possession of suffrage, and so these Ministers, and none but they, were chosen in each Presbytery whom the Tables at Edinburgh had designed: A thing so odious and distasteful to the Ministers, that in some Presbyteries, the Ministers (chosen Commissioners) had but eight Ministers voices, and the voices of two and twenty Lay-men, in others not above two Ministers voices, in some but one; but in all Presbyteries the Ministers Commissioners were elected by the plurality of Lay-voices. Some of these Ministers, though Covenanters,
Covenanters, seeing the libertie of the Church by this means utterly loft and betrayed, did repair to the two Covenanting Ministers of Edinburgh, to whom they bewoaned themselves, wondering that they would give way to the utter defacing of the Church by these Laick intrusions, to whom they gave this answer, That they grieved for it as much as themselves, but that the necessity of the times was such, that they must wink at it, else the Nobility, Gentrie, and Burrowes did threaten them with a delation, upon which a division must follow, which by their Oath and Covenant they were bound by all means to prevent. But the aggrieved Ministers were not satisfied with such cold, comfortlesse, and unconscionable answers, but resolved in many Presbyteries to draw up their Protestations against the Lay-Elders to the Assembly; yet they were so threatened by the Laitie, that most of them fell back and durst not adventure upon it, though others both Covenanters & Non-covenanters had the courage to do it, but with what success shall be declared when We come to speak of the Assembly itself. Yet this We will confidently averre, That when Our Commissioner came last from that Our Kingdome, three parts of foure of all the Covenanting Ministers did detest the elections made by Lay-Elders, and would have declared the nullitie of all such elections if they durst have done it; and that these Ministers, (unless they have changed their minds since) had rather live under Episcopall government, than under the tyranny of the Laitie and a few Ministers, from whom they have suffered more in a few moneths, than ever they did under all the Bishops in the Kingdome since Our comming to the Crowne: all which verie many of them have affirmed, both for themselves and others, to Our Commissioner, divers of Our Councell, and others, of good credit and quali\-tie, whom We dare and do trust.

But the elections being now past according as they had plotted them, or in good forwardness so to be where they were not yet past, the Covenanters next care was, how to hinder the subscription of the Confession of Faith commanded by Us, they conceiving it their master-piece to
to stop any thing (though never so well liked by themselves) if it were commanded by Our authoritie, as fearing that if Wee had obedience given to Us in any one thing, Our people might recover the taste of government: And hearing that Our Commissioner was to repaire to the College of Justice, there to tender to the Lords of Our Session, who are the supreme Judges of Our Lawes in that Kingdom, the confession of Faith and band annexed, to be sworne by Our authority, that very morning they set up Rollock to preach (though it was not his ordinarie course) where many of Our judges were present before they went to sit: There hee, with many false and foolish impertinences, did so labour to persuade them that the swearing of that confession was unlawfull and plaine perjury, that hee shewed himselfe a ridiculous and most dishonest man to most that were present, and a weak man to all; and so little hee prevailed, that immediately after Sermon, the Judges repairing to their usuall place of siting, whether Our Commissioner came presently and tendered them the said confession, all of them, except foure who were knowne to bee of the false stamp, did sweare to it and subscribe it; the number of the Judges in all being twenty.

And here Wee desire the Reader to observe, whether these men shall not bee accounted a faction, and not a bodie of a Kingdom, when they shall separate themselves from Us, who are their Soveraigne: from the bodie of Our Councell, who have the supreme government of the Kingdome under Us; and from the bodie of Our Judges, who are the Interpreters of Our Lawes, and under Us the supreme Judges of all their estates and fortunes; these two Judicatories, together with Our Judges in criminall causes, being under Us by the Lawes constituted the only Judges of all their actions: For if these Covenanters shall ascribe unto themselves the government, because they are more in number then those who disaffent from them, then certainly in all Kingdomes and Republiques, the established government must go downe; for in them all, they who are ruled and go-
verned are farre more then the Rulers and Governours.

They then seeing that their fierce endeavours were fruitlesse with the Lords of the Seffion, with all speed dispatched some of their Tables throughout all parts of the Kingdome, to stop the subscription to the confession of Faith, commanded by Us, with copies of their Proteftation to bee read in all places, where Our Commissioners should either proclaime Our Declaration, or require subscription to that confession: In many places they prevailed, in many not; Where they prevailed, they used such indirect and violent courses, as they gained an affent from many mens mouths, whose minds were very farre from it. In Glasgowl, after that the Lord Lowdan, with divers others, Noblemen, Gentlemen, and Minifters, sent (as they pretended) from the Tables at Edinburgh, had caufed to bee read that infamous Libell (of which you shall heare afterwards) against the Archbifhop of Glasgowl in his owne Cathedrall Church, without the knowledge of the Magiftrates of that Citie; the Lord Lowdan defired the Provost of Glasgowl to convocate their Towne Councell, that hee might impart some things unto them; which the Provost refufed: But that Lord and his Associates, understanding that their ordinarie Church Seffion fate that afternoone, at which the Magiftrates and Minifters were to be prefent, came suddenly into the place where they did fit; beyond their expectation; where the Lord Lowdan made a speech of great length, concerning the iniquitie and danger of Our Covenant, abjuring them both by perfwations and threatnings, that they would not subscribe the confession of Faith required by Us; and therefore his demand was, That he might have the affured promises of the Magiftrates and Minifters, that they would not subscribe it, that so hee might report their answer to the Tables from whence he was fent: To which the Provost presently answered, That his Lordfihip knew well that Our Commissioner had required from them a subscription to Our Covenant, That they had humbly intreated of his Grace some short time to returne their answer; and therefore he wondered that any man
man should think it was fit to answer any who was sent from the Tables, before they had made their answer to Our Commissioner; and so refusing to give any answer to these Emmissaries from the Tables, they went away unsatisfied.

The Covenanters finding that Our commanding of the subscription of the confession of faith, in many places had given satisfaction, and had indeed confuted that lying scandal of Our inclination to Poperie, and that many of the Covenanters had remitted much of their former rigour, being much taken with Our last gracious Proclamation, the Heads and Swayers of the foure Tables, (as if all their designs were come to the last cast) cast about once again, and laboured hard to worke Our people into the belefe of this one point, That none of these things promised in Our last gracious Proclamation, no not the Assembly it selfe, were ever intended to bee performed by Us; That Wee onely studied to gaine time, untill We were ready for their ruine; and therefore they gave out, that Our Commissioners late comming from Hamilton to Edinburgh was onely to prorogue the Assembly. They spent daies and nights in penning a Protestation against it, and writing multitudes of copies to be ready in all places of the Kingdome, before the Proclamations of the prorogation should arrive. They sent for all their partie to flocke to Edinburgh, as if now there were greater danger then ever. All which was carried with notable hypocritie; for the authors of this report did disperse it, not that they did beleve it to be true, but because it was conducable to their ends to have the people beleve it.

But knowing that they who do act long parts, must needs sometimes be out, and that the time of the Assembly beginning to approach, and Our Commissioners provisions and preparations for his journey to Glasgow, were farre stronger proffes to Our people of Our holding the Assembly, then all which they had furnisled to the contrarie, they then betooke themselves to their last shift, which was a miserable and wicked one, and it was this: Since they were perswaded that the Assembly indicted by Us would now hold if they
could not divert it, they resolved to take such courses, as they conceived Our Commissioner neither could nor would endure, with which they did conceive they should so irritate him, that he could not chuse but either discharge or prorogue the Assembly. For two things now they feared: First, that they had committed a great error in petitioning Us for an Assembly, which they conceived was fully in their owne power to indict, and therefore did begin to thinke, that by that act they had weakened their owne power and claim, and supposed, that it had beene more agreeable to their designs, if they had indicted one themselves, being the title which they meant to stand to, as appeareth by their owne induction of a new Assembly, since the dissolution of this. Secondly, they were afraid of nothing more then this, that Our Commissioners propounding and passing into acts of Assembly, all the particulars of Our grace and favour contained in Our last Proclamation, would abundantly satisfie the greatest part of their owne partie, when they should see the grounds of their feares of innovation removed, which occasioned them to enter into the late Covenant: But now, if Our Commissioner could be forced any way, either to prorogue or discharge this Assembly indicted by Us, that then they would presently indict one themselves, which they were sure We would not countenance with any Commissioner from Us, by which means they were both secured from having their partie weakened by Our propounding in Assembly. Our gracious offers expressed in Our last Declaration, and were certainly persuaded, that they should easily induce Our people to beleive, that these things promised in that Declaration were never intended by Us.

To compasse therefore their desires, of Our Commissioners either proroguing or discharging the Assembly, they resolved to increafe their disorders to such a height, as they hoped hee would never endure them; and to multiply so many affronts upon him, and in him upon Us and Our authority, as they imagined should be past all suffrance: As first, by their letters directed from their Tables at Edinburgh,
they quarrelled with Our Commissioner, that Our Confession and Covenant was commanded to be subscribed in many parts of the Kingdom by the authority of Us and Our Councell; with an unbefeeming violence: The copie of their Letter to Our Commissioner, being then at Hamilton, here followeth.

Please your Grace,

We were glad of the indiction of an Assembly, as the means to bring our complaints to an end: And as we promised for our part to doe our endeavoour that all matters might be carried in a peaceable way, and no man troubled in any sort till that time, so did we certainly expect that no violence or molestation should have beene used against any of those who had subscribed the late Covenant: and yet far contrarie to our expectation, are brought hither almost every hour grievous complaints from many of the people, in divers parts of the Kingdom, that they are by the threatenings and open violence of some Statesmen, Councelors, and Barons, constrained to subscribe a Confession of faith and Band; some with blind and doubting minds, and others against their consciences, to the great trouble of their soules, and great disturbance of the peace of the Country, contrarie to such peaceable preparations, as should have preceded a perfect pacification at a General Assembly. If we had heard but some complaints of this kind, we would have spared both your Graces pains and our owne; but complaints being multiplied more and more, we could not of duty but make some representation thereof to your Grace, that some course may be taken for present supressing this so irreligious and unjust-manner of doing; and for preventing the hard consequnces that may ensue from people who are thus pressed to subscribe against their minds, and from others who are joyned in Covenant with them, which, as it is humbly petitioned, so it is confidently expected by

Edinb. Oct. 1628

Your Graces humble servants,

Casils.
Balmerino.
Lothian.
Johnsoun.
Lindsay.
Burgly.
Loindoun.

The
The complaint contained in this Letter did afterward prove to be most unjust; and yet it was dispersed through the Kingdom with horrible and most false aggravations, viz. That some of Our Councill with charged Pistols and drawne Daggers, held to the breasts of Our subjects, had forced them to subscribe our Covenant. To this their Letter Our Commissioner returned an answer, though not to their Table, because he would not acknowledge yet to that Nobleman whose hand was first at it: The copie of which answer is this.

My very good Lord,

I have received from your Lordship and other Noblemen a Letter, containing a complaint against the violence offered to divers of his Majesties subjects, by Statesmen, Councillours, and others; and that complaint aggravated by your promising and undertaking, for your selfe and all your adherents, that no man should be troubled till the General Assembly; and your just expectation that the same course should have beene held on the other side by Us.

For the former, I know not what Statesmen, Noblemen or Barons, your Lordship means; for naming none, I know not to whom I shall take my selfe; nor doe I know what violence and threatnings you mean: If you mean his Majesties Commissioners appointed by the King, they requiring his subjects to subscribe the old Confession and Covenant, by his authoritie now renewed, and remonstrating unto them the danger they incure by law in not obeying his Majesties commandement, I hope that cannot be called violence, but duty, the omission whereof must needs be a violation of; and violence offered to his Majesties sacred authoritie: If other violences and threatnings they have used, as your Lordship seemeth to intimate (for their obedience to his Majesties just authority), I am sure, your Lordship will not call violence) they must answer for it; and shall whensoever your Lordship shall make known the delinquents. But alas, my Lords, tell me now in good earnest, whether you have heard they have used such violence in persuading this Covenant, as hath beene used by your adherents in enforcing of yours?
yours? Hath the blood of God's servants, his holy Ministers, beenes shed, which blood I am afraid keepest the vengeance of God still hanging over this Land? Have men been beaten, turned out of their livings and maintenance, reviled and excommunicated in the Pulpits, and a thousand more outrages affed upon them, for not subscribing this Covenant? Have none who have subscribed your Covenant, done it with blind and doubting minds? If they have, I beseech your Lords: not to call his Majesties Councellours legal proceedings irreligious and unjust, untill you have proved the partie and justice of the proceedings of your owne adherents.

For the other, of your undertaking and promising for your parts, that no man should bee troubled till the Assemby, and expecting the like from us, truly I am glad I have it under your Lordships hands; for I think there are few houres of any one day, since the indicting of the Assemby, that from all parts of this Kingdome, I am not vexed with complaints of new proceeding of Ministers, new with holding of Ministers stipends unproceeded, heavy complaints of Ministers of your owne Covenant, that they are threatened, and that sharply and bitterly, for their declaring of their griefe, in being barred of their freedome in the election of their owne Commissioners to the General Assemby, and being borne downe by the multitude of Lay voices, and menaced because of their protesting against the same, the complaints of Ministers Non-Covenanter and Lay-Elders Non-Covenanter, chosen by their Sessions to assist at the election of the Commissioners from the Presbyteries, but turned back for not having subscribed your Covenant, and reviled with bitter words for being so pert as to come thither. Is this the performance of promising, that no man shall be troubled till the Assemby? These are indeed preparations very unfit to precede this Assemby, they being so unpeaceable and like to take up much time in discussing, at that great Meeting, the illegality of these elections. My Lord, the truthe is, I shall be as careful to see any wrong offered by his Majesties Commissioners (in urging his Majesties authority) punished, when I shall know the offences and the offenders, as I am heartily grieved at the proceedings of your Associates. Here I am sure, his Majesties Commissioners have bin rather backward than forward, but so have not your Lords: adherents bin, for they have in very many places proclaimed your Protestation, where his Majesties Declara-
Declaration hath not beene proclaimed. I hope your Lordsh: will pardon my unusual prolixitie; for I confesse I am much troubled to see his Majesties good subjects led into such misconstruc-
tions of his pious and religious intentions towards them. This my Letter, I pray your Lordsh: to communicate to the other Noble Lords, who subscribed that to me. To your selfe and them, I pray your Lordsh: commend the true respects of

For the Earle of Cassills.

Your Lordsh:

Hamiltonun.

This Letter it seemes gave them no satisfaction, for they still continued their reports: Besides, they had the boldnesse by another Letter from the faine Table, lent likewise to Our Commissioner, being then at Hamiltonun, to expostulate with him, that one of Our Ships at fea had searched a Scotifh Merchants Ship for Ammunition, when as they themselves before had searched a Merchants Ship for some Ammunition, which We had sent for Scotland, and would have seized upon it, if they had not beene prevented: and immediatly after, a little English Veffell carrying Beere to some part of that Kingdom, was likewise stayed and searched by them. In the faine Letter they quarrell with Our Commissi-
oner, for hindering the bringing of Horses from England thither, which is unlawfull for any one to doe, without a speciall licence from the Master of Our Horse. The copie of their Letter, filled with their ordinarie pretences of Religion, and Our Commissioners Answer unto it, be these.

Please your Grace,

After your parting from us, we had knowledge from John Wil-
son Skipper, & sundry of his Passengers newly arrived, That, being at sea on his way from Holland hither, one of his Majesties small ships of 8. Peeces, came aboard & searched him for Armes & Am-
munition, declaring they did the fame by his Majesties Warrant. We do
doe not so much value the bazzard of any prejudice, as we are heartily
grieved to find any such note of his Majesties displeasure, differencing us
from his other subjects, when our own hearts and the Lord that search-
eth them doth beare witenffe of our loyaltie and affection to his Ma-
estie, especially to have found it now when we are made so secure, both
by the hopes of obteyning from his Majesties favour, by your medi-
ation, these ordinary and publike remedies that can fully settle this
Church and State, and by assurance from your Grace we should finde
no such hard dealing, during the time of your imployment amongst the
subjects here, who trust in your care to prevent speedily the inconveniencce
of this, as you did in that other late particular, anent the arrest of our
horses in England. We thinke, this advertisement sufficient to your
Grace, who is wounded through our sides if wee suffer any thing in
this time, being so farre interested to vindicate us from such prejudice,
who doe acknowledge our selves to be.

Edinb. the 28. Septemb. Your Graces humble
1638. servants,
Rothes, Montrose, Home, Weynse, Lindsey, Boyd, Loundon, Balme-
erno, Dalhousie, Forrester, Elcho, Cranston, Baltarres, Burgh-
ly, Lothiane.

My Lord,

I have received a Letter this day signed by your Lordshp; and sundry other Noblemen, making mention, that one John Wilson Skipper, being on his way from Holland hither, was searched by one of his Majesties small ships. This is no new nor unaccustomed thing, for commonly the Captains of his Majesties ships during the time of being at sea, doe take notice what the loadings of all such ships are, as they meet with, who trade in the Channel; it being a prerogative that belongs to his Imperial Crown. I am persuaded that your Lordshp; and the rest of my Lords, cannot thinke, but if his Majestie had been deafer to have made slop of importation of Ammunition into this Kingdome this time past, but it would have been an easie matter for him to have effected; but so little hath he regarded this, as he hath not so much as taken notice of it: And yet it were no strange thing, if his Majestie should give direction to cause examine for what end so great store of Ammunition is imported into this Kingdome, and a little more narrowly to looke into

Dd our
our actions; when, by I know not whom, there hath been so much notice taken of such Ammunition, as his Majestie hath thought fit to send hither. For notwithstanding that your Lordships sayes we are made secure by the hopes of obtaining from his Majesties these remedies that can fully settle this Church and State, yet I may say courses are taken to put feares in his Majesties good subjects minds, by persuading of them that no such thing is intended: This does too manifestly appeare by the watching and guarding his Majesties Castle, and many other courses; but of this I will write nothing, my intention being only to returne answer of what is writ to me: And therefore for your Lordships satisfaction I shall acquaint his Majestie with the contents of your letters, who will no doubt give such directions therein, as his good subjects will have no just cause of complaint: Whereas you have been pleased to say, that you have been assured by me, that you should receive no such hard dealing, during the time of my imployment; let me desire you to consider this aright, and you will find it none; for neither was that ship stayed from proceeding in their intended voyage, nor any thing taken from them: nor needs your Lordships to doubt that his Majestie will doe any thing (except our owne indiscretion provoke him) that may make appear to the world that he makes a difference between us and this Nation and his other subjects. Bee confident, my Lord, that my endeavours have, and doe tend to no other end, but to the glory of God, the honours, of his sacred Majestie, and the preserving from ruine this poore distracted Kingdom; and that I have and shall labour to prevent all such accidents as may breed the least stop or hinderance of this wished event, which I hope and am confident that your Lordship and all those noble Lords who have sign'd this Letter to me, will take the same to heart; and then certainly you will not be so easily moved with such light and slight reports: Nor will your Lordships thinke that either you or I can bee wounded by the order and command of so pious, mercifull, and so clement a Prince as is our dread Soveraigne, who hath shewne himselfe to be so full of goodness, as we must of all men living prove the worth, if we be not thankfull to God, and him for it. This my letter your Lordships will be pleased to communicate to the rest who have writ to me, and esteem me of as

Hammilt. 24. Sept. 1638. Your Lordships humble servant,

For the Earle of Rothees.

Hammitown. With
With his answer they were so far from being satisfied, that to answer this affront (as they did interpret it) for searching a Ship of that Kingdome at Sea, they resolved to put a greater affront upon Us, by increasing their Guards about Our Castle of Edinburgh: In Fyfe, they gave order for a Communion throughout their Churches, at which they made every one to swear that they should not subscribe Our Confession and Covenant, nor any other but their owne, which they swore againe de novo, especially to stand to that part of it in which it concerneth mutuall defence against all persons whomsoever. They gave generall order for the Fast to be kept on the fourth of November, being Sunday, neglecting the day designed in Our Proclamation, which was the Wenseday following, and the seventh of that Moneth.

Our Commissioner seeing these contempts daily to increase, and hearing that they had appointed the Communion to be celebrated at Edinburgh, sent for the Provost and Magistrates, and inquired of them these particulars: Firstly, whether at their Communion (which was to bee celebrated the two next Sundaies following) it was intended that the like oath should be taken with them, as had beene taken in Fyse: Secondly, whether they intended to keepe the Fast-day designed by Us in Our Proclamation, and according as they had lately since beene required to do, by an order sent from Our Councell to them for that purpose: Thirdly, what order they had taken with those, who had the day before reviled and abus'd Doctor Eliot while hee was preaching in the Pulpit; That hee had sent for them, because hee had found those few Ministers, by whom they were ruled, to be unreasonable men, and despisers of Authority. To the last, they promised that they would make a discoverie of the offenders, and see them punished; which they never did: For the first, they thought it most unreasonable that any oath should be ministred as it was in Fyse: For the second, they thought it most reasonable that Our Fast-day should be kept; but before they could give a full answer, they must first conferre with their Ministers;
Ministers, at their meeting with whom, they found that the Ministers had intended that barbarous oath at the Communion, and not to keep Our Fast day more then other Churches in the countrie had done, yet the Magistrates did with much persuasions over-rule them in both. Our Commissioner did resolve with great solemnitie, attended with all Our Councell and Judges, to keep that Fast in the great Church of Edinburgh on the day appointed by Us, and gave notice thereof to the Magistrates, who returned him thanks, and assurance of welcome; But understanding that they were resolved to discharge the ordinarie Ministers of that Church from preaching there that day, only because they were Non-covenanters, and had appointed their places to bee supplied with the two only Covenanting Ministers of their Towne, hee sent for the Magistrates againe, telling them, That hee could not come to their Church, and countenance so great a disorder as the displacing of the two Preachers of that Church, only because they were faithfull subjects to Us, nor durst heare these two Preachers designed by them, who in their Pulpits did ordinarily inveigh against Us and Our authority: Unlesse therefore hee might either nominate the Preachers, or heare the ordinarie Preachers of that Church, hee must not come thither. The Magistrates did what they could to persuade with their Ministers; the one of them was contented with Our Commissioners desire, but the other was so obstinate, as hee would no way hearken to it; and him (being so powerfull with the people) the Magistrates durst not offend: and so Our Commissioner, with Our Councell and Judges, were necessitated to keep Our Fast at another Church hard by Our Palace. Now wee desire the Reader to observe, how the Heads of the Covenanters were afraid that any shew of obedience should bee yeelded unto Us by Our people in the least point, they having ordered, that in most places of the Kingdome, the day designed by Us for the Fast should not be observed; certainly, only because it was commanded by Us, as being unwilling that We (whom they had given out to Our people for an Innovator in Religion,
Religion, and an Introducer of Popery) should be thought by them to have any care of so religious an exercise as a solemn Fast: And how that in Edinburgh, though the Magistrates by their earnest intreatie had procured the observati-
on of it, yet they could not obtaine it without putting a speciall affront upon Authoritie, by displacing of those Ministers who had continued in loyalte and obedience to Us.

But these were nothing to their other violences, whereby they would have Our Commissioner take notice that it was impossible their proceedings at the Assembly should bee pleasing unto Us: For not only in many of their Pulpits did they preach, That whosoever subscribed Our Covenant, were perjured and villaines, but when some affirmed the contrarie, and reproved the Preachers for such furious speeches after their Sermon was ended, they were cbyed before their Presbyteries for so doing, and threatened with excommunication: Nay, more then so, there were few Ministers of the Kingdome, not subscribers of their Covenant, whom they did not presently proceffe and cye before their several Presbyteries, and notwithstanding their Appeals to the Generall Assembly then approaching, yet they would not shew so much patience, but proceeded to present most illegall, and unwarrantable suspending of them, and other cenfures, as best pleased them; which being complained of to Our Commissioner and Councell, could finde no redresse, although they sent many times to the Covenanters, requiring them to forbear all such unjust proceedings, and to referre the triall of these oppressed Ministers caufe to the Generall Assembly, which was now at hand.

None were so insolent as the Presbyterie of Edinburgh, for they presently put verie many of their Ministers under process: They begun with one Master David Michell Minister of Edinburgh; Our Commissioner wrote earnestly to that Presbyterie to forbear proceeding against him untill the Assembly, to the which hee had appealed, and where his cause might have a full and faire triall; which they not onely most unjustly rejected, but were so unmannerly, as they did not vouchsafe to answer his Let-
ter,
ter, either by message or otherwise: The next Presbyterie day he wrote to them againe to the same purpose, but with the like successe; for they proceeded without taking notice of his Letter, or returning any answer to it, although in that second Letter he had desired them, either to delay their proceedings that day, or else to send one or more of their number to him, (being then hard by at Our Palace at Holyrood-house) who might shew him some reason why they could not stay so long as untill the Assemblie, which was now so neere approaching. Our Commissioner wondring at this contempt; by the advice of some of the principall Lords of Our Council, sent for an Officer of Our Council, and directed him to them with an ordinarie warrant drawne up in an ordinarie forme by the Clerk of Our Council, requiring them in Our name, under paine of Our high displeasure, and as they would answer the contrarie at their utmost peril, to desist from any further proceeding in that cause untill the Generall Assemblie, to which the defendant had appealed, and which was to begin within fourteene dayes: This warrant was delivered unto them by the Officer of Our Council, in whose audience it was read, and when hee required an answer to it, hee received none, but in highest contempt of Our Crowne, Dignity, and Royall commandement, and against all rules of justice (the Appellants appeale to the superiour Court of a Generall Assemblie, legally depending) for doctrines preached by him four yeares since at least, and the witneses being all Lay-men, who (besides their no extraordinary memorie for such a time as was laid) were men of such meane and ordinary understanding, as that it was improbable, if not impossible, that they should understand the doctrines wherewith he was charged, and some of them being uncontroverted, and such as are generally received by all Protestant Churches in the world; they presently suspended him, and discharged him from the place of his Ministerie; and afterward, to make their contempt the greater, sent downe three of their number to tell Our Commissioner that they had done so, who offered to shew him reasons for their so doing. But
Our Commissioner told them, That since they were not pleased to shew him their reasons before their sentence as he required, hee would not heare their reasons after their sentence as they desired. But to let passe this and many more their such unjust proceedings, against those Ministers which continued in Our obedience, in all places of the Kingdome, even when the Assemblie was ready to begin, notwithstanding these Ministers legall appeales thereunto, We shall desire the Reader to observe their proceedings in one proceed, which We are confident was framed and pursued with such malice, injustice, falshood, and scandal, not onely to the reformed Religion in particular, but to the Christian Religion in generall, as it cannot be paralleled by any president of injustice in precedent ages, nor (We hope) shall ever be followed in future, and which if it were known amongst Turks, Pagans, or Infidels, would make them abhor the Christian Religion, if they did think it would either countenance or could consist with such abominable impiety and injustice.

It is their proceede against all and every one of the Archbishops and Bishops of that Kingdome: The Covenanters did indeed first desire Our Commissioner, in his owne name and as hee was Our Commissioner, to grant out proceede against the Archbishops and Bishops, and thereby to cyte them to appeare as rei, or guiltie persons: To whom he returned this faire answere, That he did not hold it fit to cyte them as guiltie, of whose guiltiness hee had no presumptions; and besides that he would be loath to do an act which should void, according to their grounds, both the Prelats places and voices in the Assemblie, they having laid it downe for a rule (though it were a false one) that parties cyted can have no suffrage there, yet if either by the Law or practice of that Kingdome, the Kings Commissioner or Commissioners did use to grant out any such proceede, hee would not refuse it, being resolved to concurr with them in any course of Justice: but he hoped that they would not make Us his master, or himselfe do any act prejudicial to the Bishops, their place and government, before they were heard, and that in the mean time for their satisfaction...
tisfaction he would advise with some of Our Judges and Our Advocate, whether any such process was awardable, or had usually beene awarded by Our Royall Fathers Commissioners to the Generall Assemblie, and according to their advice he would doe that which should bee agreeable to Justice. From this answer of Our Commissioner, they expected no satisfaction to their desire; for they themselves did know as well as any Judge or Advocate in the Kingdom, that no Commissioner either could award or ever had awarded any such process as they required: And therefore they moved Our Commissioner once againe, that he would require Our Judges or Lords of Our Session, to grant out such process; with which request, when Our Commissioner made Our Judges acquainted, they returned him that answer which the Covenanters knew very well they could not chuse but make, viz. That they could grant out no process for the compeerance of any persons before them, but those who were impleaded, and whose causes were triable before them. The truth is, Our Commissioner found by inquirie, and the Covenanters knew it perfectly well, that the ordinarie way of process or citation to a Generall Assemblie was to passe it under the hand of the Clerk of the Assemblie, whose office is during life, if he be not legally removed, & usually too under the hand of him who was Moderator at the last Generall Assemblie, both which were then living and are so still: the name of the Clerk of the Assemblie being Matr James Sandelands, an Advocate and Commissarie of Aberdene, and the Moderator of the last Assemblie, being the now Archbishop of Saint Andrewes: But they who had all this while gone on in disorderly, illegal, and unjustifiable ways, belike thought it an incongruete to keep the beaten path and tract of justice in any thing, and therefore they fell and resolved upon a way so unlike Justice, so repugnant to Religion and common honesty, as one would wonder how they hit upon it, having neither Law nor practice for it, which was this, They caused to be drawn up a most false, odious, and scandalous Libell against the Archbishops and Bishops, with a Petiti
tion annexed, to the Presbyterie of Edinburgh, wherein they desired the Libell to bee admitted by them, the copie whereof, as it was exhibited by them to the said Presbyterie, and afterward publikely read in all the Pulpits thereof, here followeth; which out of Our love to the Christian Religion We wish might never come to the notice of any Pagan, and out of Our love to the Religion reformed, We wish might never come to the notice of any Papist: But it cannot be concealed.

The Bill, or the complaint of the Noblemen, Barons, Burgesses, Ministers, and Commons, Covenanters, (which were not Commissioners to the Assembly) against the pretended Archbishops and Bishops within this kingdom, as it was presented to the Presbyterie of Edinburgh, with an Act of reference of the Bill, from the Presbyterie to the next General Assembly, as it was fully read on the Lords day before noon in all the Churches within the Presbyterie of Edinburgh, according to the Act.

Noblemen.


Barons and Gentlemen.

Ministers.

Mafter William Scot Minister at Cowper, Mafter George Hammond at Nuburne, Mafter Walter Greg at Balmerino, Mafter John Machigil Parfon of Fliske, Mafter Andrew Blackbat at Aberlady.

Burgeses and Commons.


We, for our selves, and in name and behalfe of the rest of the Noblemen, Barons, Gentlemen, Burgeses, Ministers, and Commons within this Realme of Scotland, subscribers of the Covenant, who are not chosen Commissioners to the Generall Assemblie, but who will affift and infift in this complaint with us, as faithful Christians, as loyall subjects, and sensible members of this Church and Common-wealth, having intereft to pursit this popular action, in a speciall manner and an eminent degree, by which pursuit God may bee glorified, Christ's Kingdome advanced, that the Church may bee restored to her privileges and liberties, and freed from manifold scandals, from the corruptors of Doctrine with Popery and Arminianisme, of the Sacraments with Superstition and Wil-worship, and of the Discipline with tyranny, and from the overthrowers of the peace of this Church and Kingdome by their usurpations and lies, their violent humours, and falshood for their owne worldly ends, may be tried and cenfured accordingly, and so this Church and State made free from the present divisions and combuffions, and restored to peace and unitie, both with God and amongst themselves, and that his Majesties religious disposition and honour may be cleared to all the world, by the triall and cenfure of those men who have fraudulently abused his Majesties name and authoritie by their truft and credit with his Majestie: Wee most earnestly make requeft, That whereas by the Lawes of this Church and Kingdome, and by his Majesties last Proclamation, all his Majesties subjects, whether Ecclesiasticall or Civill, of whatsoever title or degree, if they have exercised an unlimited or unwarrantable power, They are declared and ordained to be liable to the triall and cenfure of the Generall Assemblie and Parliament, or to any other Judicatory, according to the nature and qualitie of the offence. And whereas Mafter David Lyndley pretended Bishop of Edinburgh, Mafter Thomas Syderse pretended Bishop of Galloway, Mafter Walter Whitefoord pretended Bishop of Brichen, Mafter James Wedderburne pretended Bishop of Dumblane, Mafter James Fairley pretended Bishop of Argyle, Mafter John Spotswood pretended Archbishop of Saint Andrews, (having their residences or dwelling places within the bounds of this Presbyterie of Edinburgh,) Mafter Patrick Lyndley pretended Archbishop of Glasgow, Mafter Alexander Lyndley pretended Bishop of Dunkell, Mafter Adam Bannatine pretended Bishop.
Bishop of Aberdene, Master John Guthrie pretended Bishop of Murray, Master John Maxwell pretended Bishop of Rolfe, Master George Greene pretended Bishop of Orkney, Master John Abernethie pretended Bishop of Caithness, Master Neil Campbell pretended Bishop of the Isles, should be tried and cenured for their unlimited and unwarranted power.

For whereas it was provided in the Cautions agreed upon in the Generall Assemblie holden at Montrose, Anno 1600, for bounding of the Ministers votes in Parliament, and concluded to bee inserted in the body of the act of Parliament for confirmation of this vote as a most necessarie and substantiall point of the same, which was never yet repealed by a lawfull Assembly, That the Minister should sweare, upon his admission to the office of Comissionary, to subscribe and fulfill the Cautions agreed upon under the penalties expressed therein, otherwise hee was not to be admitted; yet the said Master David Lindsay, sometimes Minifter of Brichen, now pretended Bishop of this Diocesse of Edinburgh, and pretended Moderator of this Presbyterie, with his forenamed Colleagues, the pretended Bishops and Archbishops of this Church, &c., have taken upon them (without craving or obtaining Commission from the Church as it is set downe in that Act), at Montrose) the office and power to vote in Parliament, without wearing at his or their entrances to subscribe and fulfill those Cautions which are set down under penalties.

In the first Cautiion it was provided, that hee presume not to propound in Parliament, in Councell or convention, any thing in the name of the Church without an express warrant or direction from the Church, under the paine of depofition from his office; and that he should neither give content unto, nor keep silence from any thing (amidst these meetings) that might bee prejudiciall to the libertie of the Church, under the said paine:

But the forenamed Master David Lindsay, pretended Bishop of Edinburgh, with the rest of his Colleagues respectively above named, have presumed (having no warrant nor direction from the Church) to propound in Parliament, and to consent to severall acts which have past in Parliament, to the prejudice of the Church, as namely, To the act concerning the Restitution of the State of Bishops, Anno 1606. The act concerning the chapter of Saint Andrewes, Anno 1607. To the act of Commissions and jurisdictions given to Archbishops and Bishops, Anno 1609. To the ratification of the act agreed upon in the Assemblie of Glasgow, Anno 1610. With an explanation, contrary to the meaning and tenour of the said conclusions, Anno 1612. To the acts concerning the Elections of Archbishops and Bishops, and to the acts concerning the Restitution of chapters, Anno 1617. To the ratification of the five Articles of Perth, Anno 1621. To the act concerning the apparell of Churchmen, and to the ratification of the Acts concerning Religion, in which all the

Ee 2 former
former Acts are included, Ann. 1633, and to many other severall acts of this kind. In like manner he propounded and gave consent to severall acts of the Privie Councell, for the establishing of it, and of the power of the High Commission, which are against the lawes and liberties of this kingdome; and for ratification of severall acts and sentences given out by them and their Colleagues in that unwarrantable Judicatory: for in the same manner did he propound and consent unto the acts made in the Privie Councell for pressing and bringing in of the Service Booke, which would have stood under foot the frame of Gods publicke worship in this Kingdome, if the Lord had not prevented it. And further, in the last convention of the States holden in the yeeres 1625. and 1629. he did not onely keep silence, but propound and give consent to some things which were prejudiciall to the liberties of this Church, and hee did oppose himselfe to the just desires and grievances which were presented in name of the Church for some of her liberties and priviledges, whereas it was provided that he shall be bound upon each generall Assembly to give an account of the discharge of his Commission since the Assembly going before, and should submit himselfe to the censure of the Assembly, and stand to the determinations of it without further Appeals, and should sue for, and obtain ratification of his carriage from the Assembly, under the paine of infamie and excommunication; but the said Master David Lyndsey, and his Colleagues respective abovenamed, have never given an account of the discharge of his or their Commissions, nor sought nor have obtained ratification of his or their doings from the Assembly.

Whereas it was provided in the third caution, that hee should content himselfe with that portion of the Benefice which should be assigned to him from his Majesties for his livelihood, not hurting or prejudging the rest of the Ministers, or any Minister whatsoever, planted or to bee planted within his Benefice, and that this clause was to be inserted in his provision: Besides, when Bishops were charged in the Assembly holden in Octob. Ann. 1578. to quit the corruptions of that State, there was numbered amongst the corruptions, That they received for the maintaining of their ambition and riot, the emolument of the Church, which might sustaine many Pastors, the Schooles, and the Poor; but the said Master David Lyndsey with his Colleagues respective, have tooke provision for their Benefices, and the aforesaid clause was not inserted, and he and they have prejudged Ministers, Schooles, and the Poor, by taking and enjoying plurality of Benefices.

Whereas it was provided in the fourth caution that hee should not dilapidate nor make a disposition of his Benefice without the consent of his Majesties and the generall Assembly; and for the greater warrant of this, That hee should interdict himselfe to the generall Assembly not to dilapidate, nor to give consent to the dilapidation of his Benefice made by others, and that hee should be contented that an Inhibition should be raised upon him to that purpose; but the said Master David Lyndsey
Lindsey, with his Colleagues respettive, have for, and take settled par-
tronages.

Whereas in the fifth caution it is provided that he should be bound
to attend his particular Congregation faithfully in all the points of a
Pastour, and that he shall be subject to the trial and cenfure of his own
Presbyterie and Provinciall Assemblies, as another Minister that bears
no Commission: In like manner by divers Acts and Constitutions
of the generall Assemblies and Presbyteries, non-residents are puni-
table by deprivation: Yet the said Master David Lindsey with his fore-
said Colleagues respettive, have been non-resident from his and their
charges for many yeares; nor have they performed the duties of Pa-
sflors by preaching, administration of the Sacraments, visiting
the sick, &c. but they have deferted their charges by the space now of
many years, neither have they in this subjected themselves to the triall
of the Presbyteries and Provinciall Assemblies.

That whereas in the sixth caution it was provided, That in the admi-
nistration of Discipline, collation of benefices, visitation, and all other
points of Ecclesiastical government, he shall neither usurp nor acclaim
to himself a power or jurisdiction further over the rest of his brethren;
under the paine of deprivation: and in case hee did usurp upon the
Ecclesiastical government, if the Synodall Presbyteries, or generall
Assemblies did oppose, or make impediment unto him; whatsoever he
did in that case should be spofato nullio, without a declaratorie, yet the
said Master David Lindsey with his Colleagues respettive, have usurp-
a jurisdiction in the administration of Discipline, collation of benefi-
ces, visitation, and other points of Ecclesiastical government, without
a lawfull warrant from the Church, in exercising power to suspend, de-
prive, command, and inhibit excommunication at their pleasure, to
fine, confine, imprison, banish Ministers and other professors without
the warrant of the laws of the Countrey; appointing their Moderators
over Presbyteries and Synods, prorogating their Diets, staying their
proceedings against Papists, Sorcerers, Adulterers, and other groffe of-
fenders, by exacting of contributions to such Commissioners as hee
pleased to send to Court for his owne and his Colleagues affaires: by
depriving, and ordaining of Ministers, not only without the consent of
the Presbyteries and Synods, but by ordaining of scandalous and un-
qualified Ministers, and depriving of learned and religious Pastours;
by ordaining Ministers after a forme not allowed of in this Church; by
silencing Ministers for not reading the Service Book, and Book of Can-
nons; by interdicting after a Popish manner, the exercises of Morning
and Evening prayer in their Churches; by releasing of excommunic-
cated Papists; by contradicting and crossing the vores of the Presby-
teries at their pleasure; by their pretended negative vote directly con-
trary to this caution; by enacting decrees of Synods without demand-
ing their votes, by changing and falsifying their Acts, when most votes
had carried the contrary; by many ways have they failed in this cau-
tion, which are so notorious to the whole Church and to your Wife-
edomes,
dones; that we shall condescend upon the same when we are required.

Whereas in the seventh caution it was provided, That in Presbyteries, and in Provinciall and generall Assemblies, he shall behave himself in all things, as one of the brethren of the Presbytery, and be subject to their censure; yet the foresaid Master David Lindfey with his foresaid Colleagues respectively, hath not behaved himselfe as a brother at these meetings; he daileines to sit in Presbyteries, or to be subject to their censures; he sitteth and over-ruleth in Provinciall Assemblies rather as a Lord then a Moderatour; and in stead of behaving himselfe as a brother in the generall Assembly, hath, by threatening and silencing, prejudged the liberties of the lawfull Commissioners; when they propounded, reasoned or concluded matters conducing to the liberty of the Church, hee forced them to conclude things contrarie.

That whereas it was concluded at Mount Rose, That none of them who should have vote in Parliament should come Commissioners to the generall Assembly, or have vote in it in time to come, unless they had authoritie or Commission from their owne Presbyteries for that purpose; yet the said Master David Lindfey with his foresaid Colleagues respectively, though they had no authoritie by Commission from any Presbyteries, have usurped to give votes in the last pretend- ded Assemblies.

Whereas in the seventh chap. of the book of Police, registrated in the Register of the Acts of the Assembly, it was concluded, That in all Assemblies a Moderatour should be chosen by common consent of the whole brethren assembled together, and it hath beene so practised since the beginning of the Reformation, till hee and his fellowes began to break the Cautions; yet the said Master David Lindfey with his foresaid Colleagues respectively, have usurped the place of moderation in the last pretend- ded Assemblies, and rather domineered then moderated, to bring innovations; yea further, have directed Mandats from themselves as from the representative Church of Scotland, which name and power is only competent to generall Assemblies; he hath brought in the practice of many Innovations in the Royal Chappel, in the Abbey Church, and his pretend- ed Cathedral; hee hath laboured not only to hinder the ordinary meetings of generall Assemblies of this Church, by obtaining letters and charge from Authority to that purpose, but also hath laboured, what in him lay, to take away from the Church the priviledge of holding generall Assemblies yearly, belonging to Her by the Word of God, Acts of this Church, and lawes of this Kingdom.

Whereas it is provided by another caution, That Grimen ambitus shall be a sufficient cause of deprivation of him that shall have vote in Parliament; yet the said Master David Lindfey with his foresaid Col- leagues respectively, are guilty of the said crime, in seeking of the said offices, and promising and giving good Deeds for them.

Whereas it was provided by the book of Discipline, and Acts of the Assembly
Assembly Feb. An. 1569. and Decemb. 1565. & 1567. that marriage
should not be solemnized without asking of baines three several Sab-
baths daies before; yet the said Master David Lindsay and his aforesaid
Colleagues respective, have given licence to sundry Ministers to solemn-
ize marriage without asking three several Sabbats before; upon
which have followed divers inconveniences; a man hath been married
to a woman her husband being alive, and they not divorced; some
have been married to persons with whom they have committed adul-
terie before, and so have been married without the consent or know-
ledge of their parents.

Whereas by the book of Faithing, authorized by the general Assembly,
and prefixed before the Psalms, no set or yearly Fasts are allowed,
but disallowed, as contrary to the liberty of the Church, and to the na-
ture of the exercise (a Faith) yet the said Master David Lindsay and his
foresaid Colleagues respective, have appointed yearly Fasts, and trou-
bled some godly Professors for not observing the same.

Whereas the office of a Deacon is set forth in the book of Disci-
pline, and book of common order before the Psalms, according to the
Word of God, to have no medling with the preaching of the Word,
or the ministration of the Sacraments; and by the first Confession of
faith ratified in the Acts of Parliament, chap. 23, Ministers called unto
particular flocks have onely power of the ministration of the Sacra-
ments; yet the said Master David Lindsay with his foresaid Colleagues
respective, have given a power to certain Divines whom they make Dea-
cons (men not admitted to the calling of the Ministry) to adminis-
ter the Sacrament of Baptisme, under the names and titles of preaching
Deacons, and they refuse to admit divers men to the calling of the
Ministry before they be admitted to that Order.

Whereas it is ordained by the book of Policie, and Acts of the As-
sembly, that no man should receive ordination to the Ministry with-
out a present admission to a particular flock; yet the said Master Da-
vid Lindsay with his foresaid Colleagues respective, have separated the
act of Ordination from the act of Admission.

Whereas according to the established order of the Church & the Acts
of the Assembly, the ordination & admission of Ministers should be pub-
lick, in the presence and with the consent of the Congregation; yet the
said Master David Lindsay with his foresaid Colleagues respective, have
given ordination to some men in other places, not in their own Congre-
gation, and violently have thrall upon them scandalous Ministers.

Whereas Ministers who teach erroneous and corrupt doctrine
should be censured by the book of Discipline, and by the Acts of the
Assembly; yet the said Master David Lindsay and his foresaid Col-
leagues respective, have taught erroneous and corrupt doctrine them-
selves, and by their pretended power have preferred to the Ministers
men who have taught erroneous doctrine against the Confession of
Faith, and Acts of Parliament quoted in our Covenant; and they
cherish and maintain them who teach Arminianistie and Popery,
as conditionall Election; Free-will; Resistibilitie of effectuall Grace; The univeraility of Chrifts death; The merit of it in heaven & in hel; A finall apostacie of the Saints; The local descent of Chrift into hel; That Chrift came into the world *claufo virginis mero*; auricular Confession; and Papall abfolution; That the Pope is not Antichrift; That the Church of Rome is a true Church; That reconciliation with Rome is a thing caufe; That the Church of Rome erres not in fundamentals; and that she differs not in fundamentals from the reformed Churches; They call in question the imputation of Chrifts righteousness, and they affirme the formall cause of justifying faith, to confist in our inherent righteousness; They affirme that there is a local and circumferiptive presence of Chrift in the Sacrament, and they change the Sacrament into a Sacrifice, and the Table into an Altar, the Ministers into Priests. There are other damnable and hereticall points of Doctrine which they maintain; of which we shall give particular information in our particular accution of each one of them respective; with the proffes thereof, when we shall be required.

Whereas by the Acts of the Church, no oaths or subscriptions should be required from thoes who enter into the Minifterie, but to the Confeffion of faith, and to the Book of Policie; yet the said Master David Lindsay with his forefaid Colleagues respective, without a warrant from the Church or Parliament, doe exact diverse oaths and subscriptions from them who enter into the Minifterie; namely, That they should both in publike and private prayers commend the Prelats to Gods mercifull protection; That they should be subject to the orders which were now in the Church, or by the consent of the Church, that is, by their consent (as they affirme) should be established; as to the Service Book, and to the Book of Canons. The heavinesse of this grievance made the most part of his Majesties subjects to complain in these Articles, that worthy men which have testimonies of their learning from Univerfities, and are tryed by Prebysteries to bee fit for the work of the Minifterie, and for their gifts and lives were much desired by the people; yet these men are kept out because they could not bee perswaded to subscribe and sware unto such unlawfull oaths, which have no warrant from the Acts of the Church, nor the lawes of the Kingdome; and they were Articles and oaths conceived according to their pleafure; and men of little worth, and ready to sware, were for by-respects thrust upon the people, and admitted to the most eminent places of the Church, and of the Schools in Divinity, which breeds continual complaints, and moves the people to run from their owne parish Churches, refusing to receive the Sacrament from the hands of Ministers, set over them against their hearts, which makes them not to render unto them that honour which is due from the people to their Paftours; and it is a mighty hinderance to the Gospel, to the soules of the people, and to the peace of this Church and Kingdome.

Whereas in the Assembly holden at Edinburgh, in March, an. 1578.
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(Pag. 217.)
was declared that it was neither agreeable to the word of God, nor
to the practice ofthe Primitive Church, that the Adminiftration of the
Word and Sacraments, and the miniftration of civill andcriminall
iuftice mould be confounded, that one perfbn could fupply both the
charges,but that a Minifter mould not be both a Minifter and a Senator
in the Colledge of juftice. And in the Affcmbly holden in October An.
reckoned amongft the corruptions of the State of Bifliops
1 5 78.it was
charged to forgoe, that they mould ufurp a criminal!
were
which they
jurifdi&ion, that they mould not claime unto themfelves the titles of
Lords , that they mould onely be called by their owne names , or brethren; yet the faid Matter David Lyvdfey, with his forefaid Colleagues
refpeftive,hzveaff\imcd to themfelves the titles and honours of Lords,
they did fit as Senators in the Colledge of juftice,as Councilors in the
it

Privie Councell,as Auditors in the Exchequer, and have enjoyed prime
Offices of State. The pretended Bifliops have ufurped the place and

precedencie before

all

Temporall Lords, the pretended Archbifliops

before all the Noble Earles of the land,and the pretended Primate before the prime Officers of State in the land.

Whereas by the Word of God andacls of the, Atferiibly, namely
.4ff001576.1577.and 1578. no man iftould be fuffwred to be a Mini,
, unleffe hee be tyed to a particular flocke and congregation ; and
not to be tyed to a particular flocke it is condemned as a corruption,
of the ftate of Bifliops which they were charged t© forgoe 5 yet the
faid Mafter DavidLyndjey, with his Calkagacsrefpeffivi forefaid,arc
Minifters,and will riot be tyed to particular flockes.,
Whereas the Office ofaBifhop (as it is now ufed within this Realm)

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was condemned by the booke of pojicie , and byjche a& of the AfTcmbly holden at Dundee, Anmt'^>o. whereof theje.are the words; Forafmuch as theoffice qfa Bimop (as it is now uf?d and commonly taken
within this RcalmeJ hath no Cure warrant from^thoritie, nor. good
ground out of the ScriptureSj but it is brought in by the folly and corruptions ofthe inyentionsof men,to the great hurt of the Church, The
whole Affcmbly of thisChurch with one voice,after liberty given to all
men to reafon in the faid matter, no man oppofing-foimfelf to maintaine
;

the faid pretended Office^do find and declare the faid pretended Office,
ufed and termed as is abqyefaid, unlawfull in it felfe, as having neither

ground nor warrant within the Word of God j and we doe ordaine
that all fuch perfons which doe,or fhall hereafter enjoy the faid Office,
be charged {imply to, difmiffe, quit, and leave the fame, as
anOffice unto which they -were not called hy;G.od; and that they
mall leave off all preaching , miniftration of the Sacraments j or o^

Ml

ther offices ofPaftors, until I fuch time, as they receive admifsion de
novo from the general! Affembly 3 under the paine of excommunication to be ufed againft them, and if they bee found d ifobedient to
:,

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con-

tradict this adt in the leafy point, after

of excommunication fhall
ter execution

of the

faid

due admonition, thefentence
be executed againft them. And fof the betacTr, it is ordained that a Synodal! Aflem-

Wy


blie shall be holden in every Province (in which usurping Bishops are)

18. against next to come, in which they shall be cryed and summoned by
the Visitors of the said Countries to compeere before their Synodall
Assemblies: as namely, The Archbishops of St. Andrewes to compeere at
Saint Andrewes, The Bishop of Aberdene in Aberdene, The Arch-
bishop of Glasgow in Glasgow, The Bishop of Murray in Elgin, to
give obedience to the said act, which if they refused to doe, that the
Synodall Assemblies shall appoint certaine brethren of their Presby-
teries to give them publick admonitions out of their Pulpits, and to
warn them, if they disobeys, to compeere before the next generall Af-
femblie to be holden at Edinburgh 20. 0thb. to heare the sentence of
excommunication pronounced against them for their disobeys: and
to this act the Bishop of Dublaine that then was, agreed; submitting
himself to be ruled by it: it was also condemned by the act of Glasgow
Anno 1581, which doth ratifie the former act of Dundee, and ordains
the booke of policie, which was approved by severall Generall As-
fembles to be registrated in the books of the Assembleie, and enjoyed
the generall confession of faith, not to be subscribed by all his Majesties Lieges;
Yet hath the said Master David Lyndsey with his foresaid Colleagues re-
sective, not only increasod upon the liberties of Presbytery and
Synods, but hath also tooke Confecration to the office of a Diocesan
Bishop, without the knowledge or consent of the Church; and against
the acts of it, claiming the power of ordination and jurisdiction, as due
to him by that unwarrantable office.

Besides, the said Master David Lyndsey with his foresaid Colleagues re-
sective, have, against the Lawes of the Church and Kingdome,
brought in the Service booke, the book of Canons, and the High Com-
misision Court, and would have changed and overthrown the whole
frame of doctrine of God word, the use of the Sacraments, the
Discipline, Liberties and Priviledges of this Church and State; if the
Lord had not prevented them. The particulars wee shall present
to your widomes, though it bee knowne to all men, how he and
they have abused his Majesties Authoritie against his Royall intentions
and Declarations, they having moved discontentes between the King
and his subjects, by scandalous lyes between subject and subject, for
which things complaints have been given in to the Council, which we
hold here to be repeated as a part of our complaint; and to be tried by
your widomes, and referred to the Assembleie.

Besides all these faults, the said Master David Lyndsey with his
Colleagues resective, in his life and conversation is slandered con-
tantly as guilttie of excessive drinking, whoring, playing at Cards
and Dice, swearing, profane speaking, excessive gaming, profan-
ing of the Sabbath, contempt of the publique ordinances and private
familie exercitues, mocking of the power of preaching, prayer, and spiri-
tual conference, and sincere profecutors; besides, with briberie, simonie,
selling of Commissariots places, lyes, perjuries, dishonest dealing in
civill bargaines, abusing of their vassals, and of Adulterie, and

Incest.
Whereas the Presbytery is the ordinari judgment of this Church for tryng of thefe offences, and hath the Ecclefafticall power for cryation of the parties and offenders, with the reference to their complaints to the Generall Assemblie, Therefore wee most earnestly and humble beseech your godly wisdome, as you tender the glorie of God, the peace and libertie of this Church, the removall of scanda, and punishment of vice, that you will take into your consideration and triall the foresaid many and hainous offences, with the particular reservations and qualifications of them, which we shall present to your wisdome, or to the Assemblie when it shall bee thought convenient; and that you would either take order with it yourselves, and cenfure the offenders, according to the nature of the offences, with the Ecclefafticall paines contained in the Acts and foresaid Canons of this Church and Kingdome, or else make a reference of them to the Generall Assemblie to bee holden at Glasgow 21. Novemb. and, that the knowledge of these should come to the Delinquent, that you will be pleased to ordaine the publishing hereof, to bee made by all the Brethren of the Presbytery in their Pulpits upon the Sabbath before noone, with a publicke admonition to the offenders to be present at the Assemblie, to answer to this complaint, and to undergo the cenfure and triall of it, and to bring with them the books and scroules of subscriptions and oaths required from those who enter into the Ministerie, with the books of the High Commissioun Court, and the books of the Generall Assemblie, which they or their Clerk had or have fraudulently conveyed away. Together with this certification, That if the said Master David Lyndsey, with his foresaid colleagues respective, do not appear in the said Assemblie, and bring with them the said books, to answer to this complaint in generall, and to the particular heads of it, and to submit himselfe to the triall and proffee of this complaint generall, and to the particular heads of it, that there shall be a condigne cenfure of these offenders for their contempt and contumacie; Here wee humble beseech your wisdome answer.

**The Aet of the Presbytery of Edinburgh 24. Octob. 1638. years, in answer to this Complaint.**

Upon the said day, we the Brethren of the Presbytery of Edinburgh, after we had received this Bill and complaint, presented unto us by the Laird of Buchanan, The Laird of Dury the younger, The Laird of Caolourie, John Smith late Bailife of Edinburgh, John Hamiltoun, and Richard Maxwel, in name of the Noblemen, Barons, Burgesse, and Commons, subscribees of the Covenant (which are nor Commissio...
complainers did and do referre the same to the next Generall Assem-
blie to bee holden at Glafgow 21. November. And we ordaine the
publishing of this complaint, and of our reference of it to the Assem-
bblie, to be fully read by all the Pastors of the Presbyterie upon the next
Sabbath before noone out of their Pulpits, with a publike warning and
cytation to the offenders complained upon; By name, Master John
Spotswood pretended Archbishop of Saint Andrewes, Master Patrick
Lyndsey pretended Archbishop of Glafgow, Master Thomas Sydserfe
pretended Bishop of Galloway, Master David Lyndsey pretended Bi-
shop of Edinburgh, Master Alexander Lyndsey pretended Bishop of
Dunkeld, Master Adam Bannatine pretended Bishop of Aberdene,
Master John Gutherie pretended Bishop of Murray, Master John Max-
wel pretended Bishop of Rossie, Master George Greme pretended Bishop
of Orknay, Master John Abernethie pretended Bishop of Caithnes,
Master Walter Whitefoord pretended Bishop of Brichen, Master James
Weeldeburne pretended Bishop of Dunblane, Master James Fayrley
pretended Bishop of Argyle, Master Nai1 Campbell pretended Bishop
of the Iles, to be present at the said Assemblie, to anfwer to this com-
plaint in generall, and to the particular heads of it, to undergo the
triall and cenfure of it, and to bring with them the books and fcrules
of the subscriptions and oaths of them who enter into the Minifterie,
the books of the High Commission, and the book of the Generall
Assemblie, which they either had or have fraudulently put away; and
if any Pastor within this Presbyterie refufe to publifi this cytati-
on, we require the Reader of the Church to do it. In like manner
wee require all parties who have interef, either in purufing, or fpe-
cifying, or proving this complaint, to be present at the said Assem-
blie for that purpose: Upon which the complainers took instruments
in the hands of the Notarie.

According to this complaint, and the warrand of the Presbyteries
reference of it, I A. R. warn and admoniff the abovename
offenders to compere before the next Generall Assemblie to bee
holden at Glafgow 21. November, for the caufes contained in the
complaint, and for the certification expreffed in it.

N ow though the vere reading of this Libell cannot
chufe but work a deteftation of it in the heart of everie
religious and juft man, yet the Reader shall do well to take
a more speciall notice of these particular paflages of in-
justice and impietie in it: First, that the Presbyterie of E-
dinburgh taketh cognifance of the caufe, and accordingly
makes cytation, not onely of the Bishop of Edinburgh, over
whom they can have no jurifdiction, but of all the rest of
the
the Archbishops and Bishops, of which none at all, or certainly if any, very few, are inhabitants within the bounds of their Presbyterie: And who before this, did ever hear that any Consistorie or Judicatorie, Ecclesiasticall or Civil, could make processe against any man, or take cognizance of the cause of any man, who was not an inhabitant, nor had any charge or estate within the precincts or bounds of those places, which onely are liable to the jurisdiction of that Court? Next, who did ever hear that men should wittingly and willingly cite others to answer for the transgression of acts and Lawes which they themselves do know were repealed by posterior acts and Lawes, and so stood at the time of this citation, and therefore cannot ways be censurable for them, though it were true that the person cited had done as it is alledged in the Libell? And such be these acts of Assembly cited by them, which were and still are disanulled by divers acts both of Assembly and Parliament. Thirdly, who did ever hear that men should be called in question for yeelding obedience to acts of Parliament and Generall Assembly? And yet in this Libell the Prelates are charged with giving voices in Parliament, and practising the five Articles of Perth, and divers other particulars, which then were and are now still in force by acts both of Parliament and Assembly: And if it should be said that these acts were unduly obtained (which is the Covenanters only plea,) sure to say so is a greater fault then the other: for what Judge can ever give sentence in any cause, if the asseveration of the partie aggrieved by the sentence, that the Law was unjustly made, may passe for a good plea? Fourthly, who ever heard that men should be charged with yeelding obedience to acts commanded by the authoritie of Us and Our Councell, especially in things not repugnant to any established Law of that Church and Kingdom? And yet such are all these pretended Innovations, with the introduction whereof the Prelates are charged in this Libell; For they were enjoyned and commanded first by Us, and then by acts of Our Councell; it being farre more agreeable to reason to compleaine of the Lords of Our Councell, by whose authoritie they were commande.
ded then of those who in dutifull obedience to authority did practice them: But indeed it is to be wondered at, with what face the Covenanters can blame either the one for commanding, or the other for practising them: For what ground have they, or did they ever yet alledge, for their swearing to the Confession of Faith and their Covenant annexed? Did they ever yet alledge any but the authority of Our Royall Father and his Councell, who by their authority commanded them to be sworne throughout the Realme? And did not We and Our Councell by equall authority command these pretended Innovations? Was not then the Prelates practice of them as well warranted, as this affection of Faith and the band annexed, which were never brought in by acts of Parliament or Assemblie, but meerly by Our Royall Fathers Prerogative, and put in execution by the authority of his Councell? Fifthly, who did ever heare that men professing Pietie and Religion, durst adventure in the sight of God, in the house of God, and in the Pulpit, which is as it were the Chaire of God, and in the face of the Congregation, which is the people of God, to command the Bishops to be indited and accused of such horrible crimes, as whoring, excessive drinking, excessive gaming, swearing, proфанation of the Lords day, contempt of Gods publiclike Ordinances, neglecting pietie in their families, mocking of the power of preaching, prayer, and spiritual communica-
tion; bribery, simonie, lying, perjuries, unhonest dealing in civill bargains, adulterie, incest, and what not? We do even appeal to their own consciences, whether they did think all of them, or any one of them, guilty of all these crimes: Molt certainly they did not; and that excuse which they bring for the justifying of this wicked Libell cannot any ways extenuate their fault: They say that some particulars contained in the whole Libell may be proved against every one of them, and therefore it is a good and a legall Libell, if they can make good any thing contained in it: But be it legall or not, the World must needs take notice that it is most unconscionable. The other things mentioned before, and charged upon them in this Libell, are not crimes at all, being warranted by acts of
of Parliament, Assembly and Council; these last rehearsed are crimes indeed, odious in the sight of God and man, and of which, as if they be guilty, the Bishops deserve death and exquisite torments; so, if they who have accused them of these crimes, shall fail in proving them to be guiltie, they deserve to bee infamous throughout all generations, for the most malicious and malignant traducers of the servants of God, that ever lived upon the earth, and must look for the unavoidable judgements of God to fall upon them and their whole families for this so horrible a crime, committed wilfully against the knowledge of their owne consciences, unless they doe expiate it with the bitter tears of repentance. For we desire them to declare bona fide whether they themselves did believe or conceive all the Bishops accused in the Libell, or only some of them to be guiltie of these last recited crimes: If not all, but some, why did they not distinguish them, that the people might know whom they should take for guiltie, and whom for not guiltie? Nay, did they not believe and know, that some of these Bishops were holy and learned men, free from the crimes objected? For instance, we will only name the Bishop of Edinburgh, seeing in the principall Presbyterie of his Diocesse this Libell was presented, admitted, and publiquely read in the Churches within the Precincts of it: did they then, or doe they yet believe or suspect that he was guiltie of incest, adultery, excessive whoring, gaming, drinking, diceing, swearing, &c. ut supra? We do verily believe, that if they were judicially called, they would absolve him from such foule crimes; how then they can answer to God, men, or their owne consciences, for accusing that reverend, learned, and holy Prelate of such crimes, for which they themselves would bee his compurgators, we must leave it to themselves to resolve: Nay, what if they themselves did not believe any one, not the most hated of all the Prelates to be guiltie of these last recited crimes? Sure, the presumptions are very pregnant and unanswerable, that they did not believe it: for at the generall Assembly, when the several Bishops causes came to bee heard and discussed upon

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this Libell, they did not so much as offer to make any proof of these last rehearsed crimes against them; they examined not so much as one witness upon them in discussing the processes of many of the Bishops: And in the printed Acts of their pretended Assembly (as shall appear by those passages of it in their place) in their particular sentences of deprivation and excommunication, they not only do not cen- sure them for these crimes, but do not so much as take notice of them: And it is well known, that these men who in all their proceedings, had made every Bishop a beame, were not so mercifully or compassionately affected towards them, that they would have spared them, or forbore to make proof of these crimes, if they had seen but colour for it. If they shall say, that though they could not prove these crimes, yet there was a publick scandal of them; There was indeed a scandal raised amongst them, and that publice enough, when it was proclaimed in the Pulpits; but by whom was it raised? even by the principal Covenanters themselves, who were resolved to raise a base when they were sure they could raise no fact; or if they should allege that they did forbear probation, or examining of witnesses, out of their respect either to the Bishops calling or their persons, they will hardly finde credit with any one; For who will think they did it out of the respect of their calling, which they have given out for Papish and Antichristian? or out of respect of their persons, whom they have scandaliz'd in so many great and publice congregations of the Kingdom, infinitely exceeding in number those who were present at the Assembly? The plain truth then was this: They could easily slander them with these crimes in the Churches, but they were sure they could make no proof of them at the Assembly. Sixthly, who did ever heare, that the forme of proceeding of Presbyteries in that Kingdom was by reading of the Libell in any Church? the custome being to cite them personally where they may be found; or if they be not to be found, by leaving both the citation and copie of the Libell at the place of their dwelling; or if the partie be out of the Kingdom, by
by citing him publiquely in the Church, and afterward serving him with a copie of the Libell upon his coming home: and if he doe not appear, by proceeding against him tamenam pro confesss; which forme was observed by them in the processing of all the Ministers, whom at this time they suspend: and transmitted over to the generall Assemblie, none of their Libells being publiquely read in Churches: But with the Bishops they proceeded otherwise, against all course of Law, made the Libell against them bee read publiquely in the Churches, and that after divers of them, upon the Covenanter's owne knowledge, had been servd with it by the Officers of that Presbyterie; so that there was no use of any further publiquely citation, personall citation being already made: Nay, and to doe it upon a Sunday, though that morning the Magistrates of Edinburgh, by Our Commissioners speciall commandement, required them to forbear: Nay, yet to publish that infamous Libell in their Churches, upon a day when the holy Communion was solemnly administred: Nay, and in the Colledge Church where Rollock is Minister, (because it was late, and after noone before all the people had received) to have the ordinary thanksgiving and prayers after the Communion quite omitted, and the afternoone Sermon begun without any precedent prayer, and all to gaine time for the reading of this lewd Libell, as if it had been of greater consequence then either the thanksgiving or prayers after the holy Communion, or the reading of thofe Lessons and Chapters of sacred Scripture, or using of prayer, which are duties usually performed before Sermon: Nay, to have this Libell read in the afternoone, directly against the Act of the Presbyterie which appointed it to be read in the forenoon, and to have it read neither by Minister nor Reader, as the Act enjoyneth, but by a Lay-man, and a fierie Advocate: All these put together, let the Reader judge whether here were not many acts, first of injustice, then of impiete; As drawing along with them the profanation and violation of the Lords house, the Lords day, the Lords holy Communion, the Lords service and worship
worship in both parts of it, Prayer and Preaching. Se-
venthly, the Reader shall doe well to observe in the Preface
of this Libell, what a harmlesse and hazzardlesse mustring
and training of their men they make: For all the Covenan-
ters being now one, grosse body, sworne to one Covenant,
and to mutuall defence one of another, without admitting
any motion which shall tend to the division or breaking of
their ranks, see how they divide themselves onely to exer-
cise their armies, and to make them perfect in their postures
and motions; after they have cast themselves in severall fi-
gures, they fall to skirmishing, not in earnest but in jest, to
pleafe themselves and the spectators: For since they could
not all be Judges and Commissioners of the Assembly, they
make their fellow-Covenanters not elected Commissioners,
to be Plaintifles, so that indeed upon the point, the Plaintifles
and Judges are all one: for they having all sworne and abju-
red (as they say themselves) the principall things to be deter-
mined in the Assembly, the same actors before they came from
their Tables at Edinburgh, forfed and divided their parts, ap-
pointed some to be chosen Commissioners, and so to act the
part of Judges, and others of themselves to draw a Libell a-
gainst those whom they should nominate, & so they should
act the part of Plaintifles: In the mean time, what was like
to become of the poore Defendants and the parties cited ?
whether they were not like to bee killed in the play; let the
spectators deliver their opinions: And this now is that Li-
bell, with which the Covenanters did undoubtedly com-
pale their own end, which was, to raise up in the people an
utter abhorring of the present Bishops persons, and an irre-
concileable hatred against both their persons and calling, but
with what religion, justice, and honestie, they have effected
it, others besides themselves, both in heaven and earth, mutt
judge and give sentence.

As this of the Libell was a trick of falshood, so about
this time there was put upon the people a notable trick of
forgerie, which was this: There was a maid, whose name
is Michelson, her father was a Minister; and when he died, left
her
her young, she hath been for many yeares distracted by fits: Upon this young Maid's weakness some were pleased to work, and to report her for one inspired with a spirit of divination; and finding, that out of her blind zeal she was wonderfully affected with their Covenant, and that in her raving fits her words tended all, or for the most part, to the admiration of it, and detestation of the opposers of it; and perceiving that she was well skilled in the phrases of the Scripture, and had a good memorie, so that she could remember the bitter invectives, which both in the Pulpits and elsewhere she had heard made against the Bishops and the Service-booke, they thought her a very fit instrument to abuse the people, and cried her up so much, that the multitude was made to believe her words proceeded not from her life, but from God: Thence was that incredible concourse of all sorts of people, Noblemen, Gentlemen, Ministers, Women of all ranks and qualities, who watched or stayed by her day and night, during the time of her pretended fits, and did admire her raptures and inspirations, as comming from Heaven: She spake but at certain times, and many times had intermissions of days and weeks, in all probability, that she might have time to receive instructions, and to digest them against the next time of exercing her gifts (as they call them,) which so soone as she was ready to begin, the newes of it was blown all the Towne over, and the house so thronged, that thousands at every time could find no access. The joy which her auditors conceived for the comfort of such a messenger from Heaven, and such messages as she delivered from thence, was many times expressed by them in tears by none more then by Rollock her speciall Favourite; who being desired sometimes by the spectators to pray with her, and speak to her, answered, That he durst not doe it, as being no good manners in him to speake while his Master was speaking in her. Now, that she was set up by the Covenanters, to persuade their ends with the people, there bee two reasons which may induce the Reader probably to beleive: First, because they of best judgement, who were present at the
time of her pretended raptures, did affirm, that they saw nor could observe nothing supernatural in them; they only found she had a good memorie, especially of that which she had read in the Scripture, or had heard preached; that she had a very good expression of herself; but they found that both she knew that she was speaking, and what she was speaking (contrary to that report which went about of her) and that while she was speaking, if she were interrupted by any questions, she made very pertinent answers to them, which could not have been, if all that time she had been transported with any supernatural rapture. Secondly, because most of all that she spake, still tended to the Covenanters ends: when she spake of Christ, she ordinarily called him by the name of Covenanting Jesus: The summe of her speeches for the most part was, that it was revealed unto her from God, that their Covenant was approved and ratified in Heaven, but that Our Covenant was an invention of Sathan; that all the adherents to it should be confounded, as all the adherents to the former were and should be protected by God, the author of their Covenant, against all opposition whatsoever; which speeches of hers were averred by the Covenanters with as great confidence, and admired by the people with as much veneration, if not more, as any other of their Pulpit Dictats: which presumptions did make very many (both Covenanters and others) think, that the crying up of this Maid, did look something like a Romish impos- 

2. Let all this rebellious behaviour, and these contempts of Our Commissioner and Council, interveening betweene Our last gracious Proclamation of the indiction of the As- 

sembley, and the day of the Assembly neere at hand, be laid together, and what judgement can any man make of them, but that they were divided and practised principally for this purpose, That Our Commissioner might prorogue or dis- 

charge the Assembly, from whence by these strange pro- 

ceedings he could not have the least hope of any good: and if hee should discharge it, they were sure they should gaine
Loving Cousin,

I have lately received advertisement from several friends that are chosen Commissioners for the Assembly, to help them to lodgings in Glasgow; I send you here a Roll of some of our particular friends, whereof you may give a Copy to the Provost and Magistrates, that they (being men of quality) may be accordingly furnished for themselves and their traine, with such roomes (at least) as you have provided for me. I hope your Magistrates have beene as carefull to provide for the Commissioners as for the Councillours, which are not so necessary members of the Assembly as the Commissioners. And if they be not well eafeed, it may be a great argument to the Assembly to remove it elsew. I am of opinion, that of the three hundred necessary Commissioners of Assembly, the halfe of them have not provided themselves, as being farre distant and unacquainted, hoping in so good a towne to find all commodities for money. I would send a servant to take possession of those Lodgings which can be had, for my selfe and our friends, that we be not surprised with the Councillours followers, who are to be with you the 15 or 16 of this instant.

George Potterfield undertooke to my Lord Lindsey and other Noblemen, at his last being here, to bespeake three or foure of the best Lodgings they design'd for such Noblemen as was given him in list; we have heard nothing of his performance. My Lord Lindsey hath written oft-times
oft-times to me, and I would intreat you to desire George to write with the first occasion to John Smith, or any other he pleaseth here, that we may know his care and account of his undertaking. You will pardon me for this trouble I put you to, being for friends that will be very sensible of it, whereof none are more obliged, and lesse able to acquite all your favours, then

Your loving Cousin


Balmerino.

I could wish our owne friends were as well bestowed neere one another as can be, and if I cannot come there the next weeke, I will send a servant.

By these lines you may easily perceive, both the insolent contempts used by these men towards Our Councell, and the resolution which they had to keep the Assembly, or to remove it at their pleasures. But after they were once perswaded that Our Commissioner was resolvd to hold the Assembly at the time and place appointed by Our Proclamation, the time of it approaching, they sent out from their Tables a second paper of publicke instructions throughout all the parts of the Kingdom, which were these.

1. That all Noblemen subscribers of the Covenant (except the Noblemen of the West, who shall be ready upon advertisement) meet at Edinburgh the 12. of November, and stay there till they go to Glasgow, where they shall all meet on Saturday the 17. of November, at the furthest.

2. That the full number of these who are appointed Commissioners by the several shires, to attend this common cause, with foure Gentlemen within the bounds of every Presbyterie at the least, out of the number of their Assessors, without excluding any voluntaries, That they come to Glasgow the 17. day of November, to attend constantly the Assembly, and give their advice in the common cause to the ruling Elders, Commissioners
missioners to the Assembly out of these Shires and Presbyteries.

That the Burrows appoint (according to their quality and number) two, four, or six of most judicious men to come to Glasgow the 17. of November, and there constantly to attend the Assembly, and give their advice to their Commissioner in this common cause.

That the Fast be observed the fourth day of November universally, with any other days they may conveniently; and if any be repairing to the Assembly, that they keep the Fast where they shall be for the time.

That now especially seeing ruling Elders from particular Congregations are received in Presbyteries, that particular Congregations take such course that no Minister Commissioner be forced to be absent from the Assembly for want of necessary charges.

That where any hath been deceived or compelled to subscribe this new Covenant, that the Ministers take their Declarations in writing, or by all in the books of Session, or before one witness, that they were forced, deceived, or mistaken; and that every Minister make known, and intimate publicly to the people the printed protestation, containing the reasons against this new subscription; and where the Minister refuseth, that some well affected Gentleman do it.

In the first of these, there is a meeting appointed of all the Commissioners, first at Edinburgh, then at Glasgow, which was (no doubt) to agree upon the conclusions to be made in the Assembly, before the Assembly should assemble. In the second and third you see a course taken, That both from Presbyteries and Burrows, the several Commissioners shall have numbers of Assistants, without whose advice the Commissioners were to conclude nothing; a thing never heard of before at any Assembly of that Church; and by which multitude they meant to terrify all those, who in Glasgow should offer to oppose or speak against them. In the fourth, to the high contempt of Our Authority and Proclamation, they appoint another day for the publick Fast; then was by Us designed. In the sixth, they order that all those who had subscribed Our Covenant and Confession
These new instructions, especially that Article which appointed to great troupes to repair to Glasgow, all which (as Our Commissioner was informed) meant to goethither with Armes, and in hostile equipage, which is most severely prohibited by the Laws of that Our Kingdome, moved Our Commissioner and Counsell, by publique Proclamation at the Crosse of Edinburgh, severely to interdict any Commission for the Assembly of Glasgow to travell thither, or to continue there with more attendance then those of their own family and ordinary retinue; and that they should carry with them no other Armes, but such as were allowed by the Lawes of that Kingdome, under the pains and penalties contained in the said Lawes. This Proclamation they only answered with a Protestation, yielding no obedience to it; for they travelled to Glasgow in great troupes, carrying with them prohibited and warlike Armes.

It is easie now to bee conceived, that Our Commissioner could expect no good from this Assembly, the preparations whereunto were so full of rebellion and tumult, and the precedent elections of the members whereof had induced many legall, unavoidable, and undeniable nullities of it: yet because Our people should clearly see the reality of Our royall intentions, and the Covenanters partie might understand how they had been abused by the reports which their leaders had dispersed, That Wee meant nothing lesse then to keepe this Assembly; and principally, that in that Assembly We might fully make good to all Our subjects, whatsoever We had promised in Our last gracious declaration, (the heads of the Covenanters having mainly laboured with them that point, viz., that Wee never meant to performe what therein We had promised) Our Commissioner began his journey towards Glasgow, and arrived there on the 17 day of November in a quiet and peaceable manner, none of his traine carrying with them any prohibited armes: There met him at Glasgow all Our Counsell by Our direction, according to a Letter which We had written unto them, requiring them to
asist him all the time of his being there, with their best con-
currence and councell: Our Letter to them here followeth.

Right trusty and right well-beloved Cousin and Counsellour, Right
trusty and right well-beloved Cousins & Counsellours, We greet
you well: As by your Letter We find how well you are satisfied with
Our gracious pleasure, expressed in Our late Proclamation and De-
claration; so We do expect the continuance of your care by your best
inducements, to bring all Our good people to a true sense of Our Royal in-
tentions, and real care of preferring and advancing the good and peace
of that Church and Kingdome which hath always been and still is one
of Our chiefest cares. We give you heartly thanks for your affection
and pains in this service, and do approve of your course in subscribing
of the Confession and band, and order taken by you for publishing
and requiring the like due and thankfull acceptance of Our gracious
pleasure by all Our good subjects. And seeing the time of the Assembly
doth now approach, We require you to attend diligently upon our Com-
misisoner, untill the time appointed for the down sitting of the said
Assembly, and further to the small ending thereof; that from time to
time you may be assisting to him with your best opinions and advices,
for preparing and digesting every thing that may conduce to bring this
business, to be treated upon in the Assembly, to the wished peaceable
and happy end. And although We will not doubt but that all Our good
subjects will be careful of every thing that may concern Us, or Our
Soveraign Authority, yet because that at such publick and generall
meetings, it is not to be expected that all mens dispositions will bee
alike, and of one temper, We require you, and that in a more parti-
cular manner, according to the trust and confidence We have in your
affections to Our Service, carefully to advert, that if any proposition
shall be made, which may seem to derogate from Soverainity, or that
ture estate of Monarchicall Government already established within
that Kingdome, or which may impede the peaceable conclusion of this
Assembly, that as good subjects and faithfull Counsellours and ser-
vants to Us, you assist Our Commissioner to withstand the same to the
uttermost of your power: To whom We will you to give absolute trust
in every thing which be in Our name shall deliver or impart to you, or
any of you, in publick or in private. And so we bid you farwell. From
Our Honour of Hampton Court the first of October, 1638.

The
The Citie of Glasgow being much filled and thronged with all sorts of people, on the 21. day of November, 1638, the day designed by Our Proclamation, the generall Assemblie begunne, and was opened; and the proceedings were as follow.

After Sermon in the morning, they assembled in the afternoon. The ancients Minister of the Towne, who had preached in the morning, desired all present to begin the Action with the chusing of a Moderatour: Our Commissioner (who set upon a State raised in a place eminent above the rest, with his Assessors about him conveniently seated below) told them that there was something to be done before the choice of the Moderatour, viz. that his Commission was first to be read, that it might be known by what authority he sat there; which was done, and so Our Commission to him was publickly read, as followeth.

CAROLUS Dei gratia, Magna Britanniae, Franciae, & Hibernia Rex, fidei; Defensor Omnibus probis hominibus suis ad quos presentes litteræ pervenerint, Salutem. Sciatis nos considere magnos in hoc regno nostro, Scotia non ita pridem exortos tumultus, ad quos quidem componendos multiplices regia nostrœ voluntatis declarationes promulgarimus, que tamen minorem speram a effectum hactenus sortitium sunt: Et nunc fratres eos quos erga dictum antiquum regnum nostrum affectu ut omnia gratiosè stabiliuntur & instaurantur, quod (per absentiam nostram) non alia ratione melius effici potest quam fidei aliquo Delegato constítuto, qui potesstatem cedere possimus tumultus bus modi conspiendi aliq; officia praetandi, que in bonum & commodum dicti antiqui regni nostri exdem Delegato nostro imperare nobis videbitur. Cum fatis composti habeamus obsequium diligentiam, & fidei prædilecti nostri consanguinei & consiliarii, Jacobis Marchionis Hamiltoni, Comitis Arranie & Cantabrigie, Domini Aen & Innerdail, &c., eundemq; ad imperata nostra exequenda sufficienter instructum esse, Idcirco fesse & constituisse, tenoreq; presentium sacere & constituere prefatum prædilectum nostrum consanguineum & consiliarium Jacobum Marchionem de Hamilton nostrum Commissio-
narium ad effection sub scriptum. Cum potestate dicto Jacobo Marchioni de Hamilton, &c. dictum regnum nostrum adempi, ibidem presatos tunultus in dicto regno nostro componenti, alia, officia a nobis eodem committenda in dicti regni nostri bonum & commodum ibi presfand, e.e Concilium nostrum quibus locis & temporibus ei visum fuerit convocandi, ac rationem & ordinem in premisis exsequendis fervandum declarandi & prescribens; & quaecumq, alia ad Commissionis hujus capita pro commissâ sibi fide exsequenda, eademque ad absolutiun finem perdurandum & prosequendam conferre possint, tam in Concilio quam extra Conciliun, nostro nomine efficiendi & presfand; idâ similiter & adeo libre ac sinos in sacra saneta nostra, persona ibidem adeosamus. Præterea cum plena potestate dicto Jacobo Marchioni de Hamilton, prout ibi videbitur nostro servitio & bono dicti regni nostri conducere, conventum omnium ordinum ejusdem regni nostri indicendi, ac publica comitia & conventus corundem ordinum cornuine alterius vel utriusque quibus temporibus & locis sibi visum fuerit statuendi, & ibidem nostram sacratissam personam cum omnibus bonoribus & privilegiis supremo Commissionario nostro Parliamenti & publici conventus incumbi similiter adeo, amplè sicut quavis supremus Commissionarius quocunct tempore retroafto visus est gerendi: Nec non cum potestate prefato Jacobo Marchioni de Hamiltoni Synodos nationales ecclesiæ dicti regni nostri tenendas temporibus & locis quibus sibi visum fuerit indicendi, & ibidem seipsum tanquam nostrum Commissionarium gerendi, omniam ejusdem tenendis interventioni secundum leges & praxin prædictæ ecclesiæ & regni nostri presfand: Et hac presenti nostra Commissione durante nostro beneplacito duratura, & semper donec eadem per nos expressè inhiberatur. In cujus rei testimonium, presentibus magnum sigillum nostrum una cum privato nostro sigillo (qua presatus Marchio de Hamilton impressiurum est magni sigilli custos) apponi precepimus, Apud Oatlands vigesimo nono die mensis Iulii, Anno Domini millesimo sexcentesimo trigesimo octavo, & anno regni nostri decimo quarto.

Per signaturam manu S. D. N. Regis superscriptam.
cause the Archbishop of S. Andrews, the late Lord Chancellor, had lately delivered up unto Us Our great Seal of that Kingdome, which being by Us for a time deposited into the custodie of Our Commissioner until We should otherwise dispose of it, it was thought fit that Our Commission to him should be attested, not only by Our Great Seal, which he then had in his custodie, but by Our Privie Seal also, which was in the keeping of the Lord Privie Seal: After the Commission read, Our Commissioner exhorted them to a peaceable and moderate carriage, touching a little (but with great discretion) the disorderly proceedings which had been used before their meeting: At which a Nobleman Lay-Elder presently took fire (an undoubted preface of their succeeding carriage) and answered sharply, That they had given his Grace content for all their proceedings to which Our Commissioner replyed, That he had never yet received any satisfaction from them in any of their proceedings, and, by way of attestation, called God to witness to it: It had like to have grown to a hot contestation, but for that night the Assembly was dismissed. The next day, upon their first sitting down, they urged presently the choice of a Moderator; but Our Commissioner desired first Our Letter to the Assembly to be read, which was done; and it was thus:

Although We be not ignorant that the best of Our actions have been mistaken by many of Our subjects in that Our ancient Kingdome, as if We had intended innovation in Religion or Laws; yet considering nothing to be more incumbent to the duty of a Christian King, than the advancement of God's glory, and the true Religion; forgetting what is past, We have seriously taken to Our Princely consideration such particulars as may settle and establish the truth of Religion in that Our ancient Kingdome, and also to satisfy all Our good people of the reality of Our intentions herein, having indicted a free Generall Assembly to be kept at Glasgow the 21. of this instant; We have likewise appointed Our Commissioner to attend the same, from whom you are to expect Our pleasure in every thing, and to whom We require you to give that true and due respect and obedience, as if We were
were personally present Our selves. And in full assurance of Our consent to what he shall in Our name promise, We have signed these, and wills the same for a testimonie to posterity to be registred in the Bookes of the Assembly. At White-Hall the 29. of October. 1638.

Then they called again for the choice of a Moderator, at which time one Doctor Hamilton presented to Our Commissioner a Declinatar and Protestation in the name of the Bishops against the Assembly, containing the nullities of it, with a desire that it might be read, and a publicke Act entred for the production of it. Upon this there arose a very great heat in the Assemblie, they alleging, that nothing could be done untill a Moderator was chose; and they did directly refuse to reade the said Declinatar: upon which both Our Commissioner entred a Protestation in Our Clerk of Registers hands against the refusall of it, and took instruments thereupon; and so likewise did Doctor Hamilton in the name of the Bishops. At last they proceeded to the choice of a Moderator, to which before Our Commissioner gave way, he entred (as before) another Protestation, that their Act of chusing should neither prejudice Our Prerogative and Authoritie, nor any Law or Custome of that Church and Kingdome, nor barre him (when he should see cause) from taking legall exceptions, either against the person elected, or the illegalitie of his election: And so they having put divers other Itales upon the Lift, accordingly as it was resolved upon before at their Tables in Edinburgh, without one contrary voice, except his own, who could not chuse himselfe, one Master Alexander Henderson, the prime and most rigid Covenanter in the Kingdome, was chose Moderator.

The third day, Our Commissioner at their first meeting required again that the Bishops Declinator and Protestation might be read, which he conceived they had promised after the Moderator should be chose; but they rejected it again, adding then, That the Assembly must be fully constituted of all its members, and be once an Assembly, before any thing
could be presented to it: to which it was answered by Our Commissioner, That bee required it only to be read, not to be divulged untill the members of the Assembly were constituted by allowing of their severally Commissions, because this Declinatour contained reasons why either all, or at least some elected, should not be admitted Commissioners in the Assembly, because of the nullities of the elections expressed in the Declinator; which reasons containing the said nullities, might persuade (as they hoped) with them, for the rejecting their Commissions, which could not be done after their approving and allowing of them, and so by virtue of these Commissions, admitting them for constituted members of the Assembly. The reason why Our Commissioner did so earnestly urge the reading of that Declinatour, was, because he did foresee the fallacy which they meant to use, viz. The Declinatour cannot be read before the Assembly bee constituted; and they fearing that the Declinatour contained reasons against the constitution of it by such members as were elected, and that after they were once admitted, it was too late to allege any reasons; for then they were sure to answer that all elections were discussed, and the members of the Assembly received, and therefore nothing then to be heard against either; which indeed afterward was their very answer: There was nothing left here to Our Commissioner, but entering a Protestation as formerly, and solemnly calling themselves to witness, whether with any shew of justice the reading of the Bishops Protestation could be denied before the elections were admitted, the principall aim of it being to shew reasons why they could not be admitted, wondering with what colour or face they (above all men) could doe it, who had read and published so many Protestations both against Our Proclamations and Acts of Our Counsell, and so how they could deny to Our Commissioner a thing required in Our name, and by Our authoritie, which they themselves had practised without any warrantie or authoritie at all: But all in vaine; for not the least resolution taken at Edinburgh must suffer any abatement: and therefore re-
jecting the reading of the Declinator, they first put by the Clerk of the Assembly his son, who by reason of his father's sickness had a lawful deputation from him, and whom (as it seemeth) they afterward wrought to a demission, and went on to the election of a new Clerk, whom without one contrary voice they did choose, viz., one Master Archibald Johnston an Advocate, the Clerk of their Tables at Edinburgh, against whose election Our Commissioner likewise protested as formerly. At his admission he made a short speech, declaring (against his conscience) his unwillingness to accept that charge, but yet affirming, that at this time he would not be wanting to contribute his part towards the defence of the prerogative of the Sonne of God; as if that now had been in any danger.

The fourth day they began the reading of the severall Commissions. Our Commissioner, as formerly, entred a Protestation to take exception against their elections, in his own due time; only he was content they should go on, that he might see their justice in allowing or disallowing the elections, of which he knew many to be very untoward, and made with violence: Now the Reader is carefully to observe their partiality in admitting or rejecting elections: for wherefover there was a Non-covenanter chos'en (of which number there were not above two or three) or any moderate Covenanter, not designed by them at Edinburgh, and chos'en according to their secret instructions (with which the Reader shall afterward be made acquainted) them they either quite rejected, or suspended from voice, untill some exceptions made against their election should be discus'd; which they were sure should never be done: as shall now appear in these particulars.

When the Commission from the Presbytery of Peebles was read, there was presently read a Protestation and Petition given in by a mean Minister of that Presbytery, not against the election it self (for there did not appear the least shew of exception against it when the Act of the Presbytery was read) but against some violence pretended to be used by
Our Lord Treasurer, who, being an inhabitant within the precincts of that Presbyterie, was present at the election: The petition was conceived in very boisterous & uncivil terms: The Lord Treasurer answered all that was pretended fully, that not any one in the Assembly seemed to be unsatisfied; there being not one election returned which was more punctually made, and that even according to their own publice instructions: yet because the Commissioners elected, though Covenanters, were not the same who had been designed at Edinburgh, nor such as another Lord, dwelling in that Presbyterie, who was a Lay-Elder and Covenantant, had a mind to, the approbation of that Commission, and admission of these Commissioners most shamefully was put off and resited, until that Petition and Protestation might be examined; and so it was continued from time to time, though it were often called upon: Our Commissioner told them, That sure there were none present, who did not admire at these proceedings; and that if the Petitioner failed in his probation (which afterward he did, and asked pardon for it) he deserved some exemplary punishment to be inflicted upon him; who had dared to traduce so great an Officer of State: In this particular it was too plain, that the poor Minister was only set on to present this Protestation for the reasons now declared.

After this, there arose a very hot contestation, concerning the election of the Lay-Elder for the Presbyterie of Brichen: The Earl of Montrose presented one Commission in which the Laird of Dunn was chosen Lay-Elder by the voice of one Minister, and a few Lay-Elders: There was another Commission presented by that Presbyterie, in which was returned the Lord Carnage, lawfully chosen by the voices of all the rest of the Ministers and Lay-Elders; yet because the Earl of Montrose did oppose the election of the Lord Carnage, though his own brother in law, all the Covenanters in the Assembly sided with the Laird of Dunn, for whom the Earl of Montrose stood, both of them being rigid Covenanters, against the other Lord who
who was a Covenanter likewise, but a more moderate one. And indeed, it was a wonder to see how openly all rules of justice without any fear or shame, were laid aside in this particular; for though they did not approve the election of the Laird of Dunn, who wanted voyses to his election, yet they would not admit of the other, whose election admitted not the least scruple. In the agitation of this business, there fell out a memorable passage, of which the Covenanters were very much ashamed, because it betrayed one of their secret Instructions, & it was this: There was written upon the back of that Commission which was tendered by the Lord Montrofe, a Declaration wherein the lawfulness of that Commission, and the unlawfulness of the other was offered to be cleared, in which, among other things, it was objected against the Lord Carnegie his election that it was made contrary to the directions of the Tables at Edinburgh, which the Clerk perceiving, stopped, and would read no further. Our Commissioner hereupon required the Moderator to give him a copie or extract of that paper which was last read, and of the names of those who had subscribed to it, and that subscribed by the hand of the Clerk of the Assembly. The Moderator absolutely refused it: Our Commissioner told him, that he desired it to help him in his service, that by it he might be the better informed how to proceed in his objecting against such Commissions as he meant to challenge. The Moderator again refused to do it, alleging, that the challenged Declaration was but accidentally written on the back of the Commission; Our Commissioner replied, That could not be written privately or accidentally, which was given in publick to the Assembly, and that by a member of it, of so great place and quality, for a justification of his proceeding in that election; and withall protested, That though he were not Our Commissioner, but the meanest subject of the land, he could not in justice be denied the copie of any thing exhibited in a Court of justice. But all in vaine: for after much cavelling by the Moderator and other covenanting Lords, Our Commissioner desiring the Mode-
Moderator to put it to voices whether he could be denied a copie of it; even that was refused him likewise, they being afraid, that the Assembly would not deny so notorious an act of justice: upon which, Our Commissioner (though mildly, yet with some expression of disfarte) did thus deliver himself: Let God Almighty judge if this be a free Assembly; in which is denied to his Majesties Commissioner that, which cannot be denied to the meanest of his subjects; and at last, he took instruments in the hands of our Clerk of Register, that he was refused the copie of a Declarator given in to the Assembly, delivered into the Clerks hands, and publickly read by him, in which, amongst other things, was contained, that the election of the Lord Carnage, Commissioner from Brichen, was invalid, as being contrary to the directions of the Tables of the Commissioners at Edinburgh; which occasioned the Moderator to say, That Our Commissioner needed no copie of it, he had so faithfully repeated all that was contained in it: Our Commissioner hereupon, since he could not obtain a Copie of it, desired all present to be witnesses of what the Moderator had spoken, and that he had acknowledged his faithfull repetition of that part of the Declarator whereof he was refused the copie, and thereupon again took instruments. In this businesse Sir Lewis Stuart, one of our Assailors to Our Commissioner, spake some few words; which when the Moderator was about to answer, the Lord of Montrose forbid him to answer one who had no place to speak there: Afterward there arose a great contestation between the Earle of Southesk, one of Our Assailors, and the Moderator, with so much heat on the Moderators side, and some Lords who sied with him, that Our Commissioner was put to moderate the Moderator, and quench the heat of the Assembly; for which many of them gave our Commissioner thanks, and so all business was continued till Munday.

On Munday, being the 5 day of their sitting, they went on in the rest of the controverted elections; refusing to hear the Lord Carnage his election discussed, but putting it off to a Committee,
Committee: Master Andrew Logie Minister of Red, but a Non-covenanter, being returned a Commissioner from the Presbytery of Garrioche, was refused to be admitted, though they laid not the least exception against his election: their pretence was, There was a Petition presented against him to the Assembly, and no voice must be allowed him, until he had answered that: A very easy device for putting by any Commissioner whom they liked not, since it was no hard matter to finde one to present a Petition against any man. Another Minister of the Channery of Rosse, and Archdeacon of Rosse, one M. William Mackintosh, Commissioner from the Presbytery of the Channery, upon certain cavils both of his election and commission, which did bear, that he should continue there no longer than We or Our Commissioner should continue the Assembly, because the sole power of calling and dissolving of Assemblies did belong to Us, for the present was only suspended from his voice; the reason was plain, he was a Non-covenanter, and had openly averred in the Assembly, that at their election the Ministers of their Presbytery were threatened by those who brought Letters from the Tables, if they should return the election of any, but such as they, who brought the Letters, desired. Two elections were returned from the Presbytery of Aberdene, One of Covenanters, made by a few Ministers, but many Lay-Elders, at which neither the Moderator nor the Clerk of the Presbytery were present; Another of Non-covenanters, which election was made only by Ministers, and at which the Moderator and Clerk were both present; yet that other election, at the return whereof there wanted the Clerks hand, (without which no Presbyteriall Act can be taken for a Record) was allowed, and the other rejected, upon the bare relation of one of the Covenanting Ministers who was returned wrongfully, and the attestation of the other whom the Moderator openly in the Assembly called up and desired to testify whether the relation of his fellow was true: an excellent way of proof against a publique Record,
cord, to take the testimony of one who was as wrongfully returned as the Relator.

The University of Aberdene sent none of their Professors to the Assembly, not daring to trust themselves upon the way, having been so much threatened with the loss of their lives for writing against the Covenant: Onely they sent one of their number, no Divine, but a Professor of Humanity, to excuse their absence; his Commission being read, gave him only power to be there, and did constitute him their Agent in any thing which should concern their University; requiring him to continue there, and from time to time to give them advertisement of all that passed. The Moderator did justly affirm, That that was no Commission, the party having no power by it to give any voice in the Assembly, and so there was no more to be said to it; but immediately something being transmitted by whispering from ear to ear, until it came to the Moderator's ear, the Moderator began presently to recant, and perusing his letter of credence, said, he perceived that there was only want of formality in the draught, which he might easily pass over; and so they allowed that for a Commission which was none, and admitted him to have a voice in the Assembly, though the University gave him no such power, nor would they have sent any Commissioner but a Divine. At this sudden change of the Moderator, made in him by a whisper, many begun to smile, and to lay wagers that the partie admitted was a Covenantter, which the Moderator did not expect from that University, and that this secretly conveyed intelligence of it had changed him; and indeed afterward it proved to be so.

And thus the members of their Assembly were constituted, just as they had designed them; at which they were mightily over-joyed, being now assured, that they might conclude what they pleased: And although it might in common reputation have better suited with the principles of wisdom, not to have taken exceptions against these few elections, which were made contrary to their directions (for, thereby
thereby they had gained the opinion of impartiality, and had lost nothing of their power; those few voices not being able to carry any thing against their great number; yet such was their blinde obstinacy, that they scorned that any one should sit there who ranne not their rebellious courses; as holding it a disreputation to them if they should be thought to have abated any thing, not only of their power, but even of their will. Besides, not only their peevishnesse, but even their pride appeared notably in one particular: We, in Our Letters to the Assembly, had nominated for Assistors to Our Commissioner these six: The Earle of Traquair Lord Treasurer, the Earle of Roxburgh Lord Privie-Seale, the Earle of Argyle, the Earl of Lauderdale, the Earl of Southesk, Lords of Our Privie Councell, and Sir Lewis Stuart an Advocate; a far fewer number then ever Our royall Father called to assist any of his Commissioners; all which ever constantly had voices in the Assembly: But here, though these six suffrages were able to do nothing against their mindes; yet because they would be sure to clip the wings of Authoritie, they absolutely refused to let them have any voice at all, telling Our Commissioner, That he might consult with these Assistors if he pleased, but that they were to have no voice in the Assembly: affirming, with incredible impudence, That if We Our Self were there, We should have but one voice, and that not negative neither, nor more affirmative then any one member of the Assembly had: by which means they have published to the World this sweet and wholesome doctrine, That their King in their Ecclesiastical Assembly hath no more power then any Town-Clerk, Taylor, or Sadler, who shall sit as a Lay-Elder there: which desperate opinion of theirs, doth plainly shew the reason why in their last publick instructions preceding the Assembly, they ordered, That every Lay-Elder from Presbyteries should come attended with three or foure, and every Commissioner from Burrowes with five or six of their own rank and quality, who should continue with them all the time of the Assembly, without whose advice they should not give voice to any thing;
thing; a thing never heard of at any generall Assembly before. Sure they had heard and knew the number and names of the Assiurers, whom We had appointed to assist Our Commissioner; and therefore they would have every me-
chanicall Artizan, chosen by a Lay-Elder for the Assembly, (whom they held to have equal power with Us in it) to car-
rie the same badge of power and state with Us, and to have 
their Assiurers as well as We, and those equal in number to 
Ours, and the same power with Ours, of consulting, though 
not concluding: All which, whether royall Majestie and 
supreme Soveraignty can or ought to digest, any reasonable man may judge.

The Assembly, being just now the same thing which the 
Tables were at Edinburgh in substance, but in condition far 
worse (for here were none now but the most obstinate Co-
venanters, whom the severall Tables had picked out of all 
their packs) and they meeting at the Town-house of 
Glasgow alwayes before they met at the Church (the place 
of the Assembly) the Moderator being the same materially 
who governed them at Edinburgh, though not so formally 
chosen as now; the Clerk of the Assembly being the same, 
who was Clerk to their Covenant and to their Tables at 
Edinburgh; the members of the Assembly being the same 
who sate at their Tables there, and those the most corrupted 
and distempered of them all: who could now expect lefe 
insolent conclusions from this Assembly, then they had 
found from their Tables?

And indeed the very same were found: For immediately 
they bragged that now they were a constituted Assembly, 
and resolved to laugh at any who should quarrel with the 
elections which they had approved; and especially at the Bi-
shops Declinator, if it should contain any arguments to that 
purpose. The first Cock who begun to crow upon this 
dunghill, though it were within night, no ordinary time of 
crowing, was Master Andrew Ramsey a Minister of Edin-
burgh, who, getting up upon a stool or fourm, made a very 
great brag, offering by dispute to prove against any man 
the
the lawfulness of lay-Elders, by Scripture, Antiquity, Fathers, Councils, the judgement of all the Reformed Churches, even of the Church of England, who admitted them into the High Commission. Our Commissioner seeing him crowd so much in a very little room, told him that he ran no great hazard or danger in his challenge; for he was sure the Judges would be his seconds: yet if it pleased him, he would find one should enter into the Lists with him, either publiquely or privately, upon that quarrell: but many of his brethren were not very well pleased with his glorious challenge, as making account that he would never be able to make good the greatest part of it; And with this brag the Assembly dissolved for that night.

The next day, being the 27. of November, after the Assembly was met, our Commissioner urged once again that the Bishops Declinator might be read, which was accordingly done by the Clerk of the Assembly. It was entertained with much jeering and laughter, and by transmission of a whisper from one ear to another, they resolved when it was read out to have received it with a general hissing; but yet by another general whisper, transmitted as the former, that course was stopped. After it was ended, our Commissioner spake home to them, for the necessity of that Declinator, and the unavoidable strength of the reasons contained in the same, and in depressing, by way of parallel, their Libel against the Bishops: which he spared not to call infamous and scurrilous, both in the matter of it, and the manner of promulging it; and hereupon took instruments in our Clerk of Registers hands, both for the production and reading of the Declinator. Some of the Lords of the Assembly offered to do the like in the Clerk of the Assemblies hands, but our Commissioner told him it was needless, since it was not tendered to the Assembly but to himself: First, the Moderator in a short speech deplor'd the obstinacy of the Bishops hearts, who in all that Declinator had bewrayed no signe of remorse and sorrow for their wicked courses; and then the Lords of the Assembly perceiving their error, that they who found
found themselves to be Judges, had offered to take instruments in the Clerks' hands of the production of any exhibits (which was never heard to be done by the Judge, but only by the actor or plaintiff) prompted some young Noblemen, and Gentlemen Covenanters (but not members of the Assembly) then present, to demand instruments of the production of the Bishops Declinator, in whose name one Gibson, one of the Clerks of our Session (and so acquainted with Law terms) both demanded Instruments, and thundered out a verbal Protestation; in such Law terms as was not easy to be understood by most of the auditors: The summe of what was understood, was this, That they would pursue their Libell against the Bishops so long as they had lives and fortunes, etiam in foro contentiosi, and required Doctor Hamilton their Proctor then present, to take notice that they cited him to compere die in diem till sentence were given. Our Commissioner first protested against that Protestation, and then discharged the Bishops Proctor from appearance before the Assembly, to which he had presented no Declinator, but required him to appear before himself, to whom it was presented, when he should require him. The Declinator of the Bishops hereinsueth.

The Declinator and Protestation of the Archbishops and Bishops of the Church of Scotland, and others their adherents within that Kingdom, against the pretended General Assembly, held at Glasgow, Novemb. 21. 1638.

V V E Archbishops, Bishops, and other Under-subscribers for our selves and in name and behalf of the Church of Scotland: Whereas it hath pleased the Kings Majestie to indite a generall Assembly of the Church to be kept at Glasgow, Novemb. 21. 1638, for composing and settling of the distractions of the same, First do acknowledge and profess, That a General Assembly lawfully called and orderly convened is a most necessary and effectual mean for removing those evils wherewith the said Church is infected, and for
feting that order which becometh the house of God; And that we
with nothing more than a meeting of a peaceable and orderly Assembly
to that effect. Secondly, we acknowledge and profess, as becometh
good Christians and faithful subjects, that his Majesty hath author-
ity, by his prerogative Royall, to call Assemblies, as is acknowledged
by the Assembly at Glasgow, 1610, and Parliament 1612;
and that it is not lawfull to convene without his Royall consent and
approbation, except we will put ourselves in danger to be called in
question for sedition.

Yet nevertheless in sundry respects, we cannot but esteem this meet-
ning at Glasgow most unlawfull and disorderly, and their proceedings
void and null in Law, for the causes and reasons following:

Firstly, before his Majesties Royall warrant to my Lord Commissioner
his Grace to indict a lawfull free general Assembly, the usurped au-
thority of the Table (as they call it) by their missives and instructions,
did give order and direction for all Presbyteries to elect and choose
their Commissioners for the Assembly, and, for seeking of Gods bless-
ing to it, to keep a solemn Fast, Sept. 16, whereas his Majesties war-
rant for indicting of that Assembly was not published till the 22. of
that month; so that they preventing and not proceeding by warrant of
Royall authority, the pretended Commissioners being chosen before
the Presbyteries were authorized to make election, cannot be reputed
members of a lawfull Assembly.

A lawfull Assembly must not only bee indicted by lawfull author-
itie (as we acknowledge this to be) but also constituted of such members
as are requisite to make up such a body. For if, according to the
indiction, none at all doe conueene, or where the Clergie is called
there meet none but Laicks, or most Laicks then of the Clergie, with
equal power to judge and determine; or such of the Laicks and Cler-
gie as are not lawfully authorized, or are not capable of that employ-
ment by their places; or such as are legally disabled to sit and decide
in an Assembly of the Church: a meeting consisting of such members
cannot be thought a free and lawfull Assembly; By that Act of Parlia-
ment 16. 6. par. 3. cap. 46. 1572. Every Minister who shall pretend
to bee a Minister of Gods Word and Sacraments, is bound to give his assent
and subscription to the Articles of Religion contained in the Acts of
our Soveraigne Lords Parliament, and in presence of the Archbishops Super-
intendent or Commissioner of the Province, give his oath for acknow-
ledging and recognising of our Soveraigne Lord and his authoritie, and
bring a testimoniall in writing thereupon, and openly upon some Sunday,
in-time of Sermon or publicke Prayers, in the Kirk where hee ought to at-
tend, read both the Testimoniall and Confession, and of new make the said
oath within a month after his admission, under the paine that every per-
son that shall not doe as is above appointed, shall into fact be deprived,
and all his Ecclesiasticall promotions and livings shall be therewith vacate, as
if hee were then naturally dead, and that all inferior persons under Pre-
lats be called before the Archbishops, Bishops, Superintendents and Com-
missioners
missioners of the Dioceses or Province, within which they dwell , as the
All bears.

All of the Clergie convened to this Assembly pretend themselves
to be Ministers of Gods Word and Sacraments, and have benefices or
other Ecclesiastical livings: yet nevertheless the most part of them
have never in presence of the Archbishops, Bishops, Superintendant of
Commissioner of the Diocese or Province, subscribed the Articles of
Religion contained in the Acts of Parliament; and given their oath
for acknowledging and recognizing our Sovereign Lord and his au-
thorities, and brought a testimonial thereof: and therefore they are ipso
dato deprived, and their places void, as if they were naturally dead;
and consequently having no place nor function in the Church, cannot
be Commissioners to this Assembly; hoc maxime attento, that the said
persons not only have never given their oath for acknowledging his
Majesty's authority, nor can they give no testimonial thereof, as they
are bound by the said Act: but also having as subjects comprehen-
ded in the representative body of this Kingdom, Promised to acknow-
ledge, obey, maintain, defend, and advance the life, honour, safety, dignity, so-
veraigne authority, and prerogative Royall of his soveraigne Majestie, his
heires and successors, and priviledges of his Highnesse Crowned, with their
lives, lands, and goods, to the uttermost of their power, constantly and faith-
fully to withstand all and whatsoever persons, powers and estates, whose
shall presume, prase or intend anywise to impugne, prejudice, hurt or impair the
same, and never to come in the contrary thereof, directly or indirectly, in any
Parl. Cap. 1. doe propor.

And moreover, being obliged at their admission to give their oath
for performance of this duty of their allegiance, and to testify and
declare on their conscience, that the King is the lawfull supreme Gover-
nor, as well in matters spirittuall and Ecclesiastical as Temporall, and to
affift and defend all jurisdiction and authority belonging to his Majestie
by the Act of Parl. 1612: yet notwithstanding of the said bands, acts
and promises, whereby the said persons are so strictly bound to the
performance of the premises; his Majestie having ordained by Act
of Council at Holy-rood-house Septemb. 24. 1638: and Procla-
mations following thereupon, that all his Majesties lieges of whatso-
ever estate, degree or quality, Ecclesiastical or Temporall, should
swear and subscribe the said Confession, together with a generall
band for defending his Majesties person and authority, against all en-
emies within this Realme or without; have not only refused to sub-
scribe the said band and Confession, but have in their Sermons and
other speeches, distifwest, deterred, impeded and hindred others
of the lieges to subscribe the same, and publiquely protested against the
subscription thereof; and thereupon cannot convene nor concurr lawfully to the making up of the body of an Assembly
of the Kirk, as being deprived and denuded of all place and function
in the same.
A generall Assemblie was condescended to, out of his Majesties gracious clementie, and pious disposition, as a Royall favour to thofe that should acknowledge the fame, and acquiefce to his gracious pleasure, and carry themselves peaceably as loyall and dutifull subjects, which the Commissioners directed to this Assemblie supposed to be of the number of thofe that adhere to the last Protestation made at Edinburgh, Sept. 1638, do not fo account of, and accept, as appears by the faid Protestation, whereby they protest, That it fhall bee lawful for them, as at other times, fo at this, to assemble themselves notwithstanding any impediment or prorogation to the contrary; as also by continuing their meetings and Table, discharged by authority, refusing to fubcritbe the band according to his Majesties and Councils command, for maintaining his Majesties Royall person and authority, protecting againt the fame, still insisting with the lieges to fubcribe the band of mutuall defence againt all persons whatsoever; and remitting nothing of their former proceedings, whereby his Majesties wrath was provoked: thereby they are become in the fame state and condition wherein they were before his Majesties Proclamation and pardon, and fo forfeit the favour of this Assemblie, and liberty to be members thereof. And others of his Majesties subjects may justly feare to meet with them in this convention, for that by the Act of Parl. James 6. Parl. 15. cap. 31. Prelacies being declared to bee one of the three Estates of this Kingdome, and by the Act of Parl. James 6. Parl. 8. cap. 130. all persons are discharged to impugne the dignity and authority of the three Estates, or any of them in time coming under the pain of treafon. And whereas the King by his Proclamation declares Archbishops and Bifhops to have voice in the generall Assemblie, and calls them to the fame for that effect, as continually they have been in use in all Assemblies, where they have been present; as appears by many Acts of the generall Assemblie, ordaining them to keep and affift at the fame, as in the Assemblie at Edinburgh, Decemb. 15.1566. At Edinburgh, March 6.1572. At Edinburgh, May 10. 1586. and by a Letter written by the Assembly, March 6.1573. to the Regent,earnefly defiring his owne or his Commissioners prefence, and the Lords of Council, and the Bishops at the Assemblie: They notwithstanding, by the faid Protestation, Septemb. 22. declared Archbishops and Bifhops to have no warrant for their office in this Kirk, to bee authorized with no lawfull Commission, and to have no place nor voice in this Assemblie; and withall do arrogate to their meetings a foveraigne authoritie to determine of all questions and doubts that can arife, contrary to the freedom of the Assemblie, whether in constitution and members, or in the matters to bee treated, or in manner and order of proceeding: which how it doth stand with his Majesties Supremacie, in all caufes and over all persons, we leave it to that judgment whereunto it belongeth, and do call God and man to witness, if thefe bee fit members of an Assemblie, intended for the order and peace of the Church.
Giving, and not granting, that the persons foreaid directed Commissioners in name of the Clergy to this meeting, were capable of that authority, and that the said Presbyteries had the authority to direct Commissioners to the generall Assembly, yet have they now loft and fallen from all such right, if any they had, in so farre as they have depos'd the Moderatours, who were lawfully appointed to govern them, by the Bishops in their Synods, and elected others in their place, contrary to the Act of the Assembly at Glasgow 1610, and Act of Parl. 1612, ordaining Bishops to be Moderatours at these meetings, and in their absence, the Minister whom the Bishop should appoint at the Synode. So these meetings having disclaime the authority of Bishops, depos'd their lawfull Moderatours, and chusing others without authority, cannot be esteemed lawfull convocations, that can have lawfull power of sending out Commissioners with authority to judge of the affairs of this Church.

And yet doth the nullity of the Commissions, flowing from such meetings, further appear in this, that they have associate to themselves a laick-ruling Elder (as they call him) out of every Session and Parish, who, being ordinarily the Lord of the Parish, or a man of the greatest authority in the bounds, doth over-rule in the election of the said Commissioners, both by his authority and their number, being more then the Ministers, whereof some being ordinarily absent, and five or six, or so many of them put in lift, and removed, there remain but a few Ministers to voice to the election, and in effect the Commissioners for the Clergie are chosen by lay-men, contrary to all order, decency, and custom observed in the Christian world, no wise according to the custome of this Church, which they pretend to follow: the Presbyteries formerly never associating to themselves lay-elders in the election of the Commissioners to the generall Assembly, but only for their affilliance in discipline and correction of manners, calling for them at such occasions as they stood in need of their godly concurrents, declaring otherwise their meeting not necessary, and providing expressly that they should not be equall, but fewer in number then the Pastours, as by Act of Assembly at Saint Andrews, April 24. 1582. (where Master Andrew Melvill was Moderator) doth appear. Like as these fourty yeares by-gone and upwards, long before the re-establishing of Bishops, these lay-elders have not been called at all to Presbyteries. And by the act at Dundie 1597. (whereby it is pretended that Presbyteries have authority to send these lai-Commissioners) it doth no way appeare that those lay-elders had any hand in chusing of the Ministers: And this is the only Act of the Assembly, authorizing Presbyteries to chuse Commissioners to the generall Assembly: nor have lay-elders yet ordinarily in presbyteries upon any occasion these fourty years, and upwards, nor ever had any place or voice in election of Ministers for the generall Assembly: and consequently those chosen by them to this Assembly have no lawfull power nor authority.

Befide,
Beside, the persons Ecclesiastically pretended to be authorized Commissioners to this Assembly, have so behaved themselves, that justly they may be thought unworthy and incapable of Commission to a free and lawful Assembly.

1. For that by their seditious and railing Sermons and Pamphlets, they have wounded the King's honour and Sovereign authority, and animated his lieges to rebellion, averring that all authority Sovereign is originally in the collective body, derived from thence to the Prince; and that not only in case of negligence, it is suppletive in the collective body, as being communicate from the Common to the King, Cumulative not Privative; but also in case of maladministration, to return to the collective body; so that Rex excedit jure suo, and that they may refuse obedience.

2. Next, they are knowne to be such as have either beene schismatically refractorie and opposite to good order, setled in the Church and State; or such as having promis'd, subscribed, and sworne obedience to their Ordinaries, have never made conscience of their oath; or such as have sworne and accordingly pratticed, yet contrary to their promise and practice, have resiled; to the contempt of authority, and disturbance of the Church; or such as are under the Censures of the Church of Ireland, for their disobedience to order, or under the Censures of this Church, or convened, at deaft deferving to be convened before the Ordinaries, or a lawfull general Assembly, for divers transgressions deserving deprivation; As first, for uttering in their Sermons, rash and irreverent speeches in Pulpit against his Majesty's Council and their proceedings, punishable by deprivation, by the Act of Assembly at Edinburgh, May 22, 1590. Next, for reproving his Majesty's Laws, Statutes, and Ordinances, contrary to the Act of Assembly at Perth, May 1, 1596. Thirdly, for expressing of mens names in Pulpit, or describing them vivly to their reproach, where there was no notorious fault, against another Act of the same Assembly. Fourthly, for using applications in their Sermons, not tending to the edification of their present Auditor; contrary to another Act of the same Assembly: Fiftly, for keeping conventions not allowed by his Majesty, without his knowledge and consent; contrary to another Act of the same Assembly. Sixthly, for receiving of people of other Ministers flocks to the Communion; contrary to order, Acts of Assemblies and Councils. Seventhly, for intruding themselves into other mens Pulpits, without calling or authority. Eightly, for usurping the authority to convey their Brethren, and proceed against them to the Censures of suspension and deprivation. Nintly, for pressing the people to subscribe a Covenant, not allowed by authority; and opposing and withstanding the subscribing of a Covenant offered by his Majesty, and allowed by the Council: Beside many personal faults and enormities, whereof many of them are guilty, which in chatite we forbear to express. But hereby it doth appeare, how unfit these persons
7. **Perfons are to be members of a free and lawfull Assembly.**

Nor doth it stand with Reason, Scripture, or practice of the Christian Church, that Lay-men should be authorized to have decisive voice in a general Assembly. In that Act of Dundie, 1597, whereby the Elders pretend to have this place, there is no warrant expressed for them, to deliberate and determine. Their presence and assent were approved, being allowed and authorized by the Prince. The King's Majesties presence in person, or by his delegates, were hold most necessary to see all things orderly and peaceably done; and that hee have the chief hand in all Deliberations and Determinations. Nor doe wee refuse that any intelligent or moderate man may make remonstrance of his opinion, with the reasons of it, in that way that becometh him in a Nationall Assembly, due reverence being kept, and confusion avoided. But that any Lay-man, except hee be delegate by Soveraigne authoritie, shall presume to have a decisive and decisive voice, we esteem it to be intruson upon the Pastoral charge, and without warrant. May wee not therefore intreat my Lord Commissioner his Grace, in the words of the Fathers of the fourth general Council at Chalcedon? *Mitre, for as superfluous. Nor will a pious Prince be offended with it, but with Theodosius the younger will say, *Illegitimum est, eum qui non sit in ordine sanctifimorum Episcoporum Ecclesiae, immiseri tractatus.* And Pulcheria the Empresse commanded *Strategus, & Clerici, Monachi, & Laici vi repellere tur, exceptis paucis illis quos Episcopi seu curas duxerunt.* Upon this respect was *Martinus in that Council of Chalcedon moved to say, Non essent, sed Episcoporum tantum, subscribere.*

8. If these pretended Commissioners, both Lay & Ecclesiastical, were lawfully authorized, (as it is evident they are not) and for none other cause declinable, yet the Law doth admit, that justly a Judge may be declined, who is probably suspect: And of all probabilities, this is the most pregnant, when the Judge, before he come to judgement, doth give sentence of these things he hath to judge. This made our Reformers protestation against the Council of Trent valide, & their not compearing justifiable, because Pope Leo 10. had precondemned Luther, as appeared by his Bull, dated Junii 1520. renewed by Paul 3. dated in Aug. 1535. This was the cause why Athanasius would not give his appearance at some Councils, nor Hosius of Corduba, nor Maximus Patriarch of Constantinople. But for it is, the most part, if not all of the said Commissioners directed to this meeting have precondemned Episcopall Government, and condemned, at least suspended obedience to the Acts of the general Assembly and Parliament concerning the five Articles of Perth, have approved their Covenant as most necessary to be embraced of all in this Kingdom, and not only, have given judgment of these things before hand, but by most solemn oaths have bound themselves to defend and stand to the same: as doth appear by their Covenant, Petitions, Protestations, Pamphlets, Libels, and Sermons; and therefore by no Law nor equity can these pretended Commissioners...
missioners to be admitted to determine in this meeting; concerning these persons and points, which before hand they have so unjustly condemned.

Further, with no Law nor reason can it subsist, that the same persons shall be both Judges and Parties. And we appeal to the conscience of all honest men, if all, at least the greatest part of the pretended Commissioners, have not declared themselves partie to the Archbishops & Bishops of this Church: for in that they have declined the Bishops to be their Judges as being their partie; (as their Declinators, Petitions, Declarations & Protestations do bear) have they not simul et semel, & ipso flago declared themselves to be partie against Bishops, whom they have not only declined, but persecuted by their calumnies & reproaches vented by word and writ, in publick and in private, by invading their persons, opposing and oppressing them by strength of an unlawful Combination; for the subscribing and swearing whereof, they have by their own authority indicted and kept False, not only in their own Churches, but where worthy men refused to be accessorie to these disorderly and impious courses; they have (by aid of the untruly multitude) entered their Churches, usurped upon their charges, reading and causing to be read that unlawful Covenant, by threatening & menacing compelling some (otherwise unwilling) out of just fear to fret their hands to it; by proceeding, suspending, & removing obedient & worthy Ministers from their places by the usurped authority of their Table and Presbyteries. And whereas by all Law and Justice, persons finding themselves wronged in judgement, have never been denied the remedy of declinatoric & appellation; nevertheless not a few of these Presbyteries have proceeded against sundry worthy Ministers, who have declined & appealed from their judgements, without respect to this defence; by these means craftily intending to disable them to be Commissioners for the Church; directly or indirectly causing their stipends to be kept back from them: By which means not the least part of the subscribing Ministers have been gained to their Covenant.

But it is without example uncharitable & illegal, that under the pretext of summons (the like whereof was never used, nor in the like manner against the most hainous malefactors in the Kingdom) they have devi'd, forg'd, vented, and published a most infamous and furious Libell, full of impudent lies and malicious calumnies against the Archbishops and Bishops of this Church, and have first given out from their Table, the order prescribed in those subsequent Articles, which we have inferred, that the world may be witness of the illegalitie and maliciousnesse of their proceedings.

To define the Presbyteries of every Bishop, especially where he keeps his residence, as also the Presbyteries where his Cathedral Seat is;
have a special care of this Bill and complaint against the Prelats, and particularly against the Bishop of their Diocese.

II.

That some Noblemen (if any be within the Presbyterie) some Gentlemen and Barons, some Ministers, and some Commons, who are not chosen Commissioners to the Assembly, in their own Name, and in Name of all other Covenanters or Complainers, either within the Presbyterie, or Diocese, or whole Kingdom, who are not Commissioners to the Assembly, will adhere and assist in this Complaint, that they present this Bill to the Presbyterie.

III.

That they who are Complainers have a particular care to fill up the Blanks left in the Bill, in the subjuncions of the particular faults committed by the Bishop of the Diocese, against these general Rules, Canons and Acts; or if these Blanks will not contain the same, that the Complainers draw up in a particular claim, all the particular faults and transgressions of the Bishop of that Diocese, against these Rules, Canons, and Acts, or any other Law of the Church or Kingdom; and present the same to the Presbyterie with this general complaint. And if they cannot get the particulars presently ready, notwithstanding they present without any delay, because of the scarceness of the time, this complaint as it stands with the Blanks: and in the meantime, may gather any other particulars against the Assembly, to which this complaint is to be referred.

IV.

That the Presbyterie, finding the complaint important, and the general Assembly so approaching, refer the same to the general Assembly, by an Act of this reference insert in the Books of the Presbyterie.

V.

That upon this reference of the complaint to the Assembly, the Presbyterie admonish the complainers apud acta, to be present at the said Assembly, for assisting and verifying of the said complaint.

VI.

That the Presbyterie ordain all their Pastors, out of Pulpit on a Sabbath day before noone, to cause read publicly this whole complaint and the Presbyteries reference to the Assembly, and so to admonish the Bishop of that Diocese, the delinquent complained upon, with the rest of his colleagues to be present at the general Assembly, to answer to the particular complaint.
complaint, both in the particular and general Heads thereof, given or to be given in; and to abide the confute and trall of the Assembly thereupon. And likewise, out of Pulpit to admonish all others who have interest either in the pursuing or referring this complaint, to be present at the said Assembly.

VII.

That the Presbytery insert in their Presbytery-Books the whole tenour of this complaint, both in the general & particular Heads thereof, and that they have a care to cause deliver by their ordinaries Beadle, to the Bishop of the Diocese, a copy thereof, and a copy of an Act, referring the same to the Assembly, and summon him to compere before the Assembly. And if he be within the country, and cannot be personally apprehended, to affix a full copy thereof upon each dwelling place, and upon the most patent doore of the Cathedrall Church and Episcopal seat.

VIII.

That the complainers within the Presbytery where the Bishop is resident, or hath his Cathedrall, be careful to keep correspondence with those in other Presbyteries within their Diocese, who best can specify & verify their Bishops usurpation and transgressions, and who had particular Articles to gather particular Declarations & Informations of the same.

IX.

That some of these complainers in their owne name, & with Warrant and power from the rest, without failing attend the Assembly with the general complaint and particular verifications and specifications of the same.

X.

That in case the Presbytery where the Bishop hath his residence, or where he hath his Cathedrall and Episcopal seat, refuse to receive this complaint, or referre the same to the Assembly, or to admonish or cite the Bishop delinquent before the Assembly, to answer to the complaint, that the Gentlemen & others who are complainers to the Presbyteries, upon their refusal, shall take instrument in the hands of the Clerk of the Presbytery, or any Notarie, and protest that their refusal of the ordinary care of Justice, procured (without doubt) by the Bishop of that Diocese delinquent complained of, the equivalent of Law & Reason, be a formal writ against them. Which Protestsation they may affix upon the dwelling house of the said Bishop, or upon his Cathedrall Church, or the prime Church, within the Presbytery. And that they may deal with any other Presbytery within the Diocese, who is better disposed, and upon their receipt of the complaint, will referre the same to the Assembly, and cite the Bishop in manner above expressed, to compere before the said Assembly.

XI. Item,
Item, perhaps some Minister within the Presbytery may thinke some Heads of this Complaint not to be relevant in his Opinion, or know the Bishop not to be guiltie of all the particular Heads contained therein; yet be in Justice cannot refuse to referre the triall of the Relevancie & Probation thereof to the generall Assembleie; especially seeing the Relevancie and Probation of more or fewer Points against the Bishop of the Diocefe is sufficient, and seeing the subsumption of every particular Head is against the Bishop of the Diocefe, with his Colleagues.

XII.

Item, To desire the Presbytery, upon Complaints upon any persons within the same, against any scandalous Minister either in Doctrine or Life, either to judge the Complaint, or referre the same to the triall and cenfure of the generall Assembleie, & so to admonish & cye the Ministers complained upon, to compere before the generall Assembleie for that end.

According to which Articles, upon Sunday, Octob. 28. they caufed read the said Libell in all the Churches of Edinburgh notwithstanding my Lord Commissioners command given to the Provost and Bailies to the contrarie, except in Holy-rood-houfe, where it was read the next Sunday, as it was in other Churches of the Kingdom, proceeding herein 1. Against all charity, which doth not behave it selfe unfeemely, nor delighteth in the discovery of mens nakedneffe, nor take up a reproach, nor backbite with the tongue, much leaft to write a book against a brother. 2. Against the order prescribed by the Apoſtile not to rebuke an Elder, but to in- treat him as a Father: and by the Act of Parliament, Iam. 6. par. 8. discharging all persons to impugne or to procure the diminution of the authoritie and power of the three Estates or any of them. 3. Against all lawfull and formall proceeding, especially that prescribed by the Act of generall Assembleie at Perth, Marii 1. 1596. whereby it is ordained, that all summons containe the speciall cause and crime, which the said Libell doth not; naming only generall calumnies, reproaches and aspersions, without instruction of any particular, but leaving thefeto be filled up by malicious delation, after they have defamed their Brethren by publishing this Libell, as appeares by the 8. and 11. Articles of the said instructions: and againſt the order prefcribed by the Assembleie at Saint Andrewes, April 24. 1582. whereby it is enacted, that in proceffe of deprivaſtion of Ministers, there be a libelled precept upon fortie days warning, being within the Realm, and threeſcore days, being without the Realm, to be directed by the Kirke and such Commissioners thereof, as elects and ad- mits the person complained of, summoning them to compere and an- sver
swe are the complaint. And in case of their absence at the first summons, the second to be directed upon the like warning with certification, if he fail, the Libell shall be admitted to probation, and he shall be holden pro confesso. Which forme not being kept in a summons inferring the punishment of deprivation, the same cannot be sustained by the order of that Assembly. 4. Against common equity which admit summons onely by the authoritie of that Judge before whom the delinquent is to compare, whereby the summons directed by the authoritie of these pretended Presbyteries, cannot sustaine for comparance before the generall Assembly, nor could reference be made from the Presbyterie to the generall Assembly, the parties never being summoned to compare before the Presbyterie, whereby either in presence of the partie, or in case of contumacie, the complaint might bee referred to the Assembly. That there was no cyutation before the reference, is cleare by the said instructions. And what a strange and odisous forme it is to insert such a calumnious Libell in the Presbyterie books, without cyting of the parties to anfwer thereto; and to crye Bishops before the generall Assembly, by the said Libell, by publishing the same at Churches, to which they had no relation and were many miles distant, Wee leave it to the judgement of indifferent men. 5. Against all decencie and respect due to men of their place, the said persons being men of dignity, and some of them of his Majesties most honourable privie Council, and knowne to bee of blamelesse conversation, and to have deserved well; thus to bee reviled and traduced, doth redound to the reproach of Church and State, and of the Gospell whereof they are Preachers. 6. Lastly, to omit many other informalities against their owne consciences, which we charge in the sight of God, as they must anfwer before his great and searefull tribunal, if they suspect and know not perfectly, according to the judgement of charitie, them whom they thus accuse, to bee free of these crimes wherewith they charge them, at least of many of them, as appears evidently by the Article of the said instructions, having therein libelled the generall, and have yet to seek the specification thereof, from the malice of their neighbours, it to bee they can furnish it. By which informal and malicious proceeding, it is most apparent, that our said parties do seek our disgrace and overthrow most maliciously and illegally. And therefore we call heaven and earth to witness, if this bee not a barbarous and violent perfecution, that all circumstances being considered, hath few or none to parallell it since the beginning of Christianitie, and if we have not just cause to decline the said pretended Commissioners as our partie.

Moreover, can these men expect, but in a lawfull Assembly, they were to bee called and cenfured for their enorme transgressions foregoing? And will any man thinke, that they can bee judges in their owne cause? It is allledged out of the Canon-Law against the Pope, that if the Pope be at variance with any man, he ought not to be Judge himeselfe, but to chuse arbitrators. And this may militate against them, except
except they be more unruly than Popes. *Ludovicus Bavarius* and all the Estates of Germanie with him, did plead this nullitie against the sentence and proceeding of Pope *John 22.* and of his Councell. And the Archbishops of Cullen 1546. did plead the nullitie of *Paul 3.* his Bull of excommunication, because he protested that so done, as a lawfull Councell should be opened, he would implead the Pope as partie, being guilty of many things cenfurable by the Councell.

But the late protestation doth shew the authors thereof to be no lesse injurious to our place and authority, then they are over-weening of their owne. For it is against reason & practice of the Christian Church, that no Primate, Archbishop, nor Bishop, have place nor voice deliberative or decisive in generall Assemblies, except they be authorized & elected by their Presbyteriall meetings, consisting of preaching and ruling Elders (as they call them) and without warrant or example in the Primitive and purest times of the Church.

This also doth inferre the nullitie of an Assembley, if the Moderator and President for matters of doctrine, and discipline, shall be neither the Primate, Archbishop, nor Bishop, but hee who by pluralitie of Presbyters and Lay-mens voices shall be elected: which happily may be one of the inferior Clergie, or a Lay person, as sometimes it hath fallen out: Whereas canonically, according to the ancient practice of the Church, the Primate should preside, according to the constitution of the first Councell of Nice Can. 6. of Antioch Can. 9. and of the Imperiall Law Novell. constit. 123. cap. 10. and according to our owne Law. For what place in Assemblies Archbishops and Bishops had in other Christian Nations, the same they had (no doubt) in Scotland, and yet still do continue, except by some municipal Law, it hath beene restrained, which cannot be shewne. For the restraint of their authoritie by the Act of Parliament 1592. is restored by the Act of Parliament 1606. and 1609. and all Acts prejudicial to their jurisdiction abrogated. Neither doth that Act 1592. eftablishing general Assemblies, debatte Bishops from presiding therein; nor the abrogation of their Commission granted to them by Act of Parliament in Ecclesiastical causes, imply and inferre the abrogation of that authoritie which they received not from the Parliament but from Christ, from whom they received the spirituall over-flight of the Clergie under their charge; whereto belongeth the Presidentship in all Assemblies for matters spirituall, always with due submission to the supreme Government: which is so intrinsically inherent in them, as they are Bishops; that *hoc ipso* that they are Bishops, they are Presidents of all Assemblies of the Clergie: as the Chancellor of the Kingdome hath place in Councell and Session, not by any Act or Statute, but *hoc ipso* he is Chancellor. By Act of Parliament Bishops are declared to have their right in Synods and other inferior meetings, but by no Law restrained nor debarr'd from the exercise of it in Nationall Assemblies: and the law allowing Bishops to bee Moderators of the Synods, doth present a lift in absence of the Metropolitan.
Metropolitan, to whom of right this place doth belong, as said is, out of which the Moderator of the general Assembly shall be chosen. For, is it not more agreeable to reason, order, and decency, that out of Moderators of Synods a Moderator of the general Assembly should be chosen, then of the inferior Clergie subject to them:

As concerning that Act of the general Assembly 1580. whereby Bishops are declared to have no warrant out of Scripture, if corruption of time shall bee regarded, the authority of that Assembly might bee neglected no leaee then that at Glasgow, 1610. But it is ordinary that prior acts of Assemblies and Parliaments give place to the posterior: for Posteriora derogant prioribus. And there past not full six years when a general Assembly at Edinburgh found, that the name of Bishops hath a speciall charge and function annexed to it by the word of God; and that it was lawfull for the general Assembly to admit a Bishop to a Benefice, presented by the Kings Majesty, with power to admit, vifite, and deprive Ministers, and to be Moderators of the Presbyteries where they are resident, and subject onely to the sentence of the general Assembly.

As for that Act at Montrose, let them answer to it that have their calling by that Commision. Wee professe that wee have a lawfull calling by the election of the Clergie, who are of the Chapter of our Cathedrals, and consecration of Bishops by his Majesties consent and approbation, according to the laudable Laws and ancient custome of this Kingdome, and of the Church in ancient times, and doe homage to our Sovereigne Lord for our Temporalities, and acknowledge him solo Deo minorem, next unto God in all causes, and over all persons Spiritual or Temporall, in his owne Dominions supreme Governour. But now wee may take up Cyprian his complaint, Lib. 3. Ep. 14. Quod non periculum metuere debeamus de offensà Domini, quando aliiqui de Presbyteris nec Evangelii nec loci sui memores, sed neque futurum Dei judicium, neque propostum sibi Episcopum cognitantes, quod nunquam omnino sub antecessorisibus factum est, cum communelia & consensipræposition, totum sibi vendicent? Atque minam non prostràt fractum nostrorum saluté sibi omnia vendicarent. Contumelias Episcopatis nostris dissimulare & fierre possem, sius dissimulavi semper & persuli; sed dissimulandi nunc locus non est, quando decipiat fraternitas nostra à quibusdam vestrâm, qui düm fine ratione restituend a salutis plausibiles esse cupiunt; magis lapsi obsum.

Lastly, it is most manifest by the premises, how absurd it is, and contrary to all reason and practice of the Christian Church, that Archbishops and Bishops shall be judged by Presbyters; and more absurd, that they should bee judged by a mixt meeting of Presbyters and Laicks, convening without lawfull authority of the Church. How, and by whom they are to be judged, according to the custome of ancient times, may bee seen by the Councell of Chalecedon, Can. 9. and Concil. Antioch. Can. 22. and Concil. Carthag. 2. Can. 10. Nor doe wee decline the lawfull triall of any competent judicatorie in the

Kingdome,
Kingdome, especially of a generall Assembly lawfully constitute, or of his Majesties High Commissioner, for any thing in life or doctrine can be laid to our charge: only wee declare and affirm, That it is against order, decenecie, and Scripture, that wee should bee judged by Presbyters or by Laicks, without authority and Commission from Sovereigne authority.

For the reasons foresaid, and many moe, and for discharge of our duty to God, to his Church, and to our Sacred Sovereigne, left by our silence we betray the Churches right, his Majesties authority, and our owne confidences, Wee for our selves, and in name of the Church of Scotland, are forced to protest, That this Assembly bee reputed and holden null in Law Divine and humane, and that no Church-man bee holden to appeare before, assist or approve it, and therefore, that no letter, petition, subscription, interlocutor, certification, admonition, or other Act whatsoever proceeding from the saide Assembly, or any member thereof, be any wise prejudiciall to the Religion and Confession of Faith by Act of Parliament established, or to the Church, or any member thereof, or to the jurisdiction, liberties, privileges, rents, benefices, and possessions of the same, Acts of generall Assembly, of Councell and Parliament in favour thereof, or to the three Estates of the Kingdome, or any of them, or to us, or any of us, in our persons or estates, authority, jurisdiction, dignity, rents, benefices, reputation, and good name: but on the contrary that all such Acts and deeds above mentioned, and every one of them are, and shall be reputed and esteemed unjust, illegall and null in themselves, with all that hath followed or may follow thereupon.

And forasmuch as the saide Assembly doth intend (as wee are informed) to call in question, discouer, and condemn things not only in themselves lawfull and warrantable, but also defined and determined by Acts of generall Assembly and Parliaments, and in practice accordingly, to the disgrace and prejudice of reformed Religion, authority of the Lawes and Liberties of the Church and Kingdome, weakening his Majesties authority, disgracing the profession and practice which hee holdeith in the Communion of the Church where hee liveth, and branding of Reformed Churches with the foule aspersions of Idolatry and Superstition; wee protest before God and man, That what shall be done in this kinde, may not redound to the disgrace or disadvantage of reformed Religion, nor bee reputed a deed of the Church of Scotland.

We protest that wee imbrace and hold, that the Religion presentlie professed in the Church of Scotland, according to the Confession thereof, received by the Estates of this Kingdome, and ratified in Parliament the yeare 1567, is the true Religion bringing men to eternall Salvation, and doe detest all contrary error.

We protest, that Episcopall government in the Church is lawfull and necessarie: and that the same is not opposed and impugned for any defect or fault, either in the government or Governours; but by
by the malice and craft of the Devill, envying the successe of that go-

gvernment in this Church these many yeares by past, most evident in

planting of Churches with able and learned Ministers, recovering of

the Church rents, helping of the Ministers stipends, preventing of these

jarrs betwixt the King and the Church, which in former times danger-

ously infected the same, keeping the people in peace and obedience,

and suppressing of Popery, which, in respect either of the number of

their professors, or boldnesse of their profession, was never at so low

an ebb in this Kingdome as before these jirres.

We protest that, seeing these who for scruple of conscience did mis-

like the Service Book, Canons, and High Commission, which were ap-

prehended or given forth to be the cause of the troubles of this Church

have now received satisfaction, and his Majestie is graciously pleased

to forget and forgive all offences by past in these jirres; that all the

subjects of this Kingdome may live in peace and Christian love; as be-

commeth faithfull subjects and good Christians, laying aside all ha-

ted, envie, and bitterness; And if any shall refuse to doe, they

may beare the blame, and bee thought the cause of the troubles that

may ensue: and the same be not imputed to us, or any of us, who de-

 lire nothing more, then to live in peace and concord with all men un-

der his Majesties obedience; and who have committed nothing against

the Lawes of the Kingdome and Church, that may give any man just

cause of offence; and are so farre from willing hurt to any man, in his

person or estate, notwithstanding all the indignities and injuries wee

have suffered, that for quenching this present combustion, and setting

peace in this Church and Countrey, wee could be content (after clear-

ing of our innocencie of all things wherewith wee can bee charged)

not onely to lay downe our Bishopricks at his Majesties feet, to bee
disposed of at his Royall pleafure; but also, if fo bee it pleased

God, to lay downe our lives; and become a fafcifice for this at-

onement.

Wee protest in the sight of God, to whom one day we must give ac-

count, that we make use of this Declinator and Protestation out of the

conscience of our duty to God and his Church; and not out of fear

of any guiltinesse, whereof any of us is conscious to himselfe, either of

wickednesse in our lives, or miscarriage in our callings; being content

every one of us, for our owne particular (as we have never shewed our

selves to be otherwise) to undergoe the lawfull and most exact trial of

any competent judicatory within this Kingdome, or of his Majesties

High Commissioner.

And we most humbly intreat his Grace to intercede with the Kings

Majestie, that hee may appoint a free and lawfull Generall Assembly, 

such as Gods word, the practice of the Primitive Church, and Lawes

of the Kingdome doe prescribe and allow, with all convenient speed,

to the effect the present distractions of the Church may bee fetled.

And if there be any thing to bee laid to the charge of any of the Cler-

gie, of whatsoever degree, either in life and manners, or doctrine, or
exercife of his calling and jurisdiction, hee may bee heard to answer all accusations, and abide all triall, either for clearing his innocency, or suffering condigne punishment, according to his tranfgressions: declining alwayes this Assembly, for the causes above written: Like as by these presents, wee, and every one of us, decline the fame, the whole members thereof, and Commissioners forefaid directed thereto, and every one of them.

Wee protest, that this our Protestation, in respect of our lawfull absence, may bee receivd in the name of us under-subscribing for ourselves, and in the name of the Church of Scotland that shall adhere to the said Protestation, and in the name of every one of them, from our wellbeloved Dr. Robert Hamilton Minister at Glasford, to whom by these presents we give our full power and express mandate to present the fame in or at the said Assembly, or where else it shall be necessary to be used, with all submission and obedience due to our gracious Soveraigne and his Majesties High Commissioner: and upon the presenting and using thereof, acts and instruments to crave, and all other things to doe that necessarily are required in such cases: firme and stable holding, or for to hold, what he, or any of them, shall lawfully do in the premises.

In wittneffe whereof, as wee are ready with our blood, so with our hand wee have subscrib'd these presents, at the Palace of Holy-roodhouse, New-cafte, and Glasgow, the 16. 17. and 20. dayes of Novem. 1638. &c. subscribisur.

Io. Si Andre Archie.
Pa. Glasgow.
Da. Edinburgen.
Tho. Gallovidien.
Io. Rossen.
Walterus Brechinen.

After these passages, there were read divers Protestations at Our Commissioners instance, from severall places against the lawfulness of this Assembly both in regard of the Lay-Elders present in it, and the Ministers Commissioners in it chosen by Lay-Elders: One sent from many Ministers, and read publiquely, doth here follow.

The
The Supplication and humble Remonstrance of the Ministers of the Church of Scotland, presented to his Majesties High Commissioner and general Assembly held at Glasgow in November, 1638.

May it please your Grace, A dreadful and Right Worshipful, and you most Reverend Brethren, convened by his Majesties P rocramation in this venerable national Assembly, to consult upon the most convenient ways, and to enact such Ecclesiasticall Lawes, as to your wise-domes seemes most expedient, for preserving of peace and truth in this Church; for which ends wee from the bottome of our hearts (as feeling members of the same,) earnestly intreat him, who hath promised to bee with his owne to the end of the world, by his Spirit and grace, so to direct and assist your wise-domes, that by this long expected meeting, glory may redound to his ever glorious Name, and peace to this rent Church, which all the members thereof, with most earnest wishes expect at your hands. For the present, we thought it our duty, as those whom it doth most clearly concern (our great Shepherd having committed to our charge a part of that Flock which he hath redeemed with his precious blood) to present unto you our just feares which arise from the sudden incroaching of the Laick (now called Ruling) Elders, in divers Presbyteries of this Kingdome, having chiefe hand in chusing of Commissioners there-let; they with Commissioners thus elected, may bring upon the neck of the Ministry and Church heir, the heavy yoke of over-ruling Elders in all times comming, to the no small hurt of us and our successors in the Gospel, except timely remedy be provided.

Our humble supplication therefore to your Grace, and members of this present Assembly is, that all these Commissioners thus chosen by the voice of laick Elders, in whose Commissions they have had hand, may be removed, as men to whose voices and judgements wee cannot submit our selves in matter of Church government, for the just feares above express'd; they being justly suspect Judges not to bee admitted, and their elections and Commissions void for reasons following: First, there is no Law in this Kingdome whereby Laick Elders have any voice in chusing
choosing Commissioners to generall Assemblies, the chusers therfore ba-
ing no legall power to elect, those that are chosen by such, can have
no place nor voice in this Assembly. Secondly, albeit there have been
beretofore, and before Churches were fully planted, a custome that
Laick Elders did sit in Presbyteries, yet that custome hath bene these
3 s yerees by past, universally (and above forty yeeres in most Presby-
teries) interrupted; which prescription is sufficient to make void any
such custome: so that it can be no sufficient warrant for them to sit and
voice in Presbyteries now, much lesse to intrude themselves (as they
have done in many Presbyteries) contrary to the mindes and publicke
protestation of the Ministry. Thirdly, when Laick Elders had place
in Presbyteries, yet it was ordained that the voices should not be equal-
in number, with the voices of the Ministry, as is to bee seen in the
booke of discipline chapter. But in this e-
lection, their number were not onely equal, but in most parts more,
becaue out of every Parish there was a Laick Elder, and so at least
equal in number, and in election of these Commissioners, against whose
election wee except, there was put upon the list six in some places, and
in others four of the Ministers, who being removed, in their absence
the choice was made when the Laick Elders by six or four at the
least exceeded the Ministers in number of voices, yea in some Presby-
teries the Laick Elders were twice so many in number, so that these
Commissioners are mainly chosen by the Laity, and not by the Min-
isters, neither can we acknowledge them for ours. Fourthly, these
Laick Elders did of old onely assist in Discipline, not medling with
points of Doctrine (suffering the spirit of the Prophets to bee subjeft to
the Prophets, according to the Apostolical rule;) but now they intrude
themselves to sit and voice in the Presbyteries in matters of Doctrine,
and have given Commission to those whom we except against, to voice
in this venerable Assembly, in Doctrine, as well as in matters of Di-
spline, which Commissions are null, as proceeding a non habente
potestatem. For these and other most weighty causes; the election
of such Commissioners, and their place in this Assembly being so dan-
gerous to the Church, threaten the same with the most intolerable
yolk of bondage to be laid upon the neck of the Presbyteries by Laick
over-ruling Elders, to the prejudice of the liberties of the said Presbyter-
ies and whole Discipline of this Church. We could not, out of conscience
to God, our callings, and flocks, but make humble remonstrance of the same to your Grace and members of this grave Assembly: with all professing both in our own names and in name of al the Ministry and body of this Church that will adhere to this present supplication, that all sentences, conclusions, Canons, Statutes, and Ordinances, which shall be made in that Assembly where in the foresaid Commissioners shall have determinative voice, to be void, null, and of no effect to oblige us or any of us to the obedience of the same: But if this our just supplication be not admitted (which we hope and earnestly pray may be graciously acce ted) then this our protestation may bee of force against such Lawes and proceedings that may follow thereupon. Thus hoping for your charitable construction of this our necessary duty in so eminent a danger of the Church, and humbly intreating these presents may be put upon Record, Wereft.

And when the Protestation of the Presbyterie of Glasgow (which was a very strong one) begun to bee read, the Principall of the Colledge there desired the forbearance of it for a time; to which the Moderator gladly yeald ed: but our Commissioner, who had delivered it in with his owne hands, pressed the reading of it out: which the Mo derator refused, alledging that any man might withdraw his owne Protestation, much more desire the forbearance of reading of it: to which Our Commissioner replied, That the Protestation was subscribed not onely by the hand of the Principall, but the major part of the Ministers of that Presby terie, of whom many were Covenanters; that in all their names it was presented unto him, and therefore could not be re-called by any one of them, without the consent of the rest, praying him that it might bee read out to the end: but all in vaine; for no justice could bee had from them, especially in a point which so much concerned their reputation: for they conceived it would bee a great blurre to their business; if a Protestation (made by that Presbytery, in which was the seat of the Assembly) should bee knowne: and therefore they would neither reade it, nor did they deliver it backe againe,
against all rules both of justice and equity: After this content the Assembly for that night was dismissed.

Our Commissioner wondering that the Principall of the Colledge should in publique desire the forbearance of publishing the Protestantation of the Presbytery of Glasgow in the Assembly, used meanes to know the reason of it, and found by the averternt of persons of good credit upon their owne knowledge, that the night before late at ten of the clocke, the Lord Lowdan and the Moderatour, with divers others Covenanting Ministers, had been with the Principall, and told him, that the Presbyterian Protestantation would make a great division amongst them, that unless he did withdraw it, he must never looke to live quietly in Glasgow, nor any where in Scotland; that the Principall told them, it was presented to Our Commissioner, from whom it was not possible to recover it; that then by the same threatnings they adjured him to desire the forbearance of reading of it, if it should bee tendered to the Assembly; that after they were parted from him, his wife all in tearses begged the like of him, affirming, that the Lord Lindsey had been with her, and sworn to her, that both he and his must be utterly ruined, if she could not prevaile with him for re-calling that Protestantation. This and many other passages heretofore mentioned, banishing quite out of Our Commissioners mind, and the minds of all Our well affected Councellours there present, all hopes, not onely of just and faire, but even of formall proceedings in that Assembly, where not so much as the shew and countenance of justice was to be discerned, nor anything but the power and obstinate willfulness of the Covenanters, and the unanswerable nullities of this Assembly, in regard both of the members elected, and the manner of their election, being throughly considered, and the reasons of the Bishops Declinator presented to Our Commissioner being seriously weighed, by which they did not decline the judgement of a generall Assembly lawfully constituted, but onely of this Assembly, which was to be accounted farre rather a Laicall convention, then Ecclesiasticall, all the members whereof had barred themselves
themselves from being Judges by their solemn oath of combination for the rooting out of that Kingdom, both the Bishops' persons and callings; to whose sentence we or Our Commissioner could not deliver them over without betraying all courses of justice, and denying to Our Bishops that protection which cannot be denied by Us to any of Our subjects, viz., the benefit of the Lawes of that Our Church and Kingdom: And besides, Our Commissioner having certain and unquestionable intelligence of the Covenanters unmoveable resolution, that although the Assembly should be continued, and all things which they desired (even to their own wishes) should be granted and effected, yet that the quietness and peace of that Kingdom should be never a whit the more settled or established, but that they were determined to chuse at this Assembly certain Committees, who, under the name of Commissioners from the generall Assembly, should keep up their Tables, and be chosen and continued from one Assembly to another, & so hold on the same rebellious courses which they have held ever since the first erection of their Tables; to the utter overthrow of Our royal Authority, and the authority of the Lords of Our Councell, and Lords of Our Session under Us: and Our Commissioner well weighing Our instructions, according to which he was to carry himselfe in this Assembly, if hee should finde that these mischieves and courses of injustice could not bee stopped, resolved the next day (according to Our speciall commandment) in Our name, and by Our authority to dissolve that Assembly, whose aime was only to robbe Us of Our Soveraigne power, and to put it in the hands of their Commissioners.

According to which resolution, Our Commissioner the next day, being Wednesday the 28. of November, went betimes in the morning to the Church, and Our Councell (having warning over night) met him in the Chapter-house, where they late in consultation before they went to the Assembly: He did then impart to them the resolution he had to dissolve the Assembly, and did ask their advice for the manner.
ner of doing it: after hearing each of their advice severally, he was confirmed in his resolution. The reason why Our Commissioner held the Councell in that place, was, because some of Our Councell, who were present, should have no time to communicate his resolution to the Covenanters, nor to consult with them about the hindering it; the Assembly being fully set before the Councell came out, so that what had passed there, could not be communicated to them.

The first thing propounded there by the Moderator that day, was this: A day or two before, there were brought into the Assembly three or four great volumes by their new Clerke, which he alleged were the Acts of the general Assembly from the very first reformation of that Church, which, by the speciall providence of God, and his own careful industry, had been recovered, else they had been lost for ever, to the invaluable losse of the purity of the Religion and Discipline establisht amongst them; for they had beene thrown by for many yeares, untill he by some strange accident had light upon them: after which speech of the Clerke, the Moderator had desired them to choose a Committee to peruse these Bookes, and to report to the Assembly whether they conceived them to be the true and authentick Acts of the general Assemblies of the Church of Scotland: The day before this, these Committees had made their report that they had perused them, and had found them to be true and authentick Records, and delivered in writing some reasons of this their opinion; which made the impartial auditors wonder how in two dayes men could peruse, and make a judgement of such volumes, which other men (who took themselves to be no fooles) thought could hardly be done in one yeare: but that was all one, the Moderator this day put it to the question and voices, Whether they would allow the copies of those Bookes of Assembly (which the Committees the day before had reported to be good and faithfull copies) to be reputed ever hereafter for the authentick Records and Registers of the Church of Scotland: Our Commissioner prayed them to forbear doing any thing suddenly in
in a business of so great importance, that nothing, especially if it were doubtfull, could bee made a publique Record of any Juidiciary which was to oblige Our subjects, unless We first by Our Advocate and learned Councell were satisfied of the authenticall authority of that Record; and therefore wished them to stay untill that course might bee taken, and before that time not to put it to voices: But all in vaine, for presently they of the Assembly (without one contrary voice) concluded those Bookes to be authenticall Registers, and so to bee held and reputed for ever, without knowing what was in them: They were foure Bookes, and very large, and confessed not to be the Originals, but copies. Our Commissioner then remembring that at our Palace at Holy-rood-house hee was denied the sight of the Bookes of the Assembly (the Covenanters having threatened the former Clerke of the Assembly, if he should let Our Commissioner have the perusall of them) begun now to think, that there might be stuffe enough in them against Our Regall authority, and perhaps a great deale of it of their own devising, which caused Our Commissioner to enter into Our Clerk of Registers hands a solemn Protestation against the validity of these Records, and against any of Our subjects being obliged by them, untill such time as they should be perused and allowed by such as We should authorize by Commission for that purpose.

Next, the Moderatour desired the Clerk to reade certayne answers, which upon the sudden had been drawne up (as he said) by certain Brethren to the reasons contained in the Bishops Declinator, which had been read the day before: And indeed, so soone as they were heard, it was easilly beleived that they were drawn up upon a sudden, without either feare or wit, being very poore and silly, stuffed full of cytations out of their own booke of discipline, which did allow lay-Elders; and by these testimonies concluded the exception of the Bishops against Lay-Elders, & Ministers, Commissioners chosen by the for having voice in the Assembly, to be invalid; which made some admire by what confe-
quence it could be inferred, that because there had been Lay-Elders in particular Church-Sessions, nay and perhaps in Presbyteries, that therefore these Lay-Elders either had, or must now have voices in the general Assembly, or in choosing the Ministers Commissioners to it: Yet the Moderator caused another paper to be read in defence of Lay-Elders, of the very same tedious stuffe with the former: And, to magnifie those Bookes of Discipline, so often cyted in both these papers, the Moderator desired the whole Assembly to heare himself read a long Latine testimony, given in the Syntagma of the confessions of the Reformed Churches, to the purity of the discipline of the Church of Scotland. Our Commissioner called for the Book, & desired to see what he had read, and found it to be a private testimonie of one unknown, inserted by the Printer or setter out of that Syntagma, to make it fell the better, because it had some new thing in it; which made a good many laugh at that so much magnified testimonie. Then the Moderator, to take away that exception in the Bishops Declinator, that the Assembly was a declared party (and therefore could not be their Judge) alledged, that the Remonstrants had made the same objection against the Synod of Dort, but that it was repelled by all the Divines there present, and the invalidity of that exception declared by none better then by the Divines of great Britaine, whose judgment against that exception he then out of the publique Acts of that Synod did reade: Our Commissioner told the Moderator, that he should have done well to have translated into Scottifh that passage which he last read, and the former out of the Syntagma, that so many of the Lay-Elders, who were to judge of the fitness of these cytations, might understand him & them; which the Moderator passed over with a smile. One who stood by Our Commissioner, and had been present at the Synod of Dort, asked leave first of Our Commissioner, and then of the Moderator to speake, which being granted him by both, he answered the Moderatours answer to the Bishops objection, thus: That the Bishops exceptio against them of the Assembly, as pars adversa, differed
differed from that of the Remonstrants against the Synod of Dort two ways: First, in regard of the matter of it: For the Synod consisting of Divines, & the matters controverted being points of divinity (& by some men thought to be fundamental points of faith, though they were not so) in which Schollers use not to be neutral, it was impossible for the Remonstrants to find Divines to be their Judges, if they would except against such Divines as had declared themselves to be of the one opinion or the other: But it was not so with Episcopacy in the judgement of the members of this Assembly; for they could not hold the allowing or rejecting of Episcopacy to be a point of doctrine, because points of doctrine are not alterable, but the Church of Scotland in her positive confession, Article 21, did hold Church policy or government alterable at the will of the Church; which opinion, whether he did allow or not, he was not then and there to declare: but sure in such points, which they themselves held alterable and indifferent at the will of the Church, being no points of doctrine, there was no necessity of pre-declaring their judgement, especially after they meant to bee Judges: Nay, there was a necessity of not pre-declaring their judgement against Episcopall government, considering it stood now in force by Acts both of Church and Parliament; and therefore that the declaration of their judgement against it, (even since they intended to be Judges of it, but before they were actually so) did barre them from being Judges of it at all. But secondly, and that upon which he principally infisted, was this: That the Bishops case in their exception against this Assembly, differed from that of the Remonstrants against the other Synod, in the manner of the members of that Synods pre-declaration, and of the members of this Assemblies pre-declaration. Many of the members of that Synod had pre-declared themselves by discoursing, writing, preaching, &c. but not by any judiciall Act, nor by any Act equivalent to a judiciall Act, such as swearing against the other tenet, binding themselves by Oathes, Covenants, Combinations, Confederacies, Associations against the abetters
abetters of it; all which being Acts analogical to judicial Acts, and being done by the members of this Assembly against the Bishops, absolutely barred them from being Judges in the question of these Bishops persons or calling. Some answer was made to this by the Moderatour and others, which required no reply; and therefore received none, that which was answered being no way against that which had been delivered: For the Moderatour conceiving that he who spake had affirmed that the five Articles treated of at the Synod of Dort, had been fundamental points of Faith (of which opinion the speaker never was, nor is) fell upon a discourse of fundamental and not fundamental points of Faith; affirming that the Synod of Dort had never determined the five Articles to be fundamental points of Faith, which the former speaker knew very well to be true: And it made many auditors thinke, that the Moderatour did deliver this only because he would have something to say, for they did conceive that he had been a man so rigid in these tenets, that he had held them to be fundamental points of faith: But whether he did or not, there were many Ministers members of the Assembly, who did hold them to bee fundamental points, & most unchristianly and uncharitably had preached, that the Remonstrants tenets did destroy the very foundation of faith; and whatsoever sided with them in the five Articles, could not possibly be saved. But now the other exception laid by him that spake, and in which he conceived the strength of his speech principally to lie, viz. That by their swearing, and combining by a Covenant against the Bishops (which was a plain pre-judging of them) they had barred themselves from being their Judges; the Moderatour was pleased to make no answer at all, though of all that was spoken it most principally required one. Another Minister, one of the graveft and learnedft in the Assembly, did conceive that he which spake had affirmed, that Councels and Synods were only Judges of points of faith and doctrine, but not of government or other matters; and instanced in Novatus & Donatus, who by Councels and Sy-
nods had bene censured in points of schisme; which no
man ever denied, nor ever came within the compass of
the thoughts or words of him that spake. Here a Lay-
Elder, who was a Lord, conceived that he who spake had
said something insinuating that Lay-Elders had given
voices in some Councils; Thereupon the person that spake,
unwilling to let that passe, asked leave to tell his Lordship
that he was mistaken, & that if Our Commissioner and the
Assembly would give him leave, he would maintain it ag
against any man in the Assembly, that neither the name nor
thing of a Lay-Elder, was ever knowne to any generall or
Provinciell Councell; nay, not to any particular Church in
the whole Christian world, before (alys dayes. To this
no reply was made, save only by the Moderatour, who
first said that it would be thought a strange thing in Eng
land, if any of this Assembly should stand up in the Con-
vocation house, and speake against their Church govern-
ment; to which was answered by him that spake, That he
neither did speake, nor would have spoken there, without
leave asked and obtained; nor would he have asked leave
if it had not been to have cleared a passage of the Synod of
Dort urged by the Moderatour, and in which he himselfe
was interested. And it seemes here the Moderatour was
brought very low, by telling the party that his father while
he lived was of another opinion: to which the other an-
swered, That that was a weak reason; for there were some
members of the Assembly then sitting, whose Fathers had
been Papists: And he who spake did very much wonder
that the Moderatour should think it strange for him to
differ from his Father in his judgement of these points of
Ecclesiastical government; for he did not apprehend it so
great a matter for any man to differ from his Father in
judgement, as to differ from himselfe: and he was sure
that the Moderatour knew well enough that many mem-
bers of the Assembly, who were now fiercest against Epi-
scopall government, within these few yeares had been as
earrest maintainers of it as any, and more ambitious and ear-
nest suitors for Bishopricks then any other. The Modera-
tour at last cut off all further contention about these
Lay-
Lay-Elders, by affirming that the state of the question as it stood before them, was not whether Lay-Elders had ever been received in other Churches, but whether their office and place in the Assembly was agreeable with the constitutions of the Church of Scotland; and so no more was spoke of it.

The Moderator from that speech which was made for justifying the Bishops exception against the competency of their Judges, viz. the Assembly, because the members of it had declared themselves parties, tooke occasion to speake thus to the Assembly: Since we see both the competency and constitution of this Judicatory and Assembly is thus openly impugned, it is high time to cleare this point, of which none can be Judge but the Assembly it selfe, and therefore I will presently put it to voyces. Whether this Assembly be the lawfull and competent Judge of the Libell against the Bishops, notwithstanding the reasons contained in their Declinator.

This gave our Commissioner the occasion (which hee neglected not) to do and declare that which by Our special commandement he had resolved on; for he presently made a speech of a competent length, the summe whereof was this: I should perhaps have continued a little longer with you, if you had not falne upon a point which doth enforce my defering you: You are now about to settle the lawfulness of this Judicatory, and the competency of it against the Bishops, whom you have cyted hither; neither of which I can allow, if I shall discharge either my duty towards God, or loyalty towards my gracious and just Master. This is a day to me both of gladness and sadness; Gladness in that I have both seen this Assembly meete, which his Majesties subjects have been made beleive was never intended by Him, and in that I shall now in his Majesties name make good unto you all his most gracious offers in his last Royall Proclamation; which likewise his Majesties subjects were made beleive would never bee performed by Him: Of Sadness, in that you who have called so much for a free Generall Assembly, having one most free, in his Majesties intentions, granted you, have so handled and marred the
the Matter, that there is not the least shadow of freedome to be discerned in this your meeting: for the former, which is the discharge and performance of your Soveraignes gracious promises, let this paper, which I deliver to the Clerk to be read, witnesse it to you all, which I am sure you cannot chufe but receive with all thankfullnes and dutifull acknowledgement of his Maiesties piety, goodness, and clemencie, unlesse all Religion and goodnesse be quite banifhed out of this Land: Here the Clerk publiquely read the paper, which followeth.

The Kings Majesty being informed, that many of his good subjefts have apprehended, that by the introducing of the Service Book and Book of Canons, the in-bringing of Poperie and Superstition hath been intended, hath been graciously pleased to discharge, like as by these he doth discharge the Service Book and Book of Canons, and the practice of them or either of them: And annulled and rescinded all Acts of Council, Proclamations, and all other Acts and Deeds whatsoever, that have been made and published for establishing them, or either of them, And declareth the same to be null, and to have no force nor effect in time comming. The Kings Majesty, as he conceived, for the eafe and benefit of his subjefts, established the high Commission, that thereby justice might be miniftered, and the faults and errors of such persons as are made liable thereto, taken order with and punished, with the more conveniency and leffe trouble to the people: But finding his gracious intentions therein to be mistaken, hath been pleased to discharge, like as by these presents he doth discharge the same, and all acts and deeds whatsoever made for establishing thereof. And the Kings Majesty being informed, that the urging of the five Articles of Perthes Assembly hath bred distraction in the Church and State, hath been graciously pleased to take the same to his Royall consideration, and for the quiet and peace of this Countrie, hath not onely dispenced with the practice of the said Articles, but also discharged all and whomsoever persons from urging the practice thereof, upon either Laicke or Ecclesiasfical persons whatsoever: And hath freed all his subjefts from all cenfure and paines, whether Ecclesiasfical or secular, for not urging, praticing,
or obeying them, or any of them, notwithstanding any thing contained in the acts of Parliament, or general assembly to the contrary. And his Majestie is further contented, that the assembly take the same so far into their consideration, as to represent it to the next Parliament, there to be ratified as the Estates shall finde sitting.

And because it hath been pretended, that oaths have been administered different from that which is conceived in the acts of Parliament, his Majestie is pleased to declare by Me, that no other oath shall be required of any Minister at his entry, then that which is set downe in the acts of Parliament.

And that it may appeare how carefull his Majestie is, that no corruption or innovation shall creepe into this Church, neither yet any scandal, vice, or fault of any person whatsoever (censurable or punishable by the assembly) goe unpunished, his Majestie is content to declare by Me, and assure all his good people, that generall assemblies shall be kept so oft as the affaires of this Church shall require.

And that none of Our good subjects may have cause of grievances against the proceedings of the Prelates, his Majestie is content, that all and every one of the present Bishops and their Successors, shall be answerable, and accordingly from time to time censurable according to their merits by the generall assembly.

And to give all his Majesties good people full assurance, that he never intended to admit any alteration or change in the true Religion professed within this Kingdom, and that they may be truly and fully satisfied of the reality of his intentions, and integrity of the same, his Majestie hath been pleased to require and command all his good subjects to subscribe the confession of faith and band for maintenance thereof, and of his Majesties person and authoritative formerly signed by Our deare Father in anno 1580. and now likewise requireth all those of this present assembly to subscribe the same. And it is his Majesties will, that this be inserted and registred in the Bookes of assembly, as a testimonie to posteritie, not onely of the sinceritie of his intentions to the said true Religion, but also of his resolution to maintaine and defend the same, and his subjects in the profession thereof.

Subscribitur

Hamiltoun. After
After the reading whereof, Our Commissioner went on, and added: I have, you see, subscribed that paper with mine owne hand, and to make his Majesties Religion, Grace, Goodnese, and the Zeale which he hath to settle the peace of this Church and Kingdome knowne to all succeeding generations, I doe require that it be entred into your ordinarie Bookes of Assembly; but with this provision; That this my assent to the Act of registering this his Majesties Declaration, shall be no approbation of the lawfulness of this Assembly, or of any other Act made, or to be made in it; but that all Protestations, made or to be made against this Assembly in all other acts and proceedings thereof, shall stand in full force and effect: And of the delivery of this paper, containing his Majesties gracious offers, into the hands of the Clerke of the Assembly, and of my requiring it to be registred in the Bookes of the same, as also of my Protestation against the lawfulness of this Assembly in all other Acts, I take publique instruments in the hands of the Clerke of Our Soveraigne Lord his Register, and require him to make an act thereof. Which being done, the Moderatour in a short speech acknowledged Our speciall goodnese in granting the particulars contained in the paper, promising it should be registred in the booke of assembly, and desired to goe on with the businesse of the assembly.

But Our Commissioner told them, he must goe on with them no more, for now the sad part was behind, viz. That since they had brought Lay-Elders to give voices in this assembly, a thing not practised before, or at least, disused so long, that no man present had seen it; the Ministers sitting here as Commissioners were chosen by Lay-Elders, a thing never heard of before in this Church, all the persons having voices here, were before the elections designed by the Tables at Edinburgh, all others by their expresse directions barred, these few Commissioners sent hither, but not chosen according to their designation, were by their cavills, made for that purpose, set aside, and not admitted to have voices, the Bi-
hops cited hither were to be judged by the very same per-
sons who had pre-judged and condemned them at their Ta-
bles; he attested heaven and earth, whether this could be
imagined to be any way a free Assembly, and therefore cal-
led God to witness, that they themselves were the cause, and
the only cause why this Assembly could not have that happy
issue which We heartily wished; and why the Bishops could
receive no censure from them, in regard of the their sinister
proceedings: for how could any man expect justice from
them, who had denied it to Us, in refusing voices to Our
Commissioners' assessors, which was never denied to Our
royall Father, when he called farre more assessors then We
did now? Much more to this purpose was delivered by Our
Commissioner; upon all which he commanded and require
red them not to proceed any further in this Assembly, and
declared that whatsoever they should say or doe hereafter in
it, he in Our name protested against it, and that it should nev
er oblige any of Our subjects, nor be reputed for an Act of
generall Assembly.

The Moderator with a speech well penned, which he had in readinesse whensoever the Assembly should bee dis-
solved, seemed much to deplore Our Commissioners resolu
tion for breaking up the Assembly; he attributed very much
to Our power in Ecclesiasticall causes and assemblies, said
many things of Our power, quite contrary to much which
they have since printed in their seditious Pamphlets and Pro-
testations, and much more then was liked and approved by
many of his fellow-Covenanters: towards the end of his
speech he affirmed, That We were Univerfall Bishop over
all Our Kingdomes, &c. which made Our Commissioner
use means to have the copie of his speech, but it could not be
obtained while it was fresh in the auditors memories: Many
distes after Our Commissioner was gone from Glagow, a
copie of it was sent him, but all that which concerned Our
Ecclesiasticall power, especially of Our being Univerfall Bi-
shop in Our Kingdomes was quite left out, by which it was
plaine, that (as it was before conjectured) he had displeased
many
many of the Assembly, by giving more Ecclesiastical power to Us in that speech, then they intended Wee should ever have. The conclusion of his speech was, That as Our Commissioner had served his Matter carefully and faithfully, in preserving his Priviledges and Prerogatives, so they must needs likewise be faithfull and carefull in preserving the Priviledges and Prerogatives of the kingdom of the Sonne of God, which was his Church; That they should much grieve for his absence whose presence had been so acceptable and comfortable to them, and who had carried himself among them with so much widsom and moderation, that they should have a great misse of him; with many more words, tending to the very high commendation of Our Commissioner.

After the Moderator, divers of the Lords spake much to vindicate the Covenanters from their prelimitations and sinister dealings in their elections: But Our Commissioner presently choked their confidence, with the production of two papers, which they little supposed he had ever seene: They contained their secret instructions, with which the whole Tables were not acquainted, for they must then of necessity some way or other have come to the knowledge of all the covenanters, very many of whom by these secret orders were barred from being chosen commissioners to the assembly, as well as the Non-covenanters, and therefore they fearing to lose or displeace such a considerable number of their own partie, did by these private advertisements (contrived onely by the chiefe Rulers of the Table, but never presented to the Tables themselves) take order that none who could fall within the suspicion of moderation, should be chosen commissioner for the assembly.

The one of these papers was directed to one lay Elder of every Presbyterie, some speciall confident of theirs, containing these nine Articles ensuing.

Because all projects and purposes will faile, if they be not pursued with constant diligence to the end, the Devil sleeps not, and we

beare
heare our adversaries are busie,and our miserie will be unexpressible
great, and we * ludibrious if they shall prevaile over us in a free
ge nerall Assembly, for which we have been pleading so long; it were
meet that so farre as may be a new warning should be given, to stirre
up the best affected.

2. That every Nobleman be diligent with the Barons and Mini-
sters nearest unto them, and that he write unto his best acquaintance,
who are farre off.

3 That some one Minister and Gentleman in every Presbyterie
meet oft together, to resolve upon the particular Commissioners to be
chosen, and use all diligence with the rest of the Ministers and Gen-
tlemen that such may be chosen.

4 Because nothing will avail so much for our purpose, where the
most part of the Ministers are disaffectted, as that the Gentlemen be
present to vote in Presbyteries, it would be presently tried whether
this be put in execution; and if the Minister be now in urging it, the
Gentlemen themselves to urge it, and put themselves in possession.

Our adversaries in this cause are seeking their own ends, and will
set our friends on work to dealing with us, all would be warned to shut
their eares, and in this case to forget parents, brethren, and friends,
and without respect to any person, to doe what may most conduce for
our good ends.

Much will be pretended that the Bishops be limited. They will be
harmlesse in time coming; and on the other hand, that Ministers ha-
ing all in their power will prove unruly; but it would be seriously con-
sidered, First, That Gods ordinance (except that we will mock him,
and be wiser in his errands then himself) should have place: Secondly,
That Ministers will be constrained to keep themselves within bounds,
if Gentlemen resort to the Presbyteries, Synods, & Assembly. Third-
ly, That this order will both make Gentlemen more religious and
more accomplished every way, and will make Ministers more diligent
in their studies and calling, and take better heed to all their ways;
which no doubt will (through the blessing of God) make this a flouri-
ishing Church and Kingdom, which otherwise, of all nations will be most
fla
ing, miserable, and contemptible to all our neighbours, when they
shall perceive how by our own silliness and treachery we have lost so
fare an occasion of our liberty, both christian and civill.

That
That they linger not, they would be urged again to send their Commissioners to Edinburgh before the first of October; by this we shall know our owne strength the better at our next meeting.

And the Gentlemen, at the least the greatest part of them, would be warned to be at Edinburgh the 20. of September; and that only the Gentlemen who are named Commissioners to the Presbyterie, for chusing their Commissioners for the assembly, with some to assist them, that day stay at home, and those to come away immediately after the election.

That in every Presbytery there be a particular care taken of the informations against the Prelates for instructing our complaints.

The other paper was directed to some Minister of every Presbytery, in whom they put most speciall trust, containing these eight Articles ensuing.

Private Instructions, August 27. 1638.

These private Instructions shall be discovered to none but to brethren well affected to the cause.

Order must be taken that none be chosen ruling Elders but Covenanters, and those well affected to the business.

That where the Minister is not well affected, the ruling Elder be chosen by the Commissioners of the Shire, and spoken to particularly for that effect.

That they be careful no Chapter-men, Chapell-men, or a Minister Justice of Peace, be chosen, although Covenanters, except they have publiquely renounced or declared the unlawfulnesse of their places.

That the ruling Elders come from every Church in equal number with the Ministers, and if the Minister oppose, to put themselves in possession notwithstanding any opposition.

That the Commissioner of the Shire cause convene before him the ruling Elder of every Church chosen before the day of the election, and injoyne them upon their oath, that they give vote to none but to those who are named already at the meeting at Edinburgh.

That where there is a Nobleman within the bounds of the Presbyterie,
That the ableft man in every Presbyterie be provided to dispute de potestate supremi Magistriatus in ecclesiasticis, præsertim in convocandis Conciliiis, de Senioribus, de Episcopatu, de Juramento, de Liturgia, & corruptelis ejusdem.

Now both these were so closely carried, that the rest of the covenanting Ministers never suspected there had beene any other instructions, save the two publicke and avowed papers before related, nor would they ever have suspected any such close and double dealing, but that when they came to their elections, they found for the most part the ableft and moft experienced Ministers passed by, and onely the rigideft and hottest men chosen; which made them (inquiring after the reason of it) come to heare of these private Instructions, at which they stormed exceedingly, but could not then helpe any thing. And now whether these two papers doe not containe prelimations of the assembly, a thing against which they most fearfully cryed out, We leave it to the judgement of the Reader.

The Moderatour and some Noblemen lay Elders, went about to cleare themselves from the notice of these two papers of the secret instructions, but could not doe it: Our Commissioner when he delivered them to the Clerke to be read, told him, That surely they were papers which he had seene before, and with which he was well acquainted: The former of these, to a lay Elder of every Presbyterie, in which is that seditious Article, being the sixtine number (intimating their feare of the losse of their Civill libertie as well as Christian) he acknowledged he had seene, but denied that he had seene the other. One of the principall covenanting Lords affirmed, That these Instructions were not sent from the Tables, but that they might be some private advices from one friend to another; for proofe whereof, he offered to produce the two papers of publique Instructions which
which had been sent from their Tables, and which are set down before us in this Narration. To this our Commissioner answered, that the sending of these publike instructions, of which all the Kingdome had notice, was a weak argument to prove that they sent no other private ones; that he acknowledged these private instructions were not sent from their publike Tables, but he offered to prove that they were sent to the severall Presbyteries by the direction of some of the principall rulers of the Tables, who laboured by all means to conceal them from the rest of their party, who they were sure would take offence at them: That they were sent from one friend to another by way of private advice, he declared to be impossible for these two reasons: First, because it could not be imagined that several men, writing to their private friends, should light upon the same words, and yet that the copies of these instructions sent unto him our Commissioner from many parts of the Kingdome, very far distant one from another, were the very same: Secondly, because he and every man did find that all the elections now returned, were made throughout the whole Kingdome according to these private instructions, and in pursuance of them: And, that these private instructions were undoubtedly sent, besides the two reasons last mentioned, it doth evidently appear; First, because it is well known, that they who had never yet let any thing slip which they thought was advantageous to them, would not have let this passe unquestioned, but would have required our Commissioner to prove the truth of these secret instructions, which brought so great a scandal upon their proceedings if they were not forged; and so great a scandal upon him if they were: and therefore their not urging of him to make proofe of them, doth clearly evince their guilitness. Secondly, our Commissioner, though he was loath to nominate unto them those severall Covenanters from whom he received copies of these secret instructions, unless he were put to it; yet he hath upon his Honour protested unto us, that he received them only by the means of Covenanters, who found themselves aggrieved by these sinister dealings,
and that he will justify the receipt of these papers from them whenever he shall be put to it, as he would have done in the Assembly if he had been urged thereunto; which he expected they would have done, but did not, because they knew there were divers members of the Assembly there present, who were well acquainted with the truth of what he had delivered concerning these secret instructions. Thirdly, because in their protestation made against Our last Proclamation, they have confessed some of them, which were not in either of their publick instructions, and which never came to Our Commissioners notice, but by these private papers.

After this, first divers of the Lords, and then some of the Ministers, intreated Our Commissioner to stay, adding many words both to that purpose, and for justifying their proceedings. To the Lords Our Commissioner answered, That for many months, only their Tables had been obeyed, but that We & Our Councell Table had received no obedience at all; he was therefore now to try their obedience in this point, whether they would dislodge themselves at our special commandment. To the Ministers he replied, That one of the chief reasons which had moved Us to dissolve this Assembly, was, to vindicate them from the tyranny of Lay-Elders, who as they had gone about to suppress the Bishops, so now to oppress them; and, if We did not protect them, would undoubtedly prove, not only ruling but over-ruling Elders: And withall added, That if they would now depart, he would be a suitor to Us for the indiction of a new free generall Assembly, in which they might mend all the faults committed by them in their proceedings in this.

Here the Earl of Argyle, one of our Councillers and Assessor to Our Commissioner, desired to speake: his voice was low, his speech he directed to the Covenanters; the summe of it was, That he was surprised, and did not expect this sudden rupture, but that he was willing to say something, which was, That he held it fit the Assembly should consist of Lay-men as well as Church-men; because these two made up one compleat body, exorted them to stand by
by the Confession of Faith, as it was sworn in 1581. After he had done, Our Commissioner desired the Moderator to say prayer, and so to dismis the Assembly; which hee was about to do, but was hindered by the Lords, who fell againe with new perswasions to urge Our Commissioners stay with them: which he answered with so much expression of griefe for there ill-demeanours, which had necessarily inforced this rupture, that very many of the Assembly seemed to bee much moved with it. When nothing could perwade his stay, at last some of the Lords told him, that fearing this rupture they had a protestation ready against what he had said and done, which they desired him to heare read; which so soon as the Clerk begun to read, Our Commissioner repeated his former protestation, adding, in express words, that in Our name hee dissolved the Court under the highest paines: and so came out with the Lords of Our Councell, leaving the Clerk reading their protestation. When he came to the Church doe, he found it shut, so that some of his company were glad to force it open.

No sooner was he gone, but the Lord Areskyn, eldtest son to the Earle of Marr, stood up and made this wise speech, not without teares: My Lords, and the rest, my heart hath been long with you, I will dallie no more with God, I begge to bee admitted into your blessed Covenant, and pray you all to pray to God for mee, that he would forgive me for dallying with him so long. Three others of meaner quality desired the same, and so all those foure were presently admitted into their Covenant. These men, at least the Lord Areskyn, were resolved to enter into their Covenant long agoe, but were reserved on purpose for doing of it at that houre, for the greater glory of their Covenant: For no sooner had they sworn, and the Moderator received them by the hand, but presently he desired the whole audience to admire Gods approbation and sealing of their proceedings, that even at that instant, when they might have feared some shrinking and back-sliding because of the present rupture, He had moved the hearts of these men to begge admittance into their blessed societie.
Immediately after, divers stood up and spoke, but all much about one, and to this sense: They had seen how careful and punctual our Commissioner was, like a good servant, faithfully to serve Us his Master, and to observe our instructions (speaking withal much to his singular commendation;) how much more then ought they to be careful to be found faithful in following his instructions, who was Master, as to all themselves, so even to him who was our Commissioners Master? These speeches being ended, two things were immediately put to the question: First, whether notwithstanding our Commissioners departure and protestation they would adhere to their owne protestation, and continue the Assembly. They all voiced affirmatively, except the Lord Carnegie Commissioner from the Presbytery of Brichen, Sir John Carnegie Commissioner from the Presbytery of Arbroath, two Ministers Commissioners from the Presbytery of Strabogie, the Lay-Elder and Ministers Commissioners from the Presbytery of Peebles, Doctor Strang Principal of the College of Glasgow, Doctor Baronne Commissioner from the University of S. Andrews, with some others, who refused to sit with them any longer. The second was whether the Assembly, though discharged by our Commissioner, was competent Judge to the Bishops, and whether they would go on in their trial, notwithstanding the reasons contained in their Declinator: and this passed affirmatively without one contrary voice, and so for that night the Assembly was dismissed.

Our Commissioner after he had left the Assembly, that very night, though late, assembled our Council; none were absent except the Earl of Argyle, who made some excuse and pretence for his not coming, and the Lord Almond, who was then sick. Two things our Council resolved on; first, to write unto Vs a letter of thankes for those gracious proffers, which We by our Commissioner had made at the Assembly; Next, to draw up a Proclamation for the dissolving of the Assembly. Their Letter here followeth.
Most Sacred Soveraigne,

In obedience to your Majesties Royall commands, we have attended your Majesties Commissioner here at Glasgow since the 17. of this instant, and according to our bound duty in so exigent occasion, have not been wanting with our humble and best advice: And although we do remit the particular relation of what is past to his Grace's self, as best known to him, yet we cannot for truths sake be so silent, as not acknowledge to your Majestie, that never servant did with more industry, care, judgement and patience go about the discharge of so great a trust: And albeit the success hath not answered his desires, neither yet his extraordinary pains, and (as we may confidently affirm) most dexterous & advised courses taken to compass the just command of so gracious a King, yet his deserving herein merits to be remembered to posterity. And since your Maj. hath been pleased to renew to us your former act of grace expressed in your Proclamation & Declaration anent the maintenance of the true Religion, and we in the defence and profession thereof, we do all in humility and hearty acknowledgment of so great goodness, return to your Maj. the offer of our lives and fortunes in defence of your Sacred person, and maintenance of your Royall authority: & shall in all our actions approve our selves your Maj.'s most loyal subjects and humble servants.

Sic subscribitur.


From Glasgow, Novem. 28. 1638.

To this Letter the Lord of Argyle refused to set his hand. Next morning the Proclamation was signed by
Our Commissioner and Councell, but the Earle of Argyle refused to sign it, as before he had done the Letter. The Proclamation here followeth.

CHARLES, by the grace of God, King of Scotland, England, France and Ireland, Defender of the Faith. To Our Lovers.

Heralds, Pursuants, Our Sheriffs in that part conjuntly & severally specially constitute, greeting. For sakeale as out of the royall & fatherly care which We have had of the good & peace of this Our ancient and native Kingdom, having taken to our serious consideration all such things as might have given contentment to Our good & loyal subjects. And to this end had discharged by Our Proclamation the Service Book, Book of Canons, and high Commission, freed and liberate all men from the practising of the five Articles, made all Our subjects both ecclesiastical & civil liable to the censure of Parliament, general Assembly, or any other Indicatory competent according to the nature and quality of the offence: and for the free entry of Ministers, that no other oath be administrate unto the then that which is contained in the Act of Parliament; had declared all bygone disorders absolutely forgotten & forgiven: and for the more full and clear extirpating all ground & occasion of fears of innovation of Religion, We had commanded the confession of faith, and band for maintenance thereof, and of authority in defence of the same, subscribed by Our deare Father, and his household, in anno 1580, to be renewed and subscribed again by Our subjects here: Like as for setting of a perfect peace in the Church & Commonwealth of this Kingdom, We caused indit a free general Assembly to be holden at Glasgow the 21. of this instant, and thereafer a Parliament in May, 1639, by which cleare dealing, We looked assuredly to have reduced Our subjects to their former quiet behaviour & dutifull carriage, whereby they are bound by the Word of God, & Laws both national and municipal, to Vs their native and Sovereign Prince. And although the wished effects did not follow, but by the contrary, by Our so gracious procedure they were rather emboldened, not only to continue in their stubborn and unlawfull ways, but also daily add to their former procedures acts of neglect, contempt of authority, as evidentely appeared by open opposing of Our insul & religious
以致 pleasure and command, express in Our last Proclamation a-
not the discharge of the Service Book, Book of Canons, high Com-
misston, &c, professing against the same, and striving by many indi-
rect means to withdraw the hearts of Our good people, not only from
a hearty acknowledgment of Our gracious dealing with them, but
also from the due obedience to those Our just and religious commands,
notwithstanding We had been formerly so oft petitioned by them-
selves for the same. By their daily and hourly guarding and watch-
ing about Our Castle of Edinburgh, suffering nothing to be imported
therin, but at their discretion; And openly stopping and impeding a
ny importation of ammunition, or other necessaries whatsoever to any
other of Our houses within that Kingdom: Denying to Vs their So-
vereign Lord that liberty and freedom, which the meanest of them
affume to themselves, (an act without precedent or example in the
Christian world,) By making of Convocations and Council Tables
of Nobility, Gentry, Burrowes and Ministers within the City of Ed-
inburgh, where not regarding the Laws of the Kingdom, they, with-
owt warrant of authority, convene, assemble and treat upon mat-
ters as well ecclesiasticall as civil, send their injunctions and dire-
tions throughout the country to their subordinate Tables, and other
under-ministers appointed by them for that effect. And under colour
& pretext of religion exercising an unwarranted & unbounded liber-
ity, require obedience to their illegall and unlawfull procedures and di-
rections, to the great & seen prejudice of Authority, and lawfull Mo-
narchical government. And notwithstanding it was evidently manifest
by the illegall & unformall course taken in the election of their Com-
missioners for the Assembly, whereby some are under the censure of
this Church, some under the censure of the Church of Ireland, and
some long since banished for open and avowed teaching against Mo-
narchy, others of them suspended, and some admitted to the Ministry
contrary to the form prescribed by the Laws of this Kingdom; others
of them a long time since denounced Rebels, and put to the Horn, who
by all law and inviolable custom and practice of this Kingdom,
are, and ever have been incapable, either to pursue, or defend before
any judicatory, for lesse to be Judges themselves; some of them con-
fined, and all of them by oath and subscription bound to the over-
throw of Episcopacy. And by this and other their under hand
working, and private informations and persuasions, have given just

ground
ground of suspicion of their partiality herein, so made themselves unfit judges of what concerneth Episcopacy. And also it was sufficiently cleared by the peremptory & illegal procedures of the Presbyteries, who at their own hand by order of law, without due forme of process, thrust out the Moderators lawfully established, & placed others, whom they found most inclinable to their turbules rumors; associat to themselves for the choosing of the said Commissioners for the Assembly, a Laick-Elder out of each Paroch, who being in most places equal, if not more in number then the Ministers, who should be Commissioners from the Presbyteries, as also of a Ruling-Elder; being directed more therein by the warrants from the foresaid pretended Tables, then by their owne judgements, as appears by the several private instructions sent from them, far contrary to the Laws of the Countrey, and lawfull custome of the Church: by which doings it is too manifest, that no calme nor peaceable procedure or course could have been expected from this Assembly, for settling of the present disorders and distractions: Yet We were pleased herein in some sort to blind-fold our owne judgement, and overlook the said disorders, and patiently to attend the meeting of the said Assembly, still hoping that when they were met together, by our Commissioner his presence, and assistance of such other well disposed subjects who were to be there, and by their owne seeing the real performance of all that was promised by our last Proclamation, they should have been induced to return to their due obedience of subjects: But perceiving that their seditious disposition still increaseth, by their repairing to the said Assembly with great bands and troupes of men, all boddin in fear of war, with guns and pistols, contrary to the laws of this Kingdom, custome observed in all Assemblies, and in high contempt of our last Proclamation at Edinburgh the 16. of this instant: As also by their peremptory refusing of our Assizes, authorized by Vs (although fewer in number then our dearest Father was in use to have at divers Assemblies) the power of voting in this Assembly, as formerly they have done in other Assemblies, and by their partial, unjust, and unchristian refusing, and not suffering to be read the reasons and arguments given in by the Bishops, and their adherents to our Commissioner, why the Assembly ought not to proceed to the election of a Moderator without the, neither yet to the admitting of any of the Commissioners of the saids Commissioners from Presbyteries.
ries before they were heard against the same, though earnestly required by our Commissioner in our name. And notwithstanding that our Commissioner under his hand, by warrant from us, gave in a sufficient declaration of all that was contained in our late proclamation and declaration, the same bearing like wise our pleasure of the registration of the same in the books of assembly for the full assurance of the true religion to all our good subjects. And yet not resting satisfied therewith, lest the continuance of their meeting together might produce other the like dangerous acts, derogatory to royal authority, we have thought good, for preventing thereof, and for the whole causes and reasons above-mentioned, and divers others importing the true monarchical government of this estate, to dissolve and break up the said assembly. And therefore

VR will is, and we doe discharge and inhibit all and whatsoever pretended Commissioners, and other members of the said pretended assembly, of all further meeting and convening, treating and concluding anything belonging to the said assembly, under the paine of treason, declaring all and whatsoever that they shall happen to do in any pretended meeting thereafter, to be null, of no strength, force nor effect, with all that may follow thereupon: Prohibiting and discharging all our lieges to give obedience thereto, and declaring them, and every one of them, free and exempt from the same, and of all bazzard that may ensue for not obeying thereof. And for this effect we command and charge all the foresaid pretended commissioners, and other members of the said assembly, to depart forth of this city of Glasgow within the space of xxxiii. hours after the publication thereof, and to repair home to their owne houses, or that they doe about their owne private affairs in a quiet manner. With speciall provision alwayes, that the foresaid declaration, given in under our Commissioners hand, with all therein contained, shall notwithstanding thereof stand full, firm and sure to all our good subjects in all time coming, for the full assurance to them of the true religion. And our will is, and we command and charge, that incontinent these our letters seen, ye passe, and make publication thereof by open proclamation at the market crosse of Glasgow, and other places needfull, wherethrough none pretend ignorance of the same. Given
This Proclamation being very solemnly made with sound of Trumpets, and by Harolds, with coats of Our arms on their backs, at the market Crosse of Glasgow, was received with a Protestation read in the same place by Johnston the then Clerk of the Assembly, assisted by the Lord Areskyn, and divers others, young Noblemen, and Gentlemen. The paper which Johnston read was not, as it seemeth, that very Protestation which they printed, for he read something out of a paper to that purpose, and offered it by the name of a Protestation to him who read Our Proclamation, which paper the Clarke of our Councell offering to receive, Johnston refused to deliver it, saying, He must stay until it were written. By which it is evident, that they who at Glasgow protested against Our Proclamation, did protest and desired their Protestation to be received, before it was penned, as it is now printed, and before they could so much as send to them in whose name it was made, to know whether they would adhere to it or not. But a Protestation against it they have since printed, which here now we doe subjoyne, that the reader may see how groundlesse and unwarrantable it is.


VvE Commissioners from Presbyteries, Burghes, and Universities, now convened in a full and free Assembly of the Church of Scotland, indited by his Majesty, and gath-
red together in the Name of the Lord Jesus Christ the only Head, and Monarch of his own Church, And we Noblemen, Barons, Gentlemen, Ministers, Burgesses and Commons, Subscribers of the Confession of Faith, Make it knowne that We His Majesties loyal Subjects of all degrees, considering and taking to heart the many and great innovations and corruptions lately by the Prelates and their adherents intruded into the doctrine, worship, and discipline of this Church, which had been before in great purity to our unspeakable comfort established amongst us, were moved to present many earnest desires and humble supplications to his sacred Majestie, for granting a free general Assembly, as the only legal and ready meane to try these innovations, to purge out the corruptions, and settle the order of the church, for the good of Religion, the honour of the King, and the comfort and peace of the Kirk and Kingdome: It pleased his gracious Majestie, out of his Royal bounty, to direct unto this Kingdome the Noble and Potent Lord, James Harques of Hammitoun, with Commission to hear and redresse the just grievances of the good Subjects who by many petitions, and frequent conferences, being fully informed of the absolute necessity of a free general Assembly, as the only Indicatorie which had power to remedie those evils, was pleased to undergo the pains of a voyage to England, for presenting the pittifull condition of our Church to his sacred Majestie. And the said Commissioner his Grace returned againe in August last, with power to indict an Assembly, but with the condition of such prelimitations, as did both destroy the freedome of an Assembly, and could no ways cure the present diseases of this Church, which was made so clearly apparent to his Grace, that for satisfying the reasonable desire of the Subjects, groaning under the wearinesse and prejudices of long time attendance, he was againe pleased to undertake another journey to His Majestie, and promised to endeavour to obtain a free General Assembly, without any prelimitation, either of the constitution and members, or matters to be treated, or manner, and order of proceeding, so that if any question should arise concerning these particulars, the same should be cognosced, judged, and determined by the Assembly as the onely Judge competent: And accordingly by warrant from our Sacred Soveraigne, returned to this Kingdome, and in September last, caused indict a free General Assembly to be helden at Glasgow, the 21st of November instant, to the unspeakable joy of all good Subjects and Christian hearts, who thereby did expect the perfect satisfaction of their
their long expectations; and the small remedy of their pressing grievances: But those hopes were soon blasted: for albeit the Assembly did meet and begin at the appointed day, and hath hitherto continued, still assisted with His Grace's personal presence, yet His Grace hath never allowed any freedom to the Assembly, competent to it by the Word of God, acts and practice of this Church, and his Majesties Indiction, but hath laboured to restrain the same, by protesting against all the acts made therein, and against the constitution thereof, by such members, as by all law reason and custom of this Church were ever admitted in our free Assemblies, and by denying his approbation to the things proposed and concluded, though most clear, customizable, and uncontradicted.

And now since his Grace after the presenting and reading of his own commission from our sacred Soveraigne, and after his seeing all our commissions from Presbyteries and Burghes produced and examined, and the Assembly constitute of all the members by unanimous consent, doth now to our greater griefe, without any just cause or occasion offered by us, unexpectedly depart and discharge any further meeting, or proceeding in this Assembly, under the paine of treason; and after seven days sitting, declare all acts made, or hereafter to be made in this Assembly, to be of no force nor strength; and that for such causes as are either expressed in his Majesties former proclamations, (and so are answered in our former protestations) or set downe in the declinatour, and protestation presented in name of the Prelats, (which are fully cleared in our answer made thereto) or else were long since proposed by the Commissioner his Grace in his eleven articles or demands sent unto us, before the indiction of the Assembly, and so were satisfied by our answers, which his Grace acknowledged, by promising after the receipt thereof to procure a free general Assembly, with power to determine upon all questions, anent the members, manner, and matters thereof, all which for avoiding tediousnesse we here repeat: Or otherwise the said causes alleged by the Commissioner, were proposed by His Grace, in the Assembly, such as first, that the Assembly refused to read the Declinatour and Protestation exhibited by the Prelats, which notwithstanding was publicly read and considered by the Assembly, immediately after the election of a Moderator and constitution of the Members, before which, there was no assembly established, to whom the same could have been read: Next, that ruling Elders were permitted to
to have voice in the election of commissioners from Presbyteries, which was knowne to His Grace, before the indiction and meeting of the assembly, and is so agreeable to the acts and practice of this Church, inviolably observed before the late times of corruption, that not one of the assembly doubted thereof, to whom by the indiction and promise of a free assembly, the determination of that question, anent the members constituent property belonged.

And last, that the voices of the six Assessor, who did fit with His Grace, were not asked and numbered, which we could not conceive to be any just cause of offence, since after 39 National assemblies of this reformed church, where neither the Kings Majestie, nor any in his name was present, at the humble and earnest desire of the assembly, His Majestie graciously vouchsafed His presence either in His owne Royall person, or by a Commissioner, not for voting or multiplying of voices, but as Princes and Emperours of old, in a Princely manner to countenance that meeting, and to preside in it for externall order, and if Wee had been honoured with His Majesties Personall presence, His Majestie (according to the practice of King James of blessed memorie) would have onely given his owne Judgement in voting of matters, and would not have called others who had not been cloathed with commision from the Church to carry things by pluralitie of voices.

Therefore in conscience of our duty to God and his truth, the King and his honour, the Church and her liberties, this Kingdome and her peace, this Assembly and her freedome, to our selves and our safety, to our Posterity, Persons and Estates, We professe with sorrowfull and beavie but loyal hearts, That We cannot disolve this Assembly, for the reasons following.

1. For the reasons already printed anent the necessity of convening a General Assembly, which are now more strong in this case, seeing the Assembly was already indiciated by his Majesties authority, did convene, and is fully constituate in all the members thereof, according to the Word of God, and discipline of this church, in the presence and audience of his Majesties Commissioner, who hath really acknowledged the same, by assititig therein seven dayes, and exhibition of His Majesties Royall Declaration, to be registrate in the Bookes of this Assembly, which accordingly is done.

2. For the reasons contained in the former Protestations made in
in name of the Noblemen, Barons, Burgesses, Ministers, and Commons, whereunto We doe now judicially adhere, as also unto the Confession of Faith & covenant, subscribed & sworn by the Body of this Kingdome.

3: Because as We are obliged by the application and explication subtended necessarily to the Confession of Faith subscribed by Vs: So the Kings Maiestie, and his Commissioner, and Privie Councell, have urged many of this Kingdome to subscribe the Confession of Faith made in an. 1580. and 1590. and so to returne to the doctrine and discipline of this Church, as it was then professed: But it is cleare by the doctrine and discipline of this Church contained in the booke of Policie then request in the booke of Assemblie, subscribed by the Presbyteries of this Church, That it was most unlawful in it selfe, and prejudiciall to these privileges which Christ in his Word hath left to his Church, to dissolve or breake up the Assemblie of this Church, or to stop and stay their proceedings in constitution of Acts for the welfare of the Church, or execution of discipline against offenders, and so to make it appeare, that Religion and Church-government should depend absolutely upon the pleasure of the Prince.

4. Because there is no ground of pretence either by Act of Assemblie, or Parliament, or any preceding practice, whereby the Kings Maiestie may lawfully dissolve the General Assemblie of the Church of Scotland, far lesse His Maiesties Commissioner, who by his commission hath power to indite and keep it, secundum legem & praxim: But upon the contrarie, His Maiesties prerogative Royall, is declared by Act of Parliament, to be no wayes prejudiciall to the privileges and liberties, which God hath granted to the spirituall office-bearers, and meetings of this Church; which are most frequently ratified in Parliament, and especially in the last Parliament holden by His Maiestie himself, which privileges and liberties of the Church, his Maiestie will never diminish or infringe, being bound to maintain the same in integrity by solemn oath given at his Royal Coronation in this Kingdome.

5. The Assemblies of this Church have still enjoyed this freedom of uninterrupted sitting, without or notwithstanding any contramand, as is evident by all the Records thereof; and in speciall by the generall Assembly holden in anno 1582, which being chargd with letters of Horning by the Kings Maiestie his Commissioner and Council, to stay their processe against Master Robert Montgomerie, pretended Bishop of Glasgow, or otherwise to
to dissolve and rise, did not, with standing shew their liberty and freedom, by continuing and sitting still, and without any stay, going on in that process against the said Master Robert, so the final end thereof: And thereafter by letter to his Majesty, did shew clearly, how far his Majesty had been uninformed, and upon misinformation, prejudged the prerogative of Jesus Christ, and the liberties of this Church, and did in fact and ordain, that none should procure any such warrant or charge under the pain of excommunication.

6. Because now to dissolve, after so many supplications and complaints, after so many reiterated promises, after our long attendance and expectation, after so many references of process from Presbyteries, after the publick indiction of the Assembly, and the solemn Fast appointed for the same, after frequent Convention, for full constitution of the Assembly in all the members thereof, and seven days sitting, were by this act to offend God, contemne the Subjects' petitions, deceive many of their conceived hopes of redress of the calamities of the Church and Kingdom, multiply the combustions of this Church, and make every man despair hereafter ever to see Religion established, Innovations removed, the Subjects' complaint respected, or the offenders punished with consent of authority, and so by casting the Church loose and desolate, would abandon both to ruine.

7. It is most necessary to continue this Assembly for preventing the prejudices which may ensue upon the pretence of two Covenants, whereas indeed there is but one, That first subscribed in 1580, and 1590. being a Nationall covenant and oath to God, which is lately renewed by us, with that necessary explanation, which the corruptions introduced since that time contrary to the same, enforced which is also acknowledged by the Act of Council in September last, declaring the same to be subscribed, as it was meant the time of the first subscription: and therefore for removing that shame, and all prejudices which may follow upon the show of two different covenants and confessions of Faith in one Nation, The Assembly cannot dissolve, before it try, finde and determine, that both these covenants, are but one and the self same covenant: The latter renewed by us, agreeing to the true genuine sense and meaning of the first, as it was subscribed in Anno 1580.

For these and many other reasons, We the Members of this assembly,
Hie in our owne name, and in the name of the Kirk of Scotland, whom We repreffent, and We Noblemen, Barons, Gentlemen, Ministers, Burgeses, and Commons before mentioned, doe solemnly declare in the presence of the everliving God, and before all men; And protest,

1. That our thoughts are not guilty of any thing which is not incumbent to us, as good Christians towards God, and loyal Subjects towards our sacred Sovereigne.

2. That all the Proteftations generall or particular, proposed or to be proposed by the commiffioner his Grace, or the Prelates and their adherents, may be presently discussed before this generall As
temblie, being the highest Ecclesiastical judicatory of this Kingdom: and that his Grace depart not till the fame be done.

3. That the Lord commiffioner depart not, till this Assembly doe fully settle the solide peace of this church, cognofcing and examining the corruptions introduced upon the doctrine and discipline thereof: and for attaining hereoff, and removing all just exceptions which may be taken at our proceedings, we attes God the Searcher of all hearts, that our intentions, and whole proceedings in this presentAssembly, have beene, are, and shall be according to the word of God, the laws and constitutions of this church, the confession of faith, our national oath, and that measure of light, which God the father of light shall grant us, and that in the sincerity of our hearts, without any preoccupation or passion.

4. That if the Commiffioner his Grace depart, and leave this church and kingdom in this present disorder, and discharge this assembly, that it is both lawful and necessary for Vs to fit still and continue in keeping this present Assembly, indicted by His Maje-
fie, till we have tried, judged, censured all the bygone evils, and the introducers, and provided a solide course for continuing Gods truth in this land with purity and liberty, according to his Word, our oath and Confession of Faith, and the lawfull constitutions of this Church; and that with the grace of God, We and every one of Vs adhering hereunto, shall sit still and continue in this Assembly, till after the fmalH settling and conclusion of all matters, it be dissolved by common consent of all the members thereof.

5. That this Assembly is and should be esteemed and obeyed, as a most
a most lawfull, full and free generall Assembly of this Kingdome: And that all acts, sentences, constitutions, cenfures and proceeding of this assemblie, are in the selfe, and should be reputed, obeyed, and observed by all the Subjects of this Kingdome and members of this Church, as the acts, sentences, constitutions, cenfures, and proceedings of a full and free generall assembly of this Church of Scotland, and to have all ready execution, under the Ecclesiastical pains contained, or to bee contained therein, and conforme thereto in all points.

6. That whatsoever inconvenience fall out, by impeding, molesting, or staying the free meeting, sitting, reasoning, or concluding of this present assembly, in matters belonging to their judicatiorie, by the word of God, lawes and practice of this Church, and the Confession of Faith, or in the observing and obeying the acts, ordinances and conclusions thereof, or execution to follow thereupon, That the same be not imputed unto us, or any of us, who most ardently desired the concurrence of his Majesties Commissioner to this lawfull assembly; But upon the contrary, that the Prelats and their adherents, who have protested and declined this present assemblie, in conscience of their owne guiltiness, not daring to abide any legall tryall, and by their mis-information have moved the Commissioner his Grace to depart and discharge this assemblie, be esteemed, repute, and holden the disturbers of the peace, and overthrowers of the liberties of the Church, and guiltie of all the evils which shall follow thereupon, and condignely cenfured according to the greatness of their fault, and acts of the Church and Realme: And to this end, Wee againe and againe doe by these presents cite and summon them, and everie one of them, to compare before this present generall assembly, to answer to the premises, and to give in their reasons, defences, and answers against the complaints given in, or to bee given in against them, and to beare probation led, and sentence pronounced against them, and conforme to our former cytations, and according to Justice, with certification as affeirs, Like as by these presents We summon and cyte all those of his Majesties Councell, or any other, who have procured, consented, subscrib'd, or ratified this present Proclamation to be resonsable to his Majestie and three Estates of Parliament, for their counsell given in this matter, so highly im-
porting his Majestie, and the whole Realme, conforme to the

7. And lastly wee protest, that as wee adhere to the former protestations all and every one of them, made in the name of the Noblemen, Barons, Gentlemen, Ministers, Burghes, and Commons; so seeing wee are surprized by the Commissioner his Graces sudden departing, farre contrary to his Majesties indition, and our expectation, wee may extend this our protestation, and adde more reasons thereunto in greater length and number, whereby wee may fully cleare before God and man the equitie of our intentions, and lawfulnesse of our proceedings: And upon the whole premises the foresaid persons, for themselves and in name aforesaid, asked Instruments. This was done in the high Church of Glasgow in publike audience of the Assembly, begunne in presence of the Commissioner his Grace; who removed and refused to heare the same to the end, the twenty eighth day of November; and upon the Mercate Croffe of Glasgow, the twentie ninth day of the said Moneth, the yeere of God 1638.

The Reader shall not need to looke after much reason in this protestation; for if he doe, he will be sure to lose his labour. Much is repeated in it, of that which hath beene delivered in their former petitions and protestations; all which shall now be passd by: what is new in it, the Reader shall doe well to cast his eye upon that, taking along with him this advertisement, That there is little or indeed nothing in it new, which is true. Towards the beginning you finde the Proteftation made, not onely in the name of the generall Assembly, but in the name of the Noblemen, Barons, Gentlemen, Ministers, Burgeses, and Commons, Subscribers of the Confession of Faith: Now how this Proteftation could be made at Glasgow in their names, who at that time neither were acquainted nor possibely could be acquainted with what passd at Glasgow, being in the severall parts of the Kingdome so farre distant from it,
it, and many parts having no Commissioners there, except those that were in the Assembly. We leave it to the Readers consideration. They affirm not many lines after, That it was made clear to Our Commissioner, that the assembly which he meant to indit in August, was dogged with such prelimitations, that he undertook another journey to V's, and promised to endeavour to obtaine a free generall assembly without any prelimitation, &c. All which is so farre from truth, as nothing can be more; for he did never desire the assembly to be prelimited, for they themselves by their instructions both publique and private did prelimitate it, he did onely desire, that (according to the usual custome before Assemblies) some previous meeting and consultation might be held concerning the forms of the Assembly; which might very well have been forgot, there having been no Assembly held for many yeeres before. Againe, in the last words at the end of the first section, one would wonder how any man could have the boldnesse to affirme, That this their Assembly was constituted of such members, as by all law, reason, and custome of that Church were ever admitted in their free Assemblies, since they in their own conscience doe know that there is no law extant for lay Elders having voice in generall Assemblies: And if there be no law for it, We appeale to the judgement of every man indued with reason, whether there can be any reason found for it, and whether if such a proposition were to be propounded, and to passe into a law, he would give his voice unto it if he had power to do, That lay-men (especially many of them, being ignorant and mechanicall persons) should sit in the highest Ecclesiasticall Judicatorie, and by their voices determine points of faith, and other highest points of doctrine, and to inflict the highest censures of the Church, even excommunication and deprivation, not onely of Ministers, but of Bishops, especially when in an Assembly the number of the lay-voices shall be equall or very neere equall to those of the Clergie, So that it may fall out, that the voices of the lay-men, having the voices but of twenty or thirtie Clergie men concurring with them in opinion, may carry the determination of the highest point
point of doctrine against the rest of the Clergie, and those perhaps the holiest, ablest, and most learned, though their number exceed a hundred. Sure if such a proposition were to be past into a law, few voices would be found to enact it; and therefore if there be no law for it already (as undoubtedly there is none) they might have done well not to have talked of reason for it. And that which they averre of the custome of that Church, is as untrue as what they said either of law or reason: for We demand if there have been never a free Assembly in Scotland these last forty yeeres? Sure they will confesse there hath been; and yet in none of these, lay Elders chosen by and sent from Presbyteries had voices in these Assemblies: nay, since the first Reformation, hath there been any free general Assembly in that Kingdome? No question they will say there hath; and yet We challenge them to name but any one Assembly before this, in which the Ministers chosen Commissioners to it from the severall Presbyteries, were chosen by the voices and suffrages of lay Elders: for that, for that point it is impossible they should alledge either law, reason, or custome, or so much as any one instance; and yet the elections of all the Ministers present at this Assembly were carried by the voices of lay-men, and in many places in despite of the Ministers.

A little after the beginning of the second section they do affirm that which they themselves doe know not to be so; for when they lay that Our Commissioner did unexpectedly depart and discharge any further meeting or proceeding in this Assembly, how can that stand with the words of the Earle of Rothes, who when Our Commissioner was rising and departing out of the assembly, told him, that his departure and discharging of the assembly was a thing not unlooked for, but expected by them; and therefore they were provided for him, and had a Protestation ready written against his discharging of the assembly, which he desired him to heare (as is before mentioned ∴ But Our Commissioner refusing, the Clerke presently begun to reade it, and Our Commissioners and Councell at their departure left them reading it, and after
his departure it was read out to the end, and presently put to voices whether all the members of the assembly would adhere to it; and the very Title page of their Proteftation affirneth, that it was first read in the high Church, and afterward at the Market-cross of Glasgow: Besides, the Moderator made a speech to Our Commissioner upon his departure, which none of the auditors did conceive to be extemporary; for when it was compared with any other speeches of his, delivered at any other time of the Assembly, it was agreed that it was so much better penned or premeditated and delivered then any of the rest of his speeches, that certainly it was provided against Our Commissioners departure; and yet these men protest that Our Commissioners departure and discharging of the Assembly was to them altogether unexpected; when they knew that they had carried themselves, and meant to carry themselves so, that it was impossible but that he should discharge the Assembly. A great mark of the sinceritie of their proceedings.

That which immediately after they add, That they have fully cleared in their answer to the Bishops Declinator all the arguments contained in it against the assembly, as also those propositions made by Our Commissioner in his 11. Articles or Demands, sent unto them before the indiction of the Assembly, and that Our Commissioner acknowledged so much, is all of equal untruth with the former; for neither have they satisfied the Bishops reasons propounded in their Declinator, nor gave they any satisfaction to Our Commissioner his eleven Articles or Demands: and that Our Commissioner acknowledged that hee had received satisfaction to them is so manifest an untruth, as they themselves doe know there is no colour for it: They affirme within a few lines after, that Our Commissioner did know, before the indiction of the Assembly, that ruling Elders were to have voices in the election of Commissioners from Presbyteries: He did know it indeed, but could not tell how to helpe it; and so soone as he did know it, which was immediately before the indiction of the Assembly, he did sharply expostulate it with them, and assured them, that it would
would induce a nullitie upon the elections made to the Assembly; That We would never allow any for members of the Assembly who were so chozen: That he had notice of this their intention by the complaints of many covenanting Ministers, who were resolved to protest against all such elections, but that he did know of any such elections with approbation of them, cannot be charged upon him. And whereas they say, that these elections are agreeable to the acts and practice of that Church, they have received already a sufficient challenge to make that good, which undoubtedly they cannot: And where they add, that not one of the Assembly doubted thereof, it is well knowne that some of the Ministers of Edinburgh, and many more Ministers of the Assembly did grieve at it, but did not know how to remedy it.

The whole third Section is so derogatory to Our Rovall authority, and indeed doth so unworthily debase the authority of Monarchs, as it is not to be answered any way but by justice: for it giveth no more power to Us, if We had beene present and sitting at the Assembly at Glasgow, then Thomas Patterson a Taylor of Edinburgh had, who late Commissioner there.

After, they subjoine some reasons for their Protestation: In the first, they affirm that the Assembly was constituted by the word of God; but they doe not prove it, and sure never will. Then they affirm, that Our Commissioner acknowledged the lawfulness of their Assembly, by assisting therin seven days; but they conceal that he solemnly protested, and entered his particular protestation against every thing they said or did in it; and if hee who protesteth against a thing, may be said to acknowledge the lawfulness of it, then it may be that they themselves doe acknowledge the justice and equitie of all Our Proclamations, and Our power and authority in discharging of this Assembly, notwithstanding all their Protestations made against these. And for Our Commissioner his exhibition of Our Rovall Declaration to be registred in the Bookes of this Assembly, lett the Reader remember the Protestatio before mentioned, which Our Commissioner made
Their second and third reasons are of their own fancies: They have lately sworn so, and to that sense they have explicated their Covenant, therefore it must so: But they did wrong in both, and therefore none must follow them in either, for every Oath unlawfully taken is unlawfully kept.

Their fourth reason hath not one true word in it, for there is Law for Our authority to dissolve the Assembly, there being an express Act of Parliament which giveth Us the sole power of indicting of an Assembly, viz, the first act of the 2i. Parliament of Our Royall Father: and sure, ejusdem

est desistuere etjus est inquiture, whosoever hath the power of indicting hath the power of dissolving. They add that there is no preceding practice for it. We wonder they can or dare affirm it: Did not Our Royall Father discharge that Assembly at Aberdene? and when some few turbulent Ministers did notwithstanding hold it, were they not convicted before the Lords of his Councell for it? who undoubtedly had punished them most severely, if by their declining of the Counsell's authority; and appealing to a General Assembly, they had not fallen into an act of treason, and so by Our Councell were turned over to the Judges in criminal causes; before whom, by a Jury or Assise, they were found guilty of treason, for that act of declining Our Royall Father and his Counsell's authority, all which we touched a little before. And that by claiming Our power to indict or dissolve the Assemblies of the Church, We doe infringe the priviledge and liberties of the Church, or doe any act not consistent with the Oath which We took in Our Coronation in that Kingdome, as is suggested in this fourth reason, is most falsely and most seditiously affirmed, only for drawing away of the hearts of Our good subjects from Us and our government. The Act of Parliament for Our sole power of indicting Assemblies here followeth:

A ratification of the Acts and conclusions set downe and agreed upon in the general Assembly of the Church, kept in Glasgow in the moneth of June 1610. together with an explanation made
The act is long and hath many branches. We only recite two: First, it confirmes that Act of the Assembly, which acknowledgeth the indiction of the generall Assembly of the Church, to appertaine to his Majestie by the prerogative of his Royall Crown: and in the last branch of the act, Our Royall Father and the three Estates doe annul and rescind the 114. Act of the Parliament held in Anno 1592, which did give some power to the generall Assembly, in some cases, of themselves to indict a new Assembly.

Their fifth reason containeth an instance of an Assembly that would not stay a Processe which they had intended against Archbishop Montgomery the Archbishop of Glasgow, nor yet dissolve it selfe, notwithstanding they were charged by Our Royall Father and his Councell with Letters of Horning and Rebellion to doe one of the two: An excellent argument, Because one Assembly did wickedly, and that which they could not doe, we must doe so likewise; as if many yeeres hence, an Assembly being charged by one of Our Successours to dissolve, should not obey, but alledge for their defence, That this Assembly of Glasgow would not dissolve it selfe, notwithstanding the members thereof were charged by Us to doe so under paine of reason; as if one unjust act could justifie another. But they shoud doe well to remember, that those who did but offer to hold an Assembly at Aberdene, after it was discharged by Our Royall Father, were first convented before his Councell, and afterwards severely punished for it.

In their sixth reason there is no Reason to be found.

In their seventh reason they alledge, that they cannot rise untill they have found Our Covenant and theirs to be all one. If by their Covenant they meane the Confession of Faith and Covenant annexed, which was first injoynd by Our Royall Father, and twice afterward by his authority renewed, then they needed not to have sit one houre longer for finding of that; for any man that can read may finde the
the words and syllables of both, to be the very same without the least alteration: But if by their Covenant they doe understand their explications, additions, and glosses which destroy and corrupt the very text of the first Covenant, then certainly they should not have risen yet, nor could have risen untill the end of the world, for they will never finde that these corrupt glosses, and apocryphall additions of their owne, can consist with Our Royall Father his Confession and Covenant, upon which they pretend they ground their owne. Besides, as shall presently appeare, they have discharged all men to subscribe the Confession and Covenant commanded by Our authority, which We suppose they would not have done if they had found them to be one; and therefore if they be men of their words, they should have sate still and not risen yet, because as yet they have not found them to be one.

After their seven reasons they add seven protestations of the same piece with their reasons: The first, third, fourth, and fifth are not worth the reading, for they conteine nothing but their usuall tautologies and taking the sacred name of God in vaine. In the second, and latter end of their sixth reason, there is so much boldnesse expressed, as could never have beene expected from any men who had been acquainted with the names of King, Law, Authoritie, or Government: For who ever heard that subjects durt require their Kings Commissioner not to depart out of the Assembly, when he himselfe had pleased, although he had not been commanded by Us so to doe? what greater command could they have laid upon the meanest member of the Assembly then this, by which they affronted Our Commissioner and in him Us and Our authority? But their citation of Our Councell, who signed Our Proclamation, to appeare as offenders before Us and Our three Estates of Parliament, (which by the way We wonder how they can bee made up without Bishops) and to answer the subscription of Our Proclamation as a crime, is a boldnesse that calleth more for admiration then refutation. They cite for this their doing the twelfth act of the second Parliament of Our Royall Progenitor James the fourth.
fourth. We wondered that in his dayes there should be any warrant found for the allowing the members of a generall Assembly in anything, in whose time a generall Assembly had no existence: but when we looked upon the act, we wondered much more; for there is not so much as any word to bee read there, which can bee drawne to any new of construction that way. That act attributeth rather too much to Privie Councellours, then diminisheth them; so that upon perusal of the act, We were almost inforced to excuse them, and lay the fault upon the Printer, who had mistaken the citation, untill Wee remembred that in their citations both of other acts of Parliament, and many passages of holy Scripture, they are as farre out as in this, hoping (belike) that the Reader would never peruse them. That which they affirme about the middle of the sixth Protestation, that the Prelates moved Our Commissioner to dissolve the Assembly, We must averre upon Our owne knowledge to be farre otherwise; for he did it by Our speciall commandement, when none of the Prelates were neere Us to give Us any such advice. Their seventh Protestation is usuell with them, and therefore now not to be taken notice of.

And now when the Reader hath perused both Our Proclamation for the dissolving of that Assembly, and their Protestation against that Our Proclamation, and hath well weighed all the precedent first violences, and then jugglings for their obtaing of such persons onely to be elected, as should be sure to stand for such conclusions as they had resolved upon at their Tables at Edinburgh, We doe leave it to the judgement of every man to consider whether Wee could any longer continue that Assembly without indangering Our owne Royall authoritie, which they intended to supplant, and betraying into the hands and power of their tworne and combined enemies the Bishops of that Church, who never declined, nor yet doe decline the tryall of a generall Assembly lawfully constituted.

They did long call for a free generall Assembly; Wee granted them one most free on Our part, and in Our
intensions: But as they have handled and marred the matter, let God and the World judge whether the least shadow or footstep of freedome can in this assembly of theirs be discerned by any man who hath not given a Bill of divorce both to his natural light, that is, his Understanding, and to his connatural light, that is, his Conscience. It is a great error to conceive, that libertie and limitation are destructive one of another: for that freedome which admitth no bounds and limits, is not libertie but licentiousnesse: When therefore they talked of a free general assembly, We took it as granted that they meant not an assembly in which every one both in the necessary preparations preceding it, and in the necessary proceedings in it, might say and doe what he would; but such an assembly, in which no man having interest, should be barred either in the proceedings to it, or proceedings in it, of that libertie which the laws or customes of that Kingdome and Church in which that assembly was convocated, doe allow him: which two bounds whatsoever shall transgresse, though they pretend libertie and freedome, yet in all true intendment and construction, they must be taken either for professed and common, or clandestine enemies to the freedome of that assembly. What wrestling and wringing was used in their last Prouestation made at Edinburgh, to charge Our gracious Proclamation with prelimitations, is known; and it was detested by many even of their owne Covenant. Whether their courses, especially in the elections of the members of this assembly, were not onely prelimitations of it, but strong barres against the freedome of it, and such as did utterly destroy both the name and nature of a free assembly, inducing upon it many and maine nullities, besides the reasons contained in the Bishops Declinator, let these few particulars declare.

First, whereas they refused so much as to heare from Our Commissioner of any precedent treatie for repairing and right ordering of things before the Assembly, alledging that it could not be a free Assembly where there was any consultation before, either concerning the chusers, or those to be 

R 2 chosen,
chosen, or things to be discussed in the Assembly, but that all things must be treated of upon the place, else the Assembly must needs be preliminated. Whether they did not transgress in all these particulars is easy to be discerned: For besides these instructions, which it may be are not come to Our knowledge, We have seen, and Our Commissioner at the Assembly did produce four several papers of instructions, sent from them, who call themselves the Table, all of them containing preliminations, and such as are repugnant not only to that which they called the freedome, but to that which is indeed the freedome of an Assembly: Two of these papers were such as they were content should be communicated to all their associates, viz., that larger paper sent abroad to all Presbyteries, before or about the time of Our indiction of the Assembly, and that lesser paper for their meeting first at Edinburgh, then at Glasgow some few days before the Assembly, and for choosing of assessors; These two papers Our Commissioner delivered not into the assembly, because they did publicly avow them: But their other two papers of secret instructions were directed, not from the Table publicly, but under-hand, from such as were the prime Leaders of the rest; The one of them was delivered or sent only to one Minister of every Presbytery whom they trusted most, and was only to be communicated to such as he might be confident of, and was quite concealed from the rest of the Ministers, although Covenanters: The other paper was directed only to one lay-Elder of every Presbytery, to be communicated as he should see cause, and to be quite concealed from all others: These are the two papers which before you heard were delivered by Our Commissioner into the assembly, and they did contain directions, which being followed (as they were) did banish all freedome from this assembly, as doth appeare before, by the reading of the papers themselves.

2. The second: Some Presbyteries did choose their Commissioners before the assembly was indicted, and therefore those Commissioners could not lawfully have any voice there.
The third: Neither lay-Elder, nor Minister chosen Commissioner by lay-Elders, could have voice in the Assembly, because such elections are not warranted by the laws of that Church and Kingdom, nor by the practice and custom of either; for even that little which seemeth to make for their lay-Elders, is onely to be found in these bookes, which they call the bookes of Discipline, which were penned by some private men, but never confirmed either by Act of Parliament, or Act of generall assembly; and therefore are of no authoritie: And yet in these elections they did transgress even the rules of these bookes, there being more lay-Elders who gave voices at every one of these elections, then there were Ministers; contrary to their bookes of Discipline, which require that the lay-Elders should alwaies be fewer. But say there were an Ecclesiastical order or law for these lay-Elders, yet the interruption of that order for above fourtie yeeres, maketh so strong a prescription in that Our Kingdom against it, as that without a new reviving of that law by some new order from the generall assembly, it ought not again to have been put in practice: For if We should put in practice and take the penalties of many dis-used lawes, without new intimation of them, it would be thought by Our subjects hard usage.

The fourth: In many Presbyteries these lay-Elders disagreed wholly in their election from chusing those Ministers whom their owne fellow-Ministers did chuse, and carried it from them by number of voices, although in all reason the Ministers should best know the abilities and fitnesse of their brethren.

The fifth: These men elected as lay-Elders to have voices in this assembly, could not be thought able and fit men, since they were never Elders before, all or most of them being newly chosen; some of them were chosen lay-Elders the very day before the election of the Commissioners to the assembly, which sheweth plainly they were chosen onely to serve their associates turne.

The sixth: Since the Institution of lay-Elders by their own principles
principles is to watch over the manners of that people in that Parish wherein they live, how can any man be chosen a Ruling-Elder from a Presbytery, who is not an inhabitant within any Parish of the precinct of that Presbytery? And yet divers such, especially Noblemen, were chosen as lay-Elders Commissioners from Presbyteries, within the precincts whereof they never were inhabitants, against all sense or reason, even upon their owne grounds.

7. The seventh: They can shew neither law nor practice for choosing assessors to the Ruling-Elders, without whose consent they were not to give voice to any thing in the Assembly.

8. The eighth: The introducing of lay-Elders is a burthen so grievous to the Ministers, as that many Presbyteries did protest and supplicate against them, and many Presbyteries (though they were in a manner forced to yeeld to it then) yet did protest against it for the time to come.

9. The ninth: In the election of Commissioners to this assembly, for the most part the fittest men were passe by, and few chosen who ever were Commissioners at any assembly before: the reason was, they conceived that new men would not stand much for their owne libertie in an assembly, of the liberties whereof they were utterly ignorant: Besides, some were chosen who were under the censures of the Church, some who were deprived by the Church, some who had been expelled out of the University for reading to their Scholars against Monarchicall government, some who had been banished out of that Kingdom for their seditious Sermons and behaviour, some who for the like offences had been banished out of Ireland, some who were then lying under the sentence of excommunication, some who then had no ordination or imposition of hands, some who had lately been admitted to the Ministerie, contrarie to the standing lawes of that Church and Kingdom, and all of them were chosen by lay-Elders: Now what a scandal was it to the Reformed Churches, to allow this to be an assembly, which did consist of such members, and so irregularly chosen?

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The tenth: Divers members of this Assembly, even whilst they were there, were Rebels, and at Our Hone, and so by the lawes of that Our Kingdome incapable of sitting as Judges in any Judicatorie.

The eleventh: Three oathes were to bee taken by every member of this Assembly: the oath to the confession of faith lately renewed by Our commandement, the oath of Allegiance, the oath of Supremacie, any of which three oathes whosoever shall refuse, cannot sit as a Judge in any Court of that Kingdome; and yet none of all these three oaths were sworne by any member of this Assembly.

Besides these nullities of this Assembly, what indecencie and rudenefse was to be discerned in it? not so much as the face of an Ecclesiastical meeting to be seen, not a gowne wore by any member of it, unless it were by one or two Ministers who lived in the Towe, the appearance in a manner wholly Laicall; amongst the members of it were seven Earles, ten Lords, forty Gentlemen, one and fifty Burgesses; many of them in coloured clothes, and swords by their sides, all which did give voices not onely in very high points of controversy (which We are sure very many of them did not understand,) but also in the sentences of excommunication pronounced against the Bishops and others: Nay and more, all things in the Assembly carried by the sway of these lay Elders, in so much that all the time which Our Commissioner stayed in the Assembly, it was a very rare thing to heare a Minister speake; for there was one Earle, and one Lord who spake farre more then all the Ministers, except the Moderatour. And in the Assembly every thing which was put to voices, was so clearly discerned to have been resolved amongst themselves before by a palpable pre-agreement, that it was very tedious to the auditors to heare the Lift of the Assembly called, when the conclusion of it was knowne to them all, after the hearing of his voice who was first called; which made some present to envie no member of the Assembly but one, whose fortune it was ever to be first called, his name being set downe first in the Lift; his name was Mafter
Master Alexander Car/e Minister of Polwart, one of the Commissioners from the Presbyterie of Dunce: For if the Acts of this Assembly should come out in Latine, and be thought worth any thing in the Christian world, and withall it should be expressed that the Lift of the members of it was called to the passing of every Act, and his name should ever be found to be the first, there was never a Father nor Bishop, whose name is in any of the Greeke or Latine Councells, so famous as this man should now be: for he would be taken for a man of an unparalleled judgement both for soundnesse and profoundnesse, from whose judgement not one of the whole Assembly (except one, and that but once) did ever swerve in the least particular; for as he begun, all the rest did constantly follow.

All these things being well considered, what hope could be conceived of any good, either for the Church or Kingdome, from an Assembly thus miterably constituted? And therefore We resolved to dissolve it, as knowing that it would make that Church and Kingdome ridiculous to the whole World, especially to the Adversaries of Our Religion, that it would both grieve and scandalize all the other Reformed Churches, and make Our Justice to bee universally traduced, if We should have suffered the Bishops Our subjects, in that which concerned their callings, their reputations and fortunes, to be judged by their sworne enemies thus prepared against them.

After Our Commissioners departure from Glasgow, they still continued their Assembly notwithstanding Our dissolving it by Proclamation under paine of treason: And then immediately the Earl of Argyle, who indeed all this while had beene the heart of their Covenant, begun to declare himselfe openly to be the head of it; for he presently adjoined himselfe to them, and continually with them in the assembly, although he were no member of it, nor had suffrage there, but late onely as their chiefe director and countenancer, and indeed like Our Commissioner.

It was not to be expected that after We had dissolved the assembly,
assembly, they would observe any greater moderation in their proceedings then they had done before: nor did they indeed, for all things passed in a hurrying confusion, nothing argued publikely, but every particular referred to some few Committees, who were the most rigidest they could pick out of the whole packe: what they resolved on, was propounded presently to the assembly, swallowed downe without further discussing; Mr. Alexander Carfe, was called up, what hee said first all the rest said the same. In one houre they declared six generall assemblies to bee null and void, though two of them were then and are still in force by severall acts of Parliament, and divers acts of the other four are ratified and confirmed by Parliament. In another houre they condemned, upon the report of a few Ministers, all the Arminian tenets (as they call them) and, under that name, many things received by all the Reformed Churches: a strange way, to condemn the Arminian tenets without defining what those tenets were. In another houre, they deprived the Archbifhop of Saint Andrews, the Bifhops of Galloway and Brechen, and so at other times all the rest of the Bifhops, many of whom they likewise excommunicated: where it is observable, that in the printed acts of this their (now after Our dissolving of it) pretended assembly, the acts of the depositions of the Bifhops beare no such odious crimes, as they had made Our people beleive they were guilty of in that infamous libell which they caus'd to be read in the Pulpits against them; for profe which of We have caus'd one of their sentences of deposition to be here inserted, whereby it may bee seen that not so much as one witneffe was examined, nor offered to bee produced against them for any one of those fearefull crimes with which they were flander'd in the libell, but were onely deposed for their obedience to acts of Parliament, and generall assemblies.
Sentence of deposition against Mr. John Guthrie pretended Bishop of Murray; Mr. John Graham pretended Bishop of Orknay; Mr. James Fairly pretended Bishop of Lismoir; Mr. Neil Campbell pretended Bishop of Isles.

The general Assembly having heard the libels and complaints given in against the foresaid pretended Bishops, to the Presbytery of Edinburgh, and sundry Presbyteries within their Diocese; and by the said Presbyteries referred to this Assembly to be tried: The said pretended Bishops being lawfully cited, oftentimes called, and not appearing, proceeded to the cognition of the complaints and libels against them; and finding them guilty of the breach of the cautions agreed upon in the Assembly at Montrose Anno 1600, for restricting of the Minister to vote in Parliament, from incroaching upon the liberties and jurisdictions of this Kirk, which was set downe with certification of deposition, infamy, and excommunication; and especially for receiving consecration to the office of Episcopacie, condemned by the Confession of Faith, and Acts of this Kirk as having no warrant nor foundation in the word of God; and by virtue of this usurped power, and power of the high Commission, pressing the Kirk with novations in the worship of God; and for their refusal to undergo the trial of the reigning slander of sundry other grosse transgressions and offences laid to their charge. Therefore the Assembly, moved with zeal to the glory of God, and purging of this Kirk, ordains the saids pretended Bishops to be deposed, and by these presents doth depose them, not only of the office of Commissioner to vote in Parliament, Council, or convention in name of the Kirk; but also of all functions, whether of pretended Episcopal or ministerial calling. And likewise in case they acknowledge not this Assembly, reverence not the constitutions thereof, and obey not the sentence, and make not their repentance, conforme to the order prescribed by this Assembly, ordains them to be excommunicated, and declared to be of these whom Christ commanded to be holden by all and every one of the faithful as Eshbicks and Publicans; and the sentence of excommunication to be pronounced upon their refusal, in the Kirks appointed by any of these who are particularly named, to have the charge of trying their
their repentance or impenitency, and that the execution of this sentence bee intimate in all the Kirkes within this Realme, by the Passours of every particular Congregation, as they will bee answerable to their Presbyteries and Synods, or the next general Assembly, in case of negligence of the Presbyteries and Synods.

In another houre they declared Episcopall government to bee inconsistent with the lawes of that Church and Kingdom, and so abolished it for ever, though it did then, and doth still stand confirmed by many Acts both of Parliaments and Assemblies: they deprived the Ministers, whose hands were at the Protestations against lay Elders and elections made by them: some Ministers they deprived for Arminianisme; a course never heard of in any place where any rule of justice was observed, that a Minister should be deprived for holding any tenet which is not against the doctrine of that Church wherein he liveth, and that before it bee prohibited, and condemned by that Church: Now there is nothing in the confession of that Church against these tenets. At the Synod of Dort no man was censured for holding any doctrine against the conclusions of it, before the Synod had determined against them, nor was he to be censured for any thing he had preached or printed, before that Synod did tender unto him their Canons to bee subscribed: But at Glasgow no such course was taken, but Ministers were deprived without so much as ever being once asked the question whether they held any such opinion; or if they did, whether they would now recall their opinions, and conforme their judgements to the judgement of the Assembly in these points. Some of their Ministers being asked the question, With what conscience or justice they could deprive their brethren for holding opinions not condemned by that Church, who perhaps after their Church had condemned them, out of their love to the peace of their Church would have forborne any further medling with them; They returned this weak answer, That these tenets were condemned by that Church under the generall name of Popery:
Popery: But they could make no answer when it was told them, That certainly these tenets could not be counted Papish, concerning which, or the chiefe of which, as learned Papifts as any in the World, viz. the Dominicans and Jesuites did differ as much as the Protestants did; and that those who doe adhere to the Augustan confeffion, did hold that side of these tenets which the Arminians doe hold, and yet they were very far from being Papifts, being the first Protestants; and therefore it was against all fenfe to condemne that for Popery, which was held by many Protestant Churches, and rejected by many learned Papifts But all would not serve; they would deprive Ministers for holding them, before they themselves had condemned them. In the deprivation of one of these Ministers there did fall out a memorabel passage, which was this: The Moderator of the Assembly, after the sentence of a Ministers deprivation, was pleased to move this learned question to the Assembly, Whether, if this deprived Minister should baptize a childe, the childe must not be baptized againe? But he was presently taken off by one of his brethre, who it seemeth was much ashamed of such a question, and told him, That they did never re-baptize those who had beene baptized by Papish Priests; and so all further talke of it was hushed. What conclusions were to bee expected from an Assembly whose Moderator moved such an ignorant and grosse question, is easie to be conjectured.

And the weakness of their conclusions would easily appear, if all their severall Acts were printed; but because the Reader shall be able to make some judgement of them, We have here caused an Index of the titles of their Acts to bee inserted, by which may be seen what they hold.

An Index of the principall Acts of the Assembly at Glasgow, 1638.

Sundry Protestations betwixt the Commissioner his Grace and the members of the Assembly.

Matter Archibald Johnston his admission to bee Clerke, and his production
production of the Registers of the Church, which were preferred by God's wonderfull providence.

An Act disallowing any private conference, and constant Assessors to the Moderator.

The Act ratifying the authentickness of the Registers, with the reasons thereof.

The Act registering his Majesties will given in by his Commissioner.

The Act bearing the Assemblies Proclamation against the dissolution thereof.

The Act deposing Master David Michel Minister at Edinburgh.

The Act deposing Mr. Alex. Gladstones Minister at S. Andrews.

The Act annulling the six late Assemblies holden at Linlithgow 1606. and 1608. at Glasgow 1610. at Aiberdene, 1616. at Saint Andrews, 1617. at Perth, 1618. with the reasons of the nullity of every one of them.

The Act declaring the nullity of the oath exacted by Prelats from Intrants [ id eft, Such as are instituted to Benefices.]

The Act deposing Master John Creichtone Minister at Paisley.

The Act condemning the Service Book.

The Act condemning the Book of Canons.

The Act condemning the Book of Ordination.

The Act condemning the High Commission.

The Sentence of deposition, and excommunication of the sometime pretended Bishops of Saint Andrews, Glasgow, Rossie, Gallochay, Brichen, Edinburgh, Dumblane, Aiberdene.

The sentence of deposition against the sometime pretended Bishops of Murray, Illes, Argyle, Orknay, Cachnes, and Dunkell.

The large Act clearing the meaning of the Confession of Faith made Anno 1580. as abjuring and removing Episcopacy.

The Act declaring the five Articles to have beene abjured and to be removed.

Sentence of deposition against Master Thomas Forrester.

Sentence of deposition against Master William Abannan.

Sentence of deposition against Master Robert Hamilton Minister at Glasford.

Sentence of deposition against Master Thomas Mackene.

Act anent the Presbytery of Auchtierardours present seat at Abernake for the time.

Act restoring Presbyteries, Provinciall, and generall Assemblies to their constitution, of Ministers and Elders, and their power and jurisdiction contained in the Book of policie.

Act erecting presbyteries in Argyle.

Act referring to the Presbyteries the consideration of their meetings.

Act concerning the Visitatation of particular Kirks, Schooles, and Colledges.

Act against non-Residents.
Act concerning the planting of Schooles in the Country.
Act concerning the power of Presbyteries admission of Ministers, and choosing of their Moderators.
Reference to the Presbyteries anent the competency of Parochioners and Presbyteries.
Act concerning the entry and conversation of Ministers, ratification of the Act 1598.
Act of reference to Presbyteries concerning the defraying of the expences of the Commissioners.
Act of reference concerning reprieving of Popery and Superstition.
Act of reference to the Presbyteries concerning the more frequent celebration of the Lords Supper.
Act of reference concerning markets on Munday and Saturday within Burrowes.
Act against the profanation of the Sabbath for want of afternoones exercise.
Act against the frequenting the company of excommunicate persons.
Act setting downe the Roll of Provinciall Assemblies, and some orders thereanent.
Act of reference against milnes and salt pans.
Act anent the order of receiving the repentance of any penitent Prelates.
Act anent the excommunicating of the Ministers depofed, who do not obey their sentence.
Act against those who speake or write against the Covenant, this Assemble and constitutions thereof.
Act of reference anent the voicing in the Kirk Sessions.
Act condemning * Chapters, Archdeauns, preaching Deacons, and such like Popish trauh.
Act against the obtruding of Pastors upon people.
Act against marriage without Proclamation of Banes.
Act against funerall Sermons.
Act anent the triall of expectants; [that is, such as are not posseffed of any Benefice.]
Act anent the admisision of Master Archibald Johnston to be Advocate, and Master Rob. Dalgleish to be Agent for the Kirk.
Act anent the transplantation of Master Alexander Henderson from Leuchars to Edinburgh.
Act of reference to the Presbyteries and Provinciall Assemblies, to take order with Salmon-fishing.
Act of transporting Mr. Andre Cant from Pitfligo to Newbotle.
Act condemning all civill offices in the persons of Ministers separate to the Gospel, as to be Justices of peace, sit in Session or Counsell, to vote or ride in Parliament.
Act concerning a Commission for complaints about Edinburgh.

* Which offices were in the Church of Christ long before Popery was known or heard of in the world.
Another Commission to sit at Jedburgh.
Another Commission to sit at Irvine.
Another Commission to sit at Dundee.
Another Commission to sit at the Chancelleries and Forres.
Another Commission to sit at Kirkcubright.
A Commission for visitation of the Colledge of Aberdeens.
A Commission for visitation of the Colledge of Glasgow.
Act against Salmon filling, and going of milines on the Sabbath day.
Act appointing the Commissioners to attend the Parliament, and Articles which they are to represent in name of the Kirke to the Estates.
Act ordaining the Commissioners from Presbyteries and Burrowes profently to get under the Clerks hand an Index of the Acts, and hereafter a full extract of them, which they are bound to take back from the Assembly to the Presbyteries and Burrowes.
Act ordaining the Presbyters to intimate in their severall pulpts the Assemblys explanation of the Confession of faith, the Act against Episcopacy, the Act against the five Articles, the Act against the Service booke, booke of Canons, booke of Ordination, the High Commision, the Acts of excommunication and deposition against some Prelates, and Act of deposition only against some others of them.
* An Act discharging Printers to print any thing either anent the Acts or the proceedings of this Assembly, or any tractie which concerns the Kirke, without a warrant under Master Archibald Johnston hand, as Clerk to the Assembly, and Procter for the Kirke, and that under the paine of all Ecclesiasticall cenfure to bee intimate with other Acts.
Act ordaining the Covenant subscribed in Febr. now to be subscribed with the Assemblys Declaration.
* Act discharging all subscription to the Covenant subscribed by his Majesties Commissioner and the Lords of the Councell.
Act ordaining all Presbyteries to kepe a solemn thanksgiving in all Parishes, for Gods blessing, and good success in this Assembly, upon the first convenient Sabbath.
Act against those who are malicious against this Church, decliners or disobeyers of the Acts of this Assembly.
Act warranting the Moderator and Clerk to give out summons upon relevant complaints, against parties to compare before the next Assembly.
Act renewing the privileges of yearely generall Assemblies, and of them, prae nata, and appointing the sixth Wednesday in July next in Edinburgh for the next generall Assembly.
Act that none bee chosen ruling Elders to sit in Presbyteries Proviscional, or generall Assemblies, but those who subscribe the Covenant as it is now declared, and acknowledges the constitution of this Assembly.

* A prety act, that We must print nothing concerning Ecclesiasticall policie and government, unless John-ron will give us leave.
* A most treasonous act, for the very terms and words of it contain high treason.
By these it is easy to be discerned what conclusions, tending to Sedition and Rebellion, and the overthrow of the laws both of Church and Kingdom, were agreed upon; what false, nay and what foolish positions there were established. For instance, Had it not been enough to have removed Episcopall government, the five Articles of Perth, and the other pretended innovations, if they had been furnished with lawful power so to doe? No, but they will have it concluded, that all these were abjured in the confession of faith when it was first sworne; which no reaonable man can beleive, and which they themselves did allow in many not to abjure when they first swore their Covenant, and to which many Ministers, members of this Assembly, had sworne at their admision into their Benefices, according to the Acts of Parliament, and Acts of generall Assembly provided in that case; And so by swearing that these things were abjured in the first confession, they make them professe that they had perjured themselves in taking the other oath of their conformity to these pretended innovations: Upon which rocke one Minister of the Assembly finding himselfe to bee set fast, when that Act was voiced unto which declared Episcopall government, and the five Articles of Perth to have beene abjured formerly, and so to bee for ever removed: Mr. Robert Baylie voiced thus, Removed but not abjured, to the great scandall of the rest of the Assembly, hee being reputed for one of the ablest men in it. But the Act was drawne up in these termes, Abjured and removed, by the voices of all the Assembly, except his alone, who, knowing that all the Acts were particularly to be read and voiced to againe, had drawne up
up a supplication to the Assembly in the name of those Ministers, who before had conformed themselves to the five Articles of Perth, for a mitigation of that Act, at least that it might receive a publick hearing and arguing, which the rest having knowledge of, when that Act came to be read and voiced to again, one of the Lords, who was a lay-Elder, persuaded with the Clerk, that in calling the Lift this Minister his name should be omitted, and so the Act passed without so much as asking of his voice, who had his supplication ready when he should be called upon by his name, but perceiving that the omission of his name was purposely done, he durst stirre no more in it, for feare of publick envy, and some private mischief which might be done unto him; And yet you must think this was a most godly and free Assembly.

Towards the end of their Assembly, they divided themselves into several Committees, which should after their rising see all their Acts put in execution, a thing never heard of before in that Church. The Moderator concluded with thankes to God for their good success, and then to the Nobility and the rest for their great paines, and last of all with a speech to the Earl of Argyle, giving him thankes for his presence and counsel, by which they had been so much strengthened and comforted: The Lord Argyle answered him with a long speech, first, intreating all present not to misconstrue his too late declaring himselfe for them, protesting that hee was always at their way, but had delayed to profess it so long as hee found his close carriage might bee advantageous to their cause; but now of late, matters had come to such a height, that hee found it behoved him to adjoin himselfe openly to their societe, except hee should prove a Knave, (this was, as We are informed, his owne word:) Then hee went on and exhorted them all to unitie, wifhing all, but especially the Ruling Elders and Ministers, to keepe a good correspondence, intreated all the Ministers to consider what had brought the Bishops to ruine, viz. pride and avarice, and therefore willed them to shun these two rocks if they would escape shipwreck.

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The Lord who delivered this speech, delivered indeed the true meaning and sense of the Covenanters: for it was neither the Bishops bringing in the pretended innovations, nor their suspecting them to be guilty of the odious crimes expressed against them in their Libell, which incensed this and the other Covenanting Lords against the Bishops, but their fear of their daily rising in dignity and place, which in this speech is called pride in them; and their fear that the Bishops might recover out of their hands by law some of the Church lands belonging to their Churches, which in this speech is called avarice in the Bishops. In the mean time, whether it be not pride in these Lords to envy any man rising in the Church and Commonwealth, according to that worth and sufficiency which his Prince shall finde in him, and whether it be not avarice in them not to endure that other men should legally seeke to recover their owne from them, shall be left to the judgement of the indifferent Reader. But for this revolted Lord who made this speech, and professeth in it, That if he had now not adjoynd himselfe to them, he should have proved a Knave, We can give this testimony of him, That at his last being here with Us in England (at which time We had good reason to mistrust him) he gave Us assurance that he would rest fully satisfied, if We would performe those things which We have made good by Our last gracious Declaration (in which We have granted more than We did at that time promise) so that We had little reason to expect his adjoyning himselfe to them, who had given Us so great assurance to the contrary, besides that assurance which hee gave to Our Commissioner when hee was in Scotland. And now if by his owne confession hee carried things closely for the Covenanters advantage; being then one of the Lords of Our secret Councell, and that in the end he must openly joyne with them or be a Knave; what he hath proved himselfe to be by this close and false carriage, let the World judge. Our Commissioner, after he had by Our commandement dissolved the Assembly, hearing that they who remained
Itill at Glasgow under the name of an Assembly, went about to put such a sense upon that confession of faith and bands annexed, which we lately had commanded to be renewed, as agreed best with those corrupt glosses and false interpretations, which by their owne Covenant they had put upon it, as if Episcopal government had now by our commandment been abjured; and so did begin to magnifie Our Covenant, and resolved to declare it to be all one with their owne, though they had in their Pulpits called it the depth of Sathan, and had assured their followers, that it could not bee sworn unto without perjurie, and that even after that Act of Couneell, upon which they did ground their interpretation, hee having perused Our instructions which required him not to suffer the confession of faith to be sworn in any sense, which might not consist with the laws of that Church and Kingdom then in force; thought it convenient to print a Declaration of Our cleare meaning and intention in requiring that oath, which so soone as it was published, made them quite change their minds, and prohibit the subscription to Our Covenant, which they had immediatly before so much extolled: Our Commissioners Declaration wee have here caus'd to bee reprinted together with their printed answer to it, because wee are confident both by Our owne judgement, and the judgement of others who have perused them both, that the five reasons contained in Our Commissioners Declaration stand yet unshaken for any thing delivered in their answer unto them; and that as strongly as the Divines of Aberdenes first Queries, Replies and Duplies doe. Our Commissioners explanation followes.

An Explanation of the Oath and Covenant.

Whereas some have given out that by the Act of Couneell, which explaineth the Confession of Faith lately commanded to bee sworn by his Majestie, to bee understood of the Confession of Faith, as it was then professed and received, when it was made, and that in that Confession, defence both of the doctrine and discipline then established is sworn, at which time Episcopal government being (as they say)
say) abolished, it must needs follow, that the same government is by this late oath abjured.

And understanding that even amongst those who continue together, still at Glasgow, under the name of a pretended and unlawful general Assembly, this objection is held to bee of some moment, and used by them to the great disturbance of the peace of this Church and Kingdom, and to the great disquieting of the minde of such his Majesties good subjects as have taken the said Oath, and yet never meant nor done meant to abjure Episcopal Government; and to perforce others, that if they shall take the same Oath thus explained by the said Act of Council, by so doing they must likewise abjure the said government.

Wee James Marqueffe of Hamiltoun, his Majesties High Commissioner, wondering that any such scrupulous misconception should be made of his Majesties gracious and pious intentions, and being desirous to remove all doubts from the minde of his Majesties good subjects, & to keep them from being poysoned by such as by forced and forged inferences would make them beleeve, that they had actually by taking that Oath sworn that which neither virtually nor verily they have sworn, or ever intended to swear, or was required by Authoritie to be sworn by them, either directly or indirectly: considering that all Oathes must be taken according to the minde, intention & commandement of that Authoritie which exacteth the Oath; and that we, by special commandement from his sacred Majestie, commanded the said Oath to be administered, we doe hereby freely and ingenuously profess and declare our minde and meaning herein, as we have constantly here-fore done since our comming into this Kingdom about this employment: viz. That by any such words or Act of Council we never meant or intended that Episcopal government should bee abjured, nor any thing else which was established by Acts of Parliament; or Acts of the Church of this Kingdom which are now in force, and were so at the time of the taking of the said Oath.

Nor indeed could we have any other intention or meaning, being clearly warranted and expressly commanded by his Majesties instructions, to exact the said Oath, and take order that it should be sworn throughout the Kingdom in that faire and lawfull sense, and none other. Neither in this point did we deliver our owne words, or his Majesties minde ambiguously or doubtfully, so as any other sense, to our thinking, could bee picked or wrung out of either the one or the other, for wee doe attest the Lords of the Council, whether wee did not to mane, or all of them upon several occasions in conference with them ever since our comming into this Kingdom, constantly declare unto them, that his Majesties resolution was not to suffer Episcopal government to be abolished: Wee attest all the Lords of Session, whether before our tendering of that Oath to them, or their Lordships taking of it, wee did not fully and freely declare to them, that his Majesties minde in commanding us to see this Oath taken, and our own minde in requiring them to take it, was one to settle and secure the
Religion and Faith professed in this Kingdom, but was not to be extended to the abjuring of Episcopall government, or any other thing now in force by the Lawes of this Church & State at the time of administering this Oath, which their Lordships, being the reverend and learned Judges of the Lawes, knew well could not be abjured, after which peripicuous predeclaration of our minde, their Lordships undoubtedly in that same sense and none other took the said Oath.

And now, good Reader, having heard his Majesties minde and intention, & in pursuance of them the minde of his Majesties High Commissioner concerning this Oath, the reasons to repell the former objection seeme to bee needless (the knowne minde of the supreme Magistrate who urgeth an Oath, being to be taken for the undoubted sense of it,) yet for as much as that objection hath of late beene mainly urged for alienating the mindes of many of his Majesties good subjects, and well affected to that government, from adhering unto it, be pleased to know, that the former objection hath neither shew nor force of reason in it, and that by the said Oath and that explanation set down in the Act of Council, Episcopall government neither was, nor possibly could be abjured, and that for many reasons, but especially these five, which we having seen and approved, have caus’d to be here inserted, and leave them to thine impartiall consideration.

First, God forbid it should be imagined that his Majestie should command his subiects to take an Oath which in it selfe is absolutely unlawful; but for a man to sweare against a thing which is established by the Lawes of Church & Kingdom in which he liveth (unless that thing be repugnant to the Law of God) is absolutely unlawful, until such time as that Kingdom and Church doe first repeale those Lawes; and therefore Episcopall government, not being repugnant to the Law of God, may, being consonant unto it, as being of Apostollical institution (which shall be demonstrated if any man please to argue it) and standing fully established, both by Acts of Parliament, and Acts of general Assembly at the time when this Oath was administered, to abyre it before these Acts be repealed, is absolutely unlawful, and against the word of God: and it is to be hoped no man will conceive that his Majestie meant to command a thing absolutely unlawful. And if it should be said, as it is said by some, (who not being able to avoid the force of reason, doe betake themselves to pitiful shifts and evasions) that these Acts of Parliament and Assembly, establishing Episcopall government, were unlawfully and unduly obtained; certainly if they have any reasons for this their bold assertion, which is of a more dangerous consequence then that it ought to be endured in any well settled Church or Common-wealth; these reasons may be presented lawfully to these judicatries to entreat them to reduce the said Acts, if there shall bee strength and validity found in them: But to hold, that until such time as these judicatures shall repeale the said Lawes, they either ought to bee, or can possibly bee adjuerd, is a wicked position, and destructive of the very foundation of justice.
fice both in Church and Common-wealth.

Secondly, it cannot bee imagined that this Oath should oblige the now takers of it farther then it did oblige the takers of it at first: for doctrine and points of faith it did oblige them then, and so doth it us now, perpetually, because these points in themselves are perpetually, immutable, and eternall: But for points of discipline & government, and policie of the Church, that Oath could bind the first takers of it no longer then that discipline & government should stand in force by the Lawes of this Church and Kingdome, which our Church in her positive Confession of Faith printed amongst the Acts of Parliament, Artic. 20. 21. declareth to bee alterable at the will of the Church it selfe, and so repeallable by succeeding Acts, if the Church shall so cause. When a King at his Coronation taketh an Oath to rule according to the Lawes of his Kingdome, or a Judge at his admission swears to give judgement according to these Lawes, the meaning of their Oaths cannot be that they shall rule or judge according to them longer then they continue to bee Lawes: but if any of them shall come afterwards to bee lawfully repealed, both King and Judge are free from ruling and judging according to such of them as are thus lawfully repealed, notwithstanding their originall Oath. Since therefore if the first takers of that Oath were now alive, they could not bee saide to have abjured Episcopal government, which hath been since establisht by Lawes of this Church & Kingdome, especially considering that this Church in her Confession haldeth Church government to bee alterable at the will of the Church; certainly we repeating but their Oath, cannot be said to abjure that government now: more then they could be said to do it if they were now alive and repeating the same Oath.

Thirdly, how can it bee thought that the verie Act of his Majesties commanding this Oath should make Episcopal government to be abjured by it, more then the Covenanters requiring it of their associats, in both Covenant the words and syllables of the Confession of Faith being the same? Now it is well knowne that many were brought in to subscribe their Covenant, by the solemnne protestations of the contrivers and urgers of it, that they might subscribe it without abjurting of Episcopal government, and other such things as were establisht by Law, since the time that this Oath was first invented and made, and the three Ministers in their first answer to the Aberdene Quares have fully and clearly expressed themselves to that sense, holding these things for the present not to bee abjured, but onely referred to the tryall of a free generall Assemblie: And likewise the adherers to the last Protestation against his Majesties Proclamation, bearing date the ninth of September, in their ninth reason against the subscription urged by his Majestie doe plainly averre, that this Oath urged by his Majestie doth oblige the takers of it, to mainaine Perth Articles, and to mainaine Episcopal government; Why therefore some men swearing the same words and syllables should have their words taken to another sense, and bee thought to abjure Episcopal government, more then others who have taken
taken the same oath in the same words; must needs passe the capacite of an ordinarie understanding.

It is a received maxime, and it cannot be denied, but that oaths ministred unto us must either bee refused, or else taken according to the knowne minde, professed intention, and express command of Authoritie urging the same: A proposition, not only received in all Schooles, but positively set downe by the adherers to the faid protestation rotident verbis in the place above cited. But it is notoriously knowne even unto those who subcribed the Confession of Faith by his Majesties commandment, that his Majestie not onely in his Kingdomes of England and Ireland, is a maintainer and Upholder of Episcopall governement according to the lawes of the faid Churches and Kingdomes, but that likewayes hee is a defender, and intends to continue a defender of the same governement in his Kingdome of Scotland, both before the time, and at the time when hee urged this oath; as is evident by that which is in my Lord Commissioneer his Preface both concerning his Majesties instructions to his Grace, and his Graces expressing his Majesties minde, both to the Lords of Council, and to the Lords of Seffion, and the same likewayes is plainly expressd and acknowledged by the adherers to the said protestation in the place above cited: their words being thefe, And it is most manifest that his Majesties minde, intention, and commandment, is no other but that the Confession bee sworn, for the maintenance of Religion, as it is already or presently professed (these two being co-incident altogether one and the same; not only in our common forme of speaking, but in all his Majesties Proclamations) and thus as it includeth, and continueth within the compass thereof, the forefaids novations and Episcopacie, which under that name were also ratified in the first Parliament holden by his Majestie. From whence it is plain, that Episcopacie not being taken away or suspended by any of his Majesties declarations, as these other things were which they call novations; it must needs both indeed, and in the judgement of the faid protesters not wayes bee intended by his Majestie to bee abjured by the faid oath. Now both the major and that part of the minor which concerneth Episcopall governement in the Church of Scotland, being clearly acknowledged by the protesters; and the other part of the minor concerning that governement in his other two Kingdomes being notoriously knowne, not onely to them, but to all others who know his Majestie, how it can bee imagined that his Majestie by that oath should command Episcopacie to bee abjured, or how could any one to whom his Majesties minde concerning Episcopall governement was knowne, honestly or safely abjure it, let it bee left to the whole world to judge; especially considering that the Protesters themselves in that place above cited, by a dilemma, which wee leave to themselves to answer, have averred, that when that Act of Council should come out, yet that it could not bee inferred from thence that any such thing was abjured.

Fiftly
Fifthly and lastly, If the explanation in that Act of Council be taken in that not onely rigid but unreasonable and fenfelesse fenfe which they urge, yet they can never make it appeare, that Episcopall government at the first time of the administering of that oath was abolished: The very words of that Confession of Faith, immediatly after the beginning of it, being these, Received, believe, defended by many and fundrie notable Kirks and Realmes, but chiefly by the Kirk of Scotland, the Kings Majestie and three Estates of this Realme, as Gods eternall truth and onely ground of our salvation, &c. By which it is evident, that the subscription to this Confession of Faith is to bee urged in no other fenfe then as it was then beleived and received by the Kings Majestie, and the three Estates of this Realme at that time in being, and it is well knowne, that at that time Bishops, Abbats and Priors made up a third Estate of this Realme, which gave approbation to this Confession of Faith: and therefore it is not to bee conceyved, that this third Estate did then abjure Episcopacie, or that Episcopacie was at the first swearing of that Confession abolished. But lay that at that time it was abolished by Acts of generall Assemblie, yet was it nor so by any Act of Parliament, nor by many Acts of Parliament: it was in force, because none of them was repealed, somewhereof are annexed in the sheet immediatly after these reasons, which wee pray the Reader carefully to peruse and ponder: and at the very time of the taking of this oath and after, Bishops, whose names are well knowne, were in being. Now it is to bee hoped that in a Monarchie, or any other well constituted republicke, that damnable Jesuiticall position shall never take place, That what is once enacted by a Monarch and his three Estates in Parliament, shall ever be held repealed or repealable by any Ecclesiassticall nationall Synod.

By all which it is evident, that the explanation of that Act of Council so groundlessly urged, can induce no man to imagine that by the Confession of Faith lately sworne by his Majestie's commandment, Episcopall government, which then did, and yet doth stand established by Acts of this Church and Kingdom, either was, or possibly could be abjured.

And having now (good Reader) heard his Majesties minde in his instructions to us, our minde in requiring in his Majesties name this oath to be taken, and these few reasons of many which doe evidently evince the inconsequent of that fenfe, which without any shew of inference is put upon it by those who would goe on in making men still beleive, that all which they doe or say is grounded upon Authority, though they themselves doe well know the contrary; we suppose that all they who have taken this oath will rest satisfied that they have not abjured Episcopall government; and that they who shall take it, will take it in no other fenfe.

Which timely warning of ours, we are the more willing to give, because wee are given to understand, that even they who were wont to call the takers of this oath (notwithstanding of that explanation by Act
But we doe in his Majesties name require that none presumne to take the saide oath, unleffe they bee required so to doe by such as shal have lawfull authoritie from his Majestie to administer it unto them: being confident, that none either will or can take the said oath or any other oath in that fenfe, which may not consist with episcopall government, having his Majesties senfe, and so the senfe of all lawfull authority fully explyaed to them.

Hamiltoun.

Hat episcopall jurisdiction was in force by acts of parliament, & no wayes abolished nor suppressed in the yeare 1580. nor at the time of reformation of religion within the realm of Scotland, doth evidently appeare by the acts of parliament after mentioned.

First by the parliament 1567: cap. 2. whereby at the time of reformation the Popes authoritie was abolished, it is enacted by the said act, That no bishop, nor other prelate in this realme, use any jurisdiction in time coming by the bishop of Romes authority. And by the third act of the same parliament, whereby it is declared, That all acts not agreeing with Gods word, and contrary to the confession of faith approved by the estates in that parliament, to have no effect nor strength in time to come. Whereby it is evident, that it was not the reformers intention to supresse episcopacie, but that bishops should not use any jurisdiction by the bishop of Rome his authority, & seeing they did allow episcopacie to continue in
in the church, that they did not esteeme the same contrary to God's word and confession forefaid: as appears more clearly by the sixt act of the said parliament, which is ratified in the parliament 1579. cap. 68. whereby it is declared, That the ministers of the blessed Evangel of Jesus Christ, whom God of his mercie hath now raised up amongst us, or hereafter shall raise, agreeing with them that now live in doctrine or administration of the sacraments, and the people of this realme that profess Christ as he is now offered in his Evangel, and doe communicate with the holy sacraments, as in the reformed kirk this realme they are publicly administrate, according to the confession of the faith, to be the only true and holy kirk of Jesus Christ within this realme, without any exception by reason of policie and discipline, declaring only such as either gain-fay the word of the Evangel according to the heads of the said confession, or refuse the participation of the holy Sacraments as they are now ministrate, to bee no members of the said kirk so long as they keep themselves so divided from the societe of Christ's body. Whereby it is manifest, that it was not the said reformers minde to exclude any from that society by reason of discipline, and that they did not at that time innovate or change any thing in that policie they found in the said kirk before the reformation.

This is likewaies evident by the oath to be ministred to the king at his coronation, by the eight act of the said parliament, whereby he is to sweare to maintaine the true religion of Jesus Christ, the preaching of his holy word & due and right ministration of the sacraments now received and preached within this realme, and shall abolish and gainsand all false religion contrarie to the same; without swearing to any innovation of policie and discipline of the kirk.

Secondly, it doth evidently appeare by these subfequent acts of parliament, that by the mucipall law of this realme archbishops and bishops was not only allowed in the kirk, but also had jurisdiccon and authority to governe the same.

1. By the 24. act of the said parliament, whereby all civill privileges granted by our soveraigne Lords predecessors to the spirituall estate of this realme, are ratified in all points after the form & tenor thereof. And by the 35. act of the parliament 1571, whereby all and whatsoever acts and statutes made of before by our soveraigne Lord and his predecessors anent the freedome and libertie of the true kirke of God, are ratified and approved.

2. By the 46. act of the parliament 1572, whereby it is declared, that archbishops and bishops have the authority, and are ordained to convene and deprive all inferior persons being ministers, who shall not subscribe the articles of religion, and give their oath for acknowledging and recognizing of our soveraigne Lord and his authority, and bring a testimonial in writing thereupon within a moneth after their admission.

3. By the 48. act of the same parliament, whereby it is declared, that archbishops
archbishops and bishops have authority at their visitations to designe
ministers glebes.

By the 54. act of the said parliament, whereby archbishops and bish-

ops are authorized to nominate and appoint at their visitations, per-

sons in every parochin for making and setting of the taxation, for up-

holding and repairing of kirkis and kirk-yards, and to convene, try, 

and cenfull all personis that shall be found to have applied to their own 

use the stones, timber, or any thing else pertaining to kirkis demolis-

hed.

By the 55. act of the parliament 1573, whereby archbishops and bish-

ops are authorized to admonish personis married, in case of desertion, 
to adhere, and in case of disobedience, to direct charges to the minister 
of the parochin to proceed to the sentence of excommunication.

By the 63. act of the parliament 1578, whereby bishops, and where

no bishops, are provided, the Commissioner of diocesses, have au-
thority to try the rents of hospitais, and call for the foundations 
thereof.

By the 69. act of the parliament 1579, whereby the jurisdiccion of 
the kirk is declared to stand in preaching the word of Jesus Christ, correc-
tion of manners, and administration of the holy sacraments; and yet no other 
authority nor office-bearer allowed and appointed by act of parliament, 
nor is allowed by the former acts; but archbishops and bishops inten-
ded to continue in their authority, as is clear by these acts following.

First, by the 71. act of the same parliament, whereby personis return-
ing from their travels are ordained, within the space of twenty dayes 
after their returne, to passe to the bishop, superintendant, commissioner 
of the kirkis where they arrive and reside, there offer to make and 
give a confession of their faith, or then within fourtie dayes to remove 
themselves forth of the realme.

By the 99. act of the parliament 1581, whereby the forefaids acts are 
ratified and approved.

By the 130. act of the parliament 1584, whereby it is ordained, that 
none of his Majesties lieges and subjectis presume or take upon hand to 
impugne the dignitie and authoritie of the three estates of this king-
dome, whereby the honour and authority of the Kings Majesties su-
preme court of parliament, past all memorie of man, hath beeene con-
tinued, or to seek or procure the innovation or diminution of the power 
and authoritie of the same three estates, or any of them in time coming under the 
paine of treason.

By the 131. act of the same parliament, whereby all judgements & ju-
risdicton as well in spirituall as temporeal causes, in practice & custome, 
during these twenty foure yeares by-past, not approved by his Highnes 
and three Estates in parliament, are discharged: and whereby it is de-
fended, That none of his highnes subjectis of whatsoever qualitie, estate, or 
function they bee of, spirituall or temporeal, presume, or take upon hand to con-
vocate, convene, or assemble themselves together for holding of councils, con-
ventions, or assemblies, to treat, consult, or determine in any matter of estate,
civill or ecclesiasticall (except in the ordinary judgements) without his
Majesties speciall commandment, or express licence had and obtained to that
effect.

5. By the 132. act of the said parliament authorizing Bishops to try and
judge ministers guilty of crimes meriting deprivation.

6. By the 133. act of the same parliament, ordaining Ministers exercising
any office beside their calling to be tried and adjudged culpable by their
Ordinaries.

7. By the 23. act of the parliament 1587, whereby all acts made by his
highness, or his most noble progenitors antient the Kirk of God, and
religion presently professed, are ratified.

8. By the 231. act of the parliament 1597, bearing, That our Sover-
eign Lord and his highness estates in parliament, having speciall con-
sideration of the great priviledges and immunities granted by his highness
predecessors to the holy Kirk within this realme, and to the speciall persons
exercing the offices, titles, and dignities of the prelates within the same.
Which persons have ever represented one of the estates of this realme in all
conventions of the said estates, and that the said priviledges and freedoms
have been from time to time renewed and confirmed in the same integritie
wherein they were at any time before. So that his Majestie acknowledging
the same to be fallen now under his Majesties most favourable protection,
therefore his Majestie with consent of the estates declares, that the Kirk with-
in this realme, wherein the true Religion is professed, is the truc and holy
Kirk: And that such ministers as his Majestie at any time shall please to
provide to the office, place, title, and dignitie of a Bishop, &c. shall have
vote in parliament, sicklike and as freely, of any other Ecclesiasticall prelate
had at any time by-gone. And also declares, that all bishopricks vaicking,
or that shall vaick, shall be only dispensed to actuall preachers and minis-
ters in the kirk, or such as shall take upon them to exercise the said function.

By the 2. act of the parliament 1606, whereby the ancient and
fundamental policie, consisting in the maintenance of the three estates
of parliament, being of late greatly impaired and almost subverted,
especially by the indirect abolishing of the Estate of Bishops by the
act of annexation: Albeit it was never meant by his Majestie, nor
by his estates, that the said estate of bishops, being a necessary estate of the
parliament, should any ways be suppressed; yet by dismembering and abstra-
cing from them of their livings being brought in contempt and povertie, the
said estate of bishops is restored, and redintegrate to their ancient and ac-
customed honour, dignities, prerogatives, priviledges, lands, tenides, rents,
the same as was in the reformed kirk, most amply and free at any time before
the act of annexation; refinding and annulling all acts of parliament made
in prejudice of the said bishops in the premisses, or any of them, with all that
has been followed, or may follow thereupon, to the effect they may peaceably enjoy
the honours, dignities, priviledges, and prerogatives competent to them or
their estate since the reformation of religion.

By the 6. act of the 20. parliament, declaring that archbishops and bi-
shops are redintegrate to their former authority, dignitie, prerogative, priv-
iledges
This is the Explanation, and now followeth their answer, which shall receive no reply, as being confident that there is nothing in it that hath weakened any thing contained in the five reasons. Onely, where there is any new or dangerous position of theirs, or any other thing which may seeme with any shew fit to be observed, you shall finde it noted upon the margine, as it here ensues.

AN ANSWER TO THE PROFESSION AND DECLARATION
Made by James Marqueff of Hamilton,
His Maje's high Commissioner,
at Edinburgh, An. 1638. in December.

His ancient Kingdome, although not the most flourishing in the glory and wealth of the World, hath been fo largely recompenfed with the riches of the Gospel, in the reformation and purifie of Religion from the abundant mercy & free grace of our God towards us, that all the reformed Kirks about us, did admire our happiness. And King James himselfe of happy memory, gloried that he had the honour to be born, and to be a King in the best reformed Kirk in the world. Those blessings of pure doctrine, Christian government, and right frame of discipline we long enjoyed, as they were prescribed by Gods own word, who as the great Master of his family, left most perfect directions for his own economie, and the whole officers of his house: till the Prelats, without calling from God, or warrand from his word, did ingire themselves by their craft and violence upon the house of God. Their craftie entry at the beginning was disguised under many cautions and cau-veats, which they never observed, and have professed since, they never intended to observe, though they were sworn thereto. Their ways of promoting their course were subtile and cunning: as in abstractive the registers of the Kirk, wherein their government was condemned; in impeding yearly general Assemblies, whereunto they were subject and comptable, and generally in enfeebling the power of the Kirk, and eftablishing the fame totally in their own persons: whereby in a short
short time they made such progress, that being invested in the prime places of estate, and arming themselves with the boundless power of the high Commission, they made themselves lords over God's inheritance: and out of their greatnesse, without any how of order or Councell, without advise of the Kirk, but at their own pleasure enterprised to alter and subvert the former doctrine and discipline of this Kirk, and introduce many fearfull corruptions and innovations, to the utter overthrow of Religion; and to make us no leafe miserable then we were happy before. These pressing grievances did at length awake the good Subjects to petition his Majesty and his Councell for reedresse. And albeit at last, after many reiterated supplications and long attendance, his Majestie hath been graciously pleased to grant a free general Assembly; yet in the beginning by the credit of the Prelates, and their commoditie of accesse, his Royall ear was long stopped to our cryes, and wee discharged under the paine of treason to meet for making any more remonstrances of our just desires.

In this distress none other mean, nor hope of redresse being left, wee had our recourse to God, who hath the hearts of all Kings and Rulers in his hand; and therefore taking to our heart, that God had justly punished us, for the breach of that nationall Covenant, made with God, in Anno 1580. We thought fit to reconcile our selves to him again, by renewing the same Covenant. And so, in obedience to his * divine Commandment, conforme to the practice of the godly in former times, and according to the laudable example of our religious Progenitours, warranted by acts of Councell, we again renewed our confession of Faith of this Kirk and Kingdom, as a reall testimony of our fidelity to God, in bearing witness to the truth of that Religion whereunto we were sworn to adhere in Doctrine and Discipline, of our loyalty to our Soveraigne, and mutual union among our selves in that cause. Which Confession, with a senible demonstration of God's blessing from heaven, was solemnly sworn and subscribed, by persons of all ranks, throughout this Kirk and Kingdom, with a necessary explanation and application for excluding the innovations and corruptions introduced in the Religion, and government of this Kirk, since the yeare 1580. that so our oath to God might be cleare for maintenance of the doctrine and discipline then professed and establish'd, and according to the meaning of that time.

The Happie effects of this our resolution and doing, have been wonderfull: And since that time God's powerfull hand in the conduct of this businesse hath evidently appeared. For after some time, upon the continuance of our groanes and supplications, our gracious Soveraigne was pleased to lend into this Kingdome, The noble Lord James Marques of Hamilton, &c. with commision to heare and redresse our heavie grievances: who after many voyages to his Majestie, and long conferences and treating with us, needeslee to be related in this place, did in end, by commandement from his Majestie, indict a free general Assembly to be holden at Glasgow the twentie one of November last, and
and proclaimed a Parliament to be holden at Edinburgh the fifteenth of May next to coine, for setting a perfect peace in this Kirk and Kingdom: And further to give full assurance to the Subjects, that his Majesty did never intend to admit any change or alteration in the true religion, already established and professed in this Kingdom: And that all his good people might be fully and clearly satisfied of the realitie of his royall intentions for the maintenance of the truth and integritie of the said Religion, his Majesty did join and command all the Lords of his privie Councell, Senators of the Colledge of Justice, and all other Subjects whatsoever, to renew and subscribe the confession of Faith formerly subscribed by King James of blessed memory and his household in Anno 1580. and thereafter by persons of all ranks, in Anno 1581. by ordinance of the Councell, and acts of the generall Assembly, and againe subscribed by all sorts of persons in Anno 1590. by a new ordinance of Councell, at the desire of the generall Assembly, with a band for maintenance of the true Religion, the Kings person, and each of other in that cause: as the Proclamation of indiction, being dated at Oatlands, the 9. of September, published at the Mercat crosse of Edinburgh, the 22. of the said moneth, more fully properteth.

Upon the hearing of which Proclamation, These who were attending at Edinburgh, and expecting a gracious answere of our former desires, as out of bounden duty they did with all thankfulnesse acknowledge his Majesties gracious favour: So out of zeale to God and Religion, they did protest, that they who had by the late Covenant and Confession condescended more specially to the innovations and errors of the time, could not after so solemn a specification, returne to an implicit and more generall confession enjoyed, conforme to a mandat, apparently discrepant from the genuine meaning of the confession, and wanting both explication and application, and did most humbly and earnestly desire the Lords of his Majesties Councell, that they would not, in regard of the former reasons, press upon the Subjects the subscription of this Covenant, but that they might be pleased to forbear their own subscribing of it, in respect of the inconveniences might result upon their subscribing thereof, in an ambiguous sense; but their Lordships not having subscribed that confession, containing our former explanation, and being required by his Majesties Commissioner, to subscribe the Confession, as it was drawne up, and presented to them, without our explanation, with a generall band for maintenance of the Religion in Doctrine and Discipline now presently professed, and of his Majesties person, least these words (now presently) repeated in this year 1638. should inferre any approbation of these innovations, introduced since the year 1580. whereof many did justly complain, after deliberation for removing of this scruple and prejudice, and clearing of their own meaning; they caused make an act of Council that their swearing and subscribing of the confession of Faith was according to the tenour and date the second of March 1580. according
as it was then profest within this Kingdome: whereupon they rested satisfied, being confident that the generall Assembly then indited, would remove any doubt and differ which might arise anent the meaning and interpretation of the confession of Faith, and clear what was profest in the year 1580. Yet some having subscribed that Covenant in different senses, others forbearing to subscribe the same, as some of the Lords of Session, till the Assembly should declare the genuine and true meaning of the Confession, upon whole interpretation, as of the only competent Judge, they might acquiesce, and rest satisfied: which now after accurate tryall of the acts of generall Assemblies, and mature deliberation, is fully cleared, and explained in this last generall Assembly by Gods mercy, and his Majesties gracious favour of indiction, holden at Glasgow: as the act made thereupon doth propr: whereby Episcopall government, amongst many other innovations is found upon undeniable evidences of truth and declared to be condemned and abjured in this Kirk, in Anno 1580. There is notwithstanding published in name of his Majesties Commissioner a declaration, tending to dissuade his Majesties Subjects from receiving the explanation of the confession made by this Assembly, and affirming that the confession subscribed by the Councell, doth no ways exclude Episcopall government, nor any thing else established by laws standing in force, the time of the taking of the said oath, the ninth of September last; notwithstanding the foresaid act of Assembly, which as the decree of our mother Kirk ought to be received and reverenced by all her children, and act of Councell, whereof the words are so cleare, as they cannot admit any mental reseruation, which is acknowledged by such of the Councellers then present and subscribers, whose hearts God hath touched, to make the sense of their oath to God, preposter with them above all other worldly respects and fears.

This declaration containeth five arguments, with a boundle of acts of Parliament, quotted and drawne up by some persons, whom we know not: but seen and approven by the Commissioner: whereby his Grace indoueeth to evince his conclusion, that Episcopal government was not abjured by the Councell, nor the Covenant 1580. Which is so repugnant to the acts of the Kirk: The act of Councell, and all reason, that we are confident, the same will make no impression in the judgement of any well affected Christian, as shall be evident by our following answers, which we offer to the readers consideration, after he hath first expended these generalls.

1. This Declaration is onely made by his Majesties Commissioner, and not by the Lords of secret Councell, who should be fit: Interpreters of their owne act, and whose act should be the ample expression of their meaning, else acts of Councell, by possibility of
admitting the variable commentary of intentions, will lose all force &
vigour in themselves. And yet it is evident that the Councillers have
not only actually sworn to maintain the Religion & Discipline established in Anno 1580. When Episcopacie was condemned, but likewise intended to do so: because they have distinguished and opposed be-
 tween the Religion presently professed, 1638. mentioned in the Pro-
clamation, and the Religion professed in Anno 1580. mentioned in
their act, and by that opposition of now and then, they reject the one,
and swear the other: otherwise they needed no declaration: which not
withstanding accompanies their subscriptions, and is acknowledged
by the Commissioner in the second line, to bee an act explaining the
Confession, for obedience whereof all those who have subscribed that
Covenant, have done the fame. 2. Albeit his Majesty did not con-
ceive any difference between the Religion, Doctrine and Discipline
now professed, from that which was in Anno 1580. (wherewith his Ma-
jeftie can hardly be acquainted, without perusing the records of Af-
femblys) yet his Majesties Real intendment was to maintain the conf-
ession of Faith professed in Anno 1580. because his Royall disigne
by that commandement was to maintain true Chriftian Religion in
puritie (whereunto Episcopacie by this Kirk was ever judged and con-
demned as prejudicial) and to remove the fears of his Majesties good
Subjects, complaining of by-gone innovations, and apprehending
greater changes: which ends are only obtained by subscription of the
Confession as it was Anno 1580. And no wise by maintaining the
Religion now presently professed, because the corruptions now present-
ly received in this Kirk, are the grounds of our just complaints, as
being * contrary to the word of God,
and forefaid confession in Anno 1580.
3. Wee must distinguish between oaths,
tendered by the first framers of the Confession, * the whole Kirk, who
have power to interpret and explaine the fame; and oaths required, to bee renewed
by the supreme Magistrat the Kings Ma-
jeftie, who as enstos utriusque tabula, and
a true * Sonne of the Kirk, ought to re-
cieve the true meaning of the Kirk, and
cause it to be received of those whom God
hath subjected to him.
And wee are confident that his Maj-
jeftie, in his just and pious disposition, will
never take the benefit of that holy
national oath, and confession of Faith
subscribed by his Majesties Father of ble-
shed memorie 1580. and now lately re-
newed againe, & solemnely sworn by the
should now receive the meaning of it from the general Assembly after it was subscribed by Our command-
ent, wee cannot apprehend.

* But when shall they bee proved to bee contrary
to the word of God?

* They themselves doe know that this Confes-
sion was not framed at first by the Church as the positive Confession was, but by one Master
John Cragge, and commanded by the Authoritie
of our Royall Father, hee did advise with the
Church concerning it, but they received it from
him, nor he from them.

* That the supreme Magistrate should as the
Sonne of the Church only receive the meaning
of the Church, and cause it to bee received by his
subjects, is not only the Jesuitical tenet, but their
very words and syllables, and as they are allledged
here very false, for the greater part of this con-
fession conteyneth not matters of faith, but of go-
gevernment, discipline and ceremonies: besides this
confession was first injoyned by Our Royall Fa-
ther and his Council before it was approved by the
Church: how then Our Royall Father, if hee
were now living, should receive the meaning of
it from the Church after hee had subscribed it, and
commanded his subjects to doe so: or we,

Subjects
Subjects of this Kingdome, upon the pretence of any intentions repugnant to the true sense of that confession: which even as it is subscribed by the Counsell, doth never import that his Majestie was framing or administering any new confession or oath, but only injoyning to renew the old confession 1580, and therefore unquestionably should be taken in the true meaning of that time. Fourthly, if there were any real opposition betwixt his Majesties Proclamation and the act of explanation made by his Majesties Commissioner and Counsell; * Nay the first should be preferred: for if our Commissioner and Counsell had explained it contrary to Our meaning, Our declaration comming after should be preferred to their misinterpretation.

publica private. And albeit we doe not now expresse that the Counsell did subscribe the confession of Faith in obedience to a mandat, where there was any contrariety, repugnancia, or ambiguity betwixt the mandat and the Confession it self, which was commanded, yet the Counsell making an act that they did subscribe it as it was professed 1580, and declaring publickly that this was their owne meaning, both they and such of his Majesties lidges, who did subscribe in obedience of their charges, are obliged to observe rem juratam, and the reall matter of the oath (more then the minde and mandat of the prescriver) especialy seeing it is noe new Confession, but the renewed Confession of the whole Kirk of Scotland. The meaning whereof cannot bee declared nor interpret by any, but the whole Kirk of Scotland who now upon unanswerable reasons, have clearly found that Episcopall governement, was then abolished and abjured: It followeth by good consequnce, that the Counsell did both virtuallly and verily swear, yea intend to swear the abjuracion of Episcopeacie, which is found by that confession 1580, and the discipline of the Kirk then established, to be a corrupt government in this Kirk, of human invention, wanting warrand from the word of God, tending to the overthrow of this Kirk: So that any declaration in the contrare hereof is protestatio contraria facti, and the reasons thereof cannot be forceable, to brangle the resolution of any judicious well affected Christian, if he will patiently read and ponder, without preoccupation, these following answers to the five reasons insert in that declaration.

The first aledged reason is this, that his Majestie could not command an oath abolutly unlawful: but it is absolutely unlawful to swear against any thing establishd by the Laws of the Kirk and Kingdome, if the same be not repugnant to the word of God or repealed by posteriour lawes. *

To this we answer, First. The Kings Majestie by commanding his subjects to renew the confession of Faith for maintaining the doctrine & discipline professed in anno 1580 hath commanded them to abjure whatsoever is found by the competent Judge to be introduced since that time repugnant therto, albeit by the corruption of times it were contemnanced with some law interveening. Secondly, the Lords of Counsell and Seffion
fion and other Subjects have subscribed the confession of Faith as it was 1580, not only without any restriction of it to the present laws, but in a direct opposition to what is presently established by returning from the present corruptions in the profession, tanguam termino ad quo, to the profession 1580, tanguam termini ad quem: which a great part of Councillors and other Subjects have declared to be their meaning. Thirdly, Episcopacy is found by the Kirk of Scotland in many Assemblies to be an office unwarranted by the word of God; unlawful and repugnant thereto: so that the abjuration thereof in this Kirk is lawful and necessary. Fourthly, Episcopacy was never restored by any Assembly of this Kirk, nor those Assemblies wherein it was condemned, repealed, without the which the same could not be established by a Parliament, whose power doth no more reach to the placing officers originally in the Kirk, then the Kirks power to the making states men in the common wealth. Fifthly, the laws which any ways contribute to the introduction of Episcopacy, do only extend to civil privileges, and were always protected against by the Kirk, as contrarie to the nationall Covenant of this land. Sixthly, if any Assembly can be pretended to countenance Episcopacy or other corruptions, it sufficeth to say that the same with all the acts thereof is declared to have been null and void ab initio for undeniable reasons, as the act at more length proports. Seventhly, the breach of our nationall Covenant by introduction of corruptions therby abolished, hath undoubtedly in high measure offended God; and therefore at the renovation of that Covenant again with God, we ought not only to abjure all these innovations, but hereafter should be careful not to be relapse in our offence. Eighthly, in no Covenant Episcopacy is expressly or specifice abjured, before all Ecclesiastical laws favouring the same was repealed, and declared null, but only virtually and generally, as being formerly abjured in anno 1580. And as the tryall hereof was referred to the Assembly, as the only Judge competent, so now when the Assembly hath declared & found Presbyteriall government to have been approved, & Episcopall government condemned, abolished and abjured in anno 1580, and in lieu of perceiving that Episcopacy is of an Apostolick institution, have clearly seen that it is justly condemned in our Kirk, as the invention of man wanting warrant or fundament in the word of God, tending to the overthrow of this Kirk, Therefore albeit Episcopacy had been abjured expressly in the renovation of this Confession commanded by his Majestie, it was not unlawful, but most necessary and incumbent to us all, who are tyed by that nationall Covenant against that unlawful Hierarchicall government, albeit we had never renewed the same: But we are fallly calumniat to have condemned the name of a Bishop, even as it is used in Scripture, which the act of Assembly it selfe, sufficiently refutes, by allowing S. Pauls Bishops to-wit Pastours of a particular flock, and condemning only all other Bishops brought in without the warrant of Scripture.
The second reason in the Declaration is, that the oath for prefering the discipline and government of the Kirk, cannot oblige after the alteration & change of that discipline & government: and seeing the Discipline and government of the Kirk is not only alterable, but changed in this Kirk, we are not tyed by that oath after the alteration. Wherunto we answer, first, that it is true, that policie and order in ceremonies is temporarie and may bee changed, as is meant in that article of the Confession cited in the declaration: But a Bishop, or his office, or the government of Gods house cannot be called a ceremony, nay, they will be loath to be vilified by that appellation: but if it be a ceremony, they are of no Apostolick constitution, as is mentioned in the first reason: so that if they be lawfull governors in Gods house, warranted by his word, they are not alterable: and so this second reason militates not for them, if their office be changeable, and accounted among alterable ceremonies: they are well explod'd from our Kirks, & may be so by that second reason of the declaration. 2. One caufe of generall Councils is, for constituting a good order and policie in ceremonies: which is grounded upon the laft verse of the 14. Chap. to the 1. Corinth, willing that all things bee done decently and in order, wherein the Lord giveth not power to institute new officers in his Kirk, but commandeth his owne officers to exercise their functions by his commandements without indecency, or confusion, in the variable circumstances thereof, to be determined according to the present occasions of edification. 3. In the 15. Chap. of the same confession of Faith, all mens inventions in matters of Religion are condemned: And in the 19 Chap. Ecclesiasticall discipline uprightly ministr'd as Gods word prescribeth. Math. 18. 1. Cor. 5. is set down as the third essentiall and unchangeable marke of the true Kirk of God, and so is not of that nature with temporarie, changeable ceremonies; though unwarrantably ranked with them in the declaration. 4. It is evident at our first reformation, what policie was perpetuall, and what ceremonies changeable, for in the first booke of Policie compiled that same yeare with the Confession, 9 head is express'd a two-fold policie of the Kirk; The one absolutely necessary in all Kirks, the other not necessar, but changeable: such as, what day of the week sermon should bee, and the like, whereof they esstablish'd no order, but permitted every particular Kirk to appoint their own policie, as they thought most expedient for edification; if parity of reason will make Episcopacie of this nature, let all men judge. 5. Our confession speaketh of an order in ceremonies, which cannot bee appointed for all ages, as is before said. But when they speak of the office-bearers in the Kirk, they acknowledge according to the truth, that Christ himself appointed an ordinarie conftant government of his Kirk by his four ordinar office-bearers, The Pastor, Elder, Doctor, & Deacon, to administer the same perpetually, as is set downe in the first booke of Discipline, and in the treatise before the Psalmes, which was drawn up
up at that same time, and allowed by the same persons. Like as in the yeare of God, 1560. when that confession was made, & in the yeare 1567. when it was ratified, and by continuall acts of Assembly, and by the second book of Discipline, The government of Chrift's Kirk by the forementioned office-bearers, is fet down as founded only upon the Word of God, as constant unchangeable, and perpetual; and as that holy discipline without which Gods word cannot be preferred; fo that the intruding of any other officer in Gods house was accounted an offence against the Lord of the house. 6. By our oath, we are obliged to continue in obedience of discipline as well as doctrine, because they are both grounded on the Word of God, without the warrand whereof, all traditions that are brought in are abjured, and the discipline of the Kirk of Scotland is set down in the book of policy, as grounded on Gods word & commanded to continue to the worlds end, whereunto we have sworn, and cannot without perjury to God, gainst it, like as the Assembly ordaines the discipline of the Kirk to bee subcribed as such, and the act of Parliament 1592. Ratifieth the discipline of the Kirk, as a privilege granted by God, whereunto the Kings prerogative cannot bee prejudiciall. 7. It carrieth no shew of argument or face of probabilite, that the Kirk and reformers of Religion which condemneth all other ordinaries in the Kirk, but these fore appointed by Chrift, did mean under the name of variable ceremonies, to comprehend and admit Episcopacy, which frequently they condemne, as an invention of man, without the warrand of Gods word, tending to the overthrow of the Kirk and puritie of Religion. 8. * The Prelates themselves will not grant Episcopacy to be reckoned in the orders of ceremonies, which cannot be unchangeably constitute for all ages, times and places, but are temporeall as devised by man; and so changeable, when they rather sooner superstition then edifie the Kirk, but herein they will disclaim the benefit of this second reason, and undoubtedly affirme, that Episcopall government, not only may be, but shoulde be, and was appointed for all ages, times, & places, & that it is not the devise of man temporeall & changeable, but deriveth its extraction from divine Apostolick, at the least Ecclesiasticall, perpetuall and necessarie instituted, as is averred in the first reason; and so shoulde ever be unchangeable. 9. This Kirk hath ever condemned all such as held the discipline, and policie thereof, to be indifferent and changeable; & in particular in An. 1581, which is the year of the subscription of the confession of Faith, and book of policie, M. Robert Montgomery is accused and condemned for that doctrine. 10. In the Assembly 1596. upon the Kings Majesties proposition, and demand that it might bee lawfull for him to reason or move doubts; in any point of the external policie, government, or discipline of the Kirk, which are not an-

* Because in the XXI. Article cited, the word Ceremonies is used, therefore they would intreate that this reason supposeth Episcopall government to be but a ceremony; But weakly, for the reason confess'd in the word policie which they take no notice of, and Episcopall government being a part of Ecclesiasticall policie, they hold the one alterable, as all they doe who adhere to that XXI. article must needs hold the other too; nor can it be inferred from any thing in this reason that Episcopall government is maintayned by it to be alterable, but that they themselves, and that XXI. article doe hold it to be so.
wered, affirmative or negative in the Scripture. The Assembly concluded, that it might be lawful for his Majesty, or his Commissioner, to propone any point to the general Assembly, in matters of external government, alterable, according to the circumstances; providing it be done in right time and place, Animo adscissi; non tentandi: But as for the essential discipline, in the book of Policie: * The same Assembly desired the Kings Majesty to declare before his Estates, that he never intended to prejude the same. 11. Albeit it were granted that discipline were changeable, yet now seeing by the Kings Majesties owne consent, we have sworne to maintain the discipline of the Kirk of Scotland, as it was 1580. we are obliged strictly, interposito juramento, to abide by that discipline: at least till it be lawfully changed by the Kirk of Scotland, in her free general Assembly, which can never be presupposed: because in rei veritate, the Discipline, as well as the Doctrine, is acknowledged and sworn to, as unchangeable, wherein we must continue all the days of our life: and defend the same according to our power, under the penalty of procuring defervedly upon our selves, all the curses contained in Gods Word. 12. The doctrine of the Kirk of Scotland, condemned Episcopall, and re-establisshed Presbyterianall government perpetually: which we have acknowledged by joyning our selves in the afferterary part of our oath, unto the Kirk of Scotland in doctrine as well as discipline, and in the promissory part thereof by swearing to continue in the obedience of the Discipline, as well as Doctrine: to show that Discipline as well as Doctrine, is not variable, nor so sworn to by us: but as an immutable law and constitution, which we are obliged to maintain perpetually.

The third reason is that we who subscribed the Covenant, acknowledged that Episcopacy was not abjured thereby, which is qualified by two instances. First that the Ministers in their answers to the Queres of Aberdeen, expressed themselves in that sense, holding these things for the present not to be abjured, but only to be referred to the tryall of a free general Assembly. Next, that it is avered in our last reasons against the subscription urged by his Majesty, that this oath, required by his Majesty, doth oblige the takers of it, to maintain Perth articles, and Episcopacie.

This needeth no answer, if the preceding narration, and the whole passages of the business were considered and known: for in the application of our Covenant, we did not expressly & specifically, abjure Episcopacie, but only generally and virtually, by abjuring whatsoever was abjured in the Confession, 1580. which we found to be a strong band, lying upon us to bind us straitly to the obedience of the discipline then established: wherein because there had intervened some alterations, we permitted justly the trial thereof to the Kirk, whether Episcopacie, Perth articles, and other innovations were not condemned and abjured by the said oath, which now the Assembly after careful search and examination of the records have clearly found. This is the true meaning and substance of the annexed answer made to the Queres of Aberdeen; and ought
ought also to be the ingenuous meaning of the Councellours, who by their act declared they subscribed the Confession 1580. as it was then professed: which is consonant to our generall application, and which being now declared by their mother Kirk, they ought to reverence and obey, and not upon light and subtill pretences to neglect and contemne.

2. For the second instance: It is true that when the Councell was urged to subscribe the Confession, 1580, conforme to the warrants bearing (that they should maintain the Religion now presently profest), wee justly feared, that the same being subscribed in 1638, would comprehend Episcopacie, Perth articles, and all other corruptions introduced since 1580. And therefore both in our written reasons against that subscription, and in our speeches at the Councell table, and to sundry Councellours in private, we dehorted them upon that reason from that subscription: which was the true cause why the Councell being convinced with that reason, made their explanatory act, declaring that they subscribed the Confession according to the meaning 1580, and as it was then profest, for removing of that doubt.

3. * Albeit by the meaning of the prefervr of an oath, the swearer were tacitly bound to maintain Episcopacie, Five Articles of Perth, and such-like, yet according to the premitted considerations, he is more oblied to the realitie rei jurate, which is now declared and found to abjure Episcopacie, &c. Nor to the meaning of the prefervr or his owne either, being contrare to the explanation of the soveraigne Judge competent.

The fourth reason is Syllogistically urged thus: It cannot be denied but that oaths ministred unto us, must either be refused or else taken, according to the known minde, professed intention, and express command of authoritie urging the same. But it is notoriously known, that his Majestie, not onely in his Kingdomes of England and Ireland, is a maintainer of Episcopall government, but likewise is a defender, and milites to continue a defender thereof in his Kingdome of Scotland. And therefore the oath being taken, and not refused, must be sworne conforme to his Majesties known meaning. The minor is confirmed from our own ASSERTIONS.

To this it is answered first, that in contradictory oaths, * the swearer is more oblied to the true meaning of the oath, clearly express therein, then either to his own meaning, or any sense of the prefervr, being contrary thereunto. Especially in this case, where there is no new oath which may receive any new meaning, but the renovation of the old oath, which can admit no new destructive sense.

* We defc any man living to produce from any Jefuit or the greatf patron of equivocation yet ever heard of, such a wicked position as this, that the swearer is neither bound to the meaning of the exacter of the oath, nor to his own meaning who takes the oath, but to the reality of the thing sweorne, as it shall be afterward explicated by the competent Judge. For then no man can tell what he sweareth, when he sweareth; if the declaration of the competent Judge shall come after, it were to be wifed that he who set downe this proposition, had set his hand to it, that the world might take notice of him for an ignorant fool and an arrand knave: In the mean time, till Johnson finde out another, he must be taken for the man, because his hand is at this foolish Pamphlet.

* This is directly contrary to the words of their owne profession against Our Proclamation, dated the ninth of September: see their ninth Reafon in that Profession against the subscription to our Covenant, and you shall finde it flatly contradictory to this which they affirm now.
but must be sworn conforme to the genuine original first meaning.
2. That oath was justly refused by us upon that ground of difference amongst many others; and such like, was not received by the Councell, till they declared their meaning by act simul & solemn with their subscription. 3. We do not meddle with the Kirks of England or Ireland, * but recommends to them the patern shown in the Mount: all our arguments and proceedings being for the Kirk of Scotland, where, from the time of her more pure reformation then of her sister Kirks, Episcopacie hath ever been abolished, till the latter times of corruption. So that though his Majesty hath hitherto maintained Episcopacie in Scotland, because his Majesty wanted the means to be informed of the acts of this Kirk, yet we know that God hath so richly replenished his Royall breast, with such justice and picture, that when his Majesty shall receive perfect information, we are confident that He will never desire any change or alteration in our ancient Kirk government and discipline. Especially now when his Majesty hath caused the mainenance thereof to be religiously sworn.

The fifth and last reason is, that we can never make it appear, that Episcopall government, at the first time of administering the oath was abolished, the very words of that confession of Faith, immediately after the beginning of it being these: Received, beleived, and defended by many and sundry notable Kirks and Realms, but chiefly by the Kirk of Scotland, the Kings Majesty, and three Estates of this Realme, as Gods eternal truth, and only ground of our salvation. Whereupon is inferred that Bishops, Abbots and Pryors, made up, at that time a third Estate of this Realme, which gave approbation to the confession of Faith: and therefore this third Estate did not abjure Episcopacie. And albeit it had bin abolished by acts of Assembly, yet it was not so by act of Parliament, but in force by many of them standing unreaeled, which are annexed to the reaons. Which being the acts of a Monarch, & his three Estates, are never repealable by any Ecclesiastical national Synod.

For answer hereunto, 1. It doth appeare and is manifest by the Registers and acts of Assembly, that before the subscription of the Confession at the time thereof, and thereafter: That Abbots, Priors, and Bishops were so clearly, evidently, and exprely condemned in this Kirk, That the beft wits of this age opposers of Episcopacy cannot yet require one fillable to be added for farther assurance, and the most able maintainers thereof could not pick any quarrell to the clearnesse of the expression. 2. The claufe cuted in the reason, is onely anent the doctrine, and not anent the discipline, which thereafter is determined and the Hierarchie detested: And the Discipline of the Kirk sworn unto. 3. Albeit that claufe were of discipline, yet it maketh nothing for Bishops except by inference, that they are comprehended under the name of the third estate: which cannot be so understood, for collections by way
way of inference or ex consequenti, cannot be adduced against the expres acts of the time: wherein the makers signifie their minds in clear terms, & apertisimo dicendo, leaveth no place to presume the contrary: especially in this kingdom, where these expressions of *bysus curie* are carefully observed without change: which may be seen in the same case by many Parliaments: where it is *notour* that no *Prelate* was present, or allowed: and yet the acts proporting to be made by his Majesty and the three Estates are interpreted by the quoter as made by the *Prelate* with others. 4. Episcopacie was abolished not only by acts of Assembly, but there is no standing laws for Episcopall government, but some against the same, as shall be evident in the answer made to the acts of Parliament, subjoyned hereto: but if there be any Acts of Parliament standing for Episcopacie, the Kings Majesty, his Commissioner, the Councell, the Collective-body of the Kingdome, hath actually renounced the same by returning to the doctrine and discipline, 1580. whereunto Episcopacie is contrary: which God-willing may also be inacted at the next Parliament, proclaimed to be holden by his Majesty in May 5. The acts of the Assembly, and the book of Policie in the 1. and 10. chapter, putteth clear merches betwixt civil and Ecclesiasticall jurisdiction; making every one independent in matters properly belonging to their owne judicatorie, and every one subject to the other in matters properly belonging to that other.

So that as the Assembly cannot make civil laws nor repeal them, nor impair the Parliament from making or repealing civil laws, no more can the Parliament make Ecclesiasticall laws originally, nor repeal, or hinder the lawfull Assemblyes to repeal the same. For albeit acts of the Assembly are, and may be ratified in Parliament, that is, only that the civil sanction may concur with the Ecclesiasticall constitution: But will not stop the Assembly to recall their owne act: which being adnulled by them, the civil ratification and sanction fals *ex consequenti*. For to maintain that the Kirk may not repeal her own acts, ratified once in Parliament, is to derogate to Christ's prerogative and ordinance, to the liberty of the Kirk, and freedom of the Assembly, to the nature, end, and reason of all Ecclesiasticall jurisdiction, (as we have more largely cleared in the Proteation 22 September last) that we beleve few or none will be of that opinion. All these Five objections and many more was agitate and discussed in the Assembly, before the act anent Episcopacie was made.

And seeing the general Assembly of the Kirk of Scotland, indicted *conclusio* by his Majesty now holden at Glasgow, which is the only Judge competent.
petent and fit interpreter to remove and explain all doubts, arising upon the confession of Faith, hath after long, religious and mature declaration, exponed the same, and clearly found that Episcopall government in this Kirk, amongst other corruptions, is abjured by the confession of Faith, as the same was profest within this Kingdom, hath discharged all subscription to the Covenant, subscribed and interpreted by his Majesties Comissioner, hath commanded the Covenant subscribed in Februare with the application to be now subscribed according to her present determination: therefore wee trut that the knowledge hereof, will be a sufficient warning to all good Christians and Patriots, that they subscribe not the one, and that they subscribe the other, according to the genuine and true meaning thereof, declared by the Kirk alennerly, and of no contrary incompatible sense, as they would effew the crime and danger of a contradictory oath, and we would most humbly and earnestly beg of his Sacred Majestie, from the bottome of our hearts, that his Majestie would be graciously pleased to command, that the same may be fo subscribed, conforme to the declared explanation of the Kirk, which would prove the greatest happiness and joy that ever befell these disconsolated Subjects of this nation, who (though unjustly branded with many calumnies) yet never have, nor ever shall swerve from our loyalty due to the Lords anoynted: But would readily imbrace any occasion to employ our lives and fortunes for his Majesties service and honour: who (we heartily pray God) may long and happily ring over us.

* There is annexed to this Declaration a quotation of sundry acts of Parliament, to prove that Episcopall government was not abolished in the yeare 1580. whereunto albeit there is no necessity of answer, seeing the meaning of the Kirk of Scotland in her Confession of Faith is onely to be sought from her self, and the registers of her Assemblies, and not from the Parliament, yet the same shall be specially answered in the order that they are alleagd: after these two generals are offered to the Reader his consideration. 1. After the reformation of this Kingdom, the Kirk was still wrestling against all corruptions, and especially against Episcopacie. But though they clearly and frequently condemned the same, yet the power of the enemies of reformation withstood them long: so that her owne policy could not be obtained ratified expressly & specifec in Parliament, till the yeare of God 1592. which abrogateth all those preceeding acts, alleged in the contrare. 2. That acts of Parliament can no more make Ecclesiasticall offices, nor give Ecclesiasticall priviledges, nor the acts of Assembly can establish civil offices of Estate, or grant to them civil priviledges; each Judicatorie being properly confined within their owne spheres.

But
But before the acts of Parliament be particularly marked and cited, there be two reasons prefixed: the one taken from some acts of Parliament 1567. cap. 2, 3, 6. and cap. 68. Par. 1579. The other from the oath minis-tered to the King, at his coronation, for the act of Parliament 1567. Bearing that no Bishop nor other Prelate in this Realme, use any jurisdiction in time comming by the Bishop of Rome's authority, It is evident hereby that Episcopacy is altogether condemned, as all other Prelacie was: for before that time they had no jurisdiction but from the Pope: and therefore being discharged to execute that; they are discharged by the act to execute any at all. That this is the true meaning and scope of that act is manifest: because the Kirk in the book of common order, and in the first book of discipline at that same time, acknowledgeth no other ordinary office bearers appointed by Christ in Ecclesia constituta. But the Pastor, Doctor, Elder and Deacon: and in her Assemblies at that same time, was still cenfuring these who were called or designed Bishops by reason of their benefices, as is instructed by the acts printed before the book of discipline. And therefore in the act of Council, 1560, made in the same yeare by these same persons, ratifying the first book of discipline, they provided only that Bishops, Abbots, Priests, &c. Being protestants, brook their revenues during their life-times: they infuing Ministers in the mean time. 2. In the year 1566. which precedes that Parliament, the Kirk of this Kingdom approved the Confession of Helvetia; wherein the parity of Ministers is preferred as Gods ordinance warranted by his word, to Episcopacy, as an humane confiudice. 3. Because at that time the Queen had restored the Archbishop of S. Andrews; therefore the Kirk supplicated the Nobility of the Kingdom, against that restitution, which they condemn as the curing of the head of the beast once wounded within this land. Wherein they expressly ground themselves upon the said act of Parliament being before made in the year 1560. as a certaine abrogation of the Arch-bishops authority. 4. In the 2. book of discipline chap. 11. the Kirk useth the same act of Parliament as an abrogation of the Papistical Kirk, and Papistical jurisdiction, and thereby of Episcopall jurisdiction and power. 5. The Kirk thereafter in the same chapter declareth their uniformity of this meaning by urging the act of Parliament, 1567. printed amongst the black acts and renewed in the Parliament holden 1579. (which immediately followeth the act here cited) declaring that no other Ecclesiastical jurisdiction shall be used within this Realme, but that which is and shall be in the reformed Kirk and floweth therefrom: and they urge that none under the abused titles in Papistry, of Prelates, &c. attempt to claim the benefit of any act of Parliament, having no commission of the reformed Kirk within this Realme. Whereby our Kirk declared all Episcopall jurisdiction to be Papistical. Which is the true meaning of the word, his Hierarchie in the short confession. For their jurisdiction could flow from none other but from the Pope: Seeing it flows not from the Kirk: but was abolished and condemned by them: as is cleare by the Regi...
thers of the Assembly. 6. The acts doe abolishe all Papisticall Jurisdiction: And therefore all Episcopall Jurisdiction, because Episcopall policy and Jurisdiction is Papisticall: as is acknowleded by many, and specially by Doctor Polekington Chaplinne to the Bishop of Canterbury: who deduceth a continuall lineall succedion from Peter through the whole Popes, unto the present Arch-bishop of Canterbury: and by the quoter himselfe, who alledged (albeit falsely) that this Kirk retained the Papistical policy and government. 6. Where it is said in the reason; that our Kirk did not innovate any thing in that policy which they found in the Kirk before the reformation: the same is controlled by the booke of Common prayer, first book of Discipline, and acts of the Assemblies.

And for the 6. act 1567, and the 68. act 1579. The same doth not only not mention Bishops, but declareth the true Kirk to consist only of Ministers of the Gospell then living, and these who thereafter should rise; agreeing with them, in doctrine and administration of the Sacraments, and the people, as the member thereof, which directly excludeth Bishops: against whom the doctrine and practice of this Kirk, continually founded: especially at that time. For in the government of this Kirk by weekly meeting of Ministers, Elders, and reformed towns from the yeare 1560. to the yeare 1576. (except the interim of the pretended convention at Leeth 1572.) and from the yeare 1575. to the yeare 1581. The Assemblies for the most part were employed in abolishing the corruptions of Episcopacy, and in establishing the settled Policy; which was agreed upon, 1578. In the second book of Discipline, in the which acts of Assembly and book of Discipline is set downe at large the doctrine of the Kirk of Scotland, anent that discipline, as grounded and well warranted in the word of God, and against Episcopall jurisdiction, as an unlawfull humane invention: So that Episcopacy being contrary to the doctrine of the Kirk of Scotland, 1579. The Bishops disaggreeing from the Ministers of the Evangel then living, in doctrine and in the use and administration of the Sacraments, are declared by the said acts to be no members of this Kirk, and the same acts cited for them doe sufficiently evince that Episcopacy was still condemned, notwithstanding all opposition made in the contrarie.

As for the Kings oath, the same containeth no mention of Bishops, but by the contrary, the King is obliged thereby to maintain the true Religion of Jesus Christ, the preaching of his holy word, and right administration of the Sacraments, then received and preached within this Realme: And seeing it is cleared by the preceeding relation, that Bishops were never allowed, but oppugned by the Kirk of Scotland, that oath doth not allow, but exclude Episcopacy which is also more pernicious in the short confesstion 1580. and 1581. when the Kirk set downe her constant policy in Doctrine and Discipline grounded upon the word of God, wherein the Hierarchy is abjured as contrary thereto; and craved an oath from his Majestie for maintenance thereof, which now also our gracious Sovereign in the judgement of the Kirk of
of Scotland is obliged to mainaine, as being founded upon the word of God, and exclusive of Episcopacie as repugnant thereto. The acts of Parliament thereafter particularly cited are these mentioned in order.

The 24. act 1567. ratifying all civil privileges formerly granted to the spiritual estate, and the 35. act 1571. Ratifying all acts made anent the freedom, and liberty of the true Kirk: the same cannot be extended to the establishing of Episcopacy, because it is not mentioned in these acts, but by the contrary was abolished by the acts of the Assembly and Parliament, before mentioned, so that the privileges therein mentioned, are granted to such Kirk-men as then were received by the Kirk and Kingdom: and the freedom of the Kirk must be interpreted by her owne judgement: who thought ever Episcopall jurisdiction an heavy bondage: and yet those privileges can infer no spiritual jurisdiction, but only civil privileges; some immunities and exemptions granted for the goods and persons of Kirk-men as is clear. 1. act James 1. Par. 1. and 2. 1575. act Par. 1. James 1. and 4. act Par. 1. James 2. with many others.

It is hereto be observed, that the careful evolver of these acts of Parliament, hath omitted to cite the 7. act 1. Parliament of King James 6. bearing the examination and admission of Ministers, to be only in the power of the Kirk, then openly and publiquely protested; and presentations to be made to Superintendents, or others having communion from the Kirk, and appealeth from them, to the Superintendents and Ministers of the Province; and appealeth from the to the general Assembly: in all which gradations no mention of Bishops; but they in effect excluded by that contrary distinction of the Kirk then openly protest; because they were discharged by the forenamed second act 1567. and Superintendents were then permitted like temporarie Evangelists for the present necessity, declared in the first booke of discipline ad ecclesiam constitutam; but was abrogate from 1575. that the constant policy of Ecclesia constituta began to be established.

As for the acts of Parliament, 1572. and 1573. It is knowne by the records of the time, that the Regent then laboured hard to bring in Arch-bishops, and Bishops, who were not dead, but standing de facto provided to the power of these titulars of benefices, to fortifie his owne designes, and counter-balance the authority of Ministers, prefting the purity of reformation: and so cannot bee honourably alledged for the Bishops at this time: and yet it was done not by authority, but by warrant of some Ministers of his owne party convened at Leith: and was only done for an interim, and protested against by the next Assembly; and yet nevertheless by the said acts of Parliament, the Arch-bishops, Bishops, Superintendents, or Commissioners of Dioces or Provinces, are joynd together (which is wrongously omitted in the quotation) to show that no Archbishop or Bishop, quas tales had any power, but owely being de facto standing provided in the title, they were capable of a Commission from the Kirk, which sometimes they obtained, and in the book of Assembly are named such as are called Bishops, and were under the
the Discipline of the Kirk: and in the same Superintendents, possesseurs, and titulars of prelacies, as well as Arch-bishops and Bishops, are ordained to be called and convened for that effect before the general Assembly of the Kirk: And yet none can say, That the offices of Abbeys, Prors, &c. were then retained; howbeit the benefices were not extinct, and few will grant that when the Arch-bishops and Bishops office was in vigour, they thought themselves subject to the general Assembly: as they are by the said act which is also fraudfully omitted in the quotation.

As for the acts of Parliament 1578. and 1579. It is answered that the Kirk in this mean time, from the yeare 1575. was busied in abrogating Episcopacy, and establishing the constant policie, as is cleare by the printed acts of Assembly before the book of Discipline, and unprinted acts of Parliament: The Kirk by her Commissioners daily reasoning and agreeing with the Kings Majesty and his Commissioners upon these heads of policie, whereupon the Parliament, by the said 69. act 1579. declareth there is none other jurisdiction ecclesiasticall to be acknowledged, but that which is in this reformed Kirk, and floweth therefrom, which extinguishteth Episcopacy; because it doth not flow from this reformed Kirk: neither can produce its shartor from her: for beides that it was abolished by the forefaid acts 1567. It was condemned also in the book of Policie, and in the general Assembly holden at Dundie, 1580. and their whole estate spirituall, and temporall condemned in the Assembly at Glasgow, 1581. and so acknowledged by his Majesties Commissioner in the Assembly at Edinburgb, 1581. so that by this act of Parliament, 1579. The Bishops are so abolished, that unless they be established by lawfull Assemblies of the Kirk, no act of Parliament since can conduce for their establishment: seeing this, act with the other acts for their abolition, standeth yet unrepealed. And farther for the act of Parliament, 1578. if the same contribute any thing; for Episcopacy, it must either be because Bishops are there mentioned, or for the power thereby conferred upon them: But both these are weak grounds. The first because there is no Bishop there named, but such as stood provided de facto on life: which is an designation of the benefice, which was not then extinct; and not of the office which was extinct. The power conferred upon them by the said act can give no strength to the argument: because there is no jurisdiction granted thereby to them, but only power to visit Hospitalls: which the Parliament might have granted to any person: but was most proper to these idle titulars of benefices, who might best attend the same, or imploy means for their reparation. And this charge is likewise communicat by act of Parliament to all Chancellours of this Kingdome for the time being: And as to the 71. act 1579. we repeat the former answers that Superintendents and Commissioners are there joined with the Bishops; to shew that no power is granted unto them as Bishops, but Commissioners from the Kirk, and the name is still used, because the benefice was not extinct, but they were knowne by that appellation.

The
The acts of Parliament 1581. were better alleged for Assemblies Anem then Bishops, for it is an express ratification of the former acts of abo-

lation of Bishops, and abrogation of all acts or constitutions, cannons ci-
vill or municipal contrary to the Religion then presently profest within
this kingdome: which is not only clearly express in the words: but
if they were doubtforme (as they are not) were manifest for these rea-
sons. First, the Assembly holden at Edinburgh, about the very same
day, honoured with the presence of his Majesties Commissioner, is ac-
knowledged by him to have condemned Episcopacy, whereunto temporo-
rall jurisdiction is annexed: and the Assembly declaring that function
to be against the word of God and acts of the Kirk, thereupon did sup-
plicate the Parliament, that they should make no acts repugnant to the
word of God, especially concerning Bishops. Secondly, the King and
Estates by that act ratified all acts made for maintenance of the liberty
of the true Kirk of God, presently professed within this Realm and
purity thereof: which present profession can be no other, then that
which was received by the Kirk and Assembly then presently sitting to
near the Parliament at Edinburgh, which had approve the Presbyteriall
government, condemned the Episcopall, and ratified the short confession
simul & semel, wherein the Estates had sworn to the Presbyterall and
abrogated Episcopall government. Thirdly, this ratification of the for-
mer acts of Parliament must bee interpreted, according to the words
thereof, to be in all points, which are not prejudicall to that purity of
Religion and liberty of the Kirk presently professed within this Realm.
And at this time the whole Estates had subscribed the short Confession
and so sworn to the discipline, set down in the book of discipline, which
by this act is ratified in the first place, before any speciall enumeration
of particular acts. Fourthly, it hath beene formerly shewn that in the
preceeding acts of Parliament where Arch-bishops or Bishops are named,
the same hath beene by reason of their benefice, and not their office:
which the Parliament could not give them being abrogate by Assem-
bly: or having intended really to give them any place, would not have
joynd Superintendents and other Commissioners with them: or other-
wise they are named as having equall power with the Superintendents
and other Commissioners, as in the convention at Leeth; and con-
forme to the time, especially 1572. and 1573. Wherein some titulars
or posessors of prelacies, so called in the 46. act of the Parliament
1572. had a commission from the Kirk like unto Superintendents, which
was not fully abrogate until 1580. But all this was without prejudice
of the Kirk her liberty, to recall her own commision from these who
were provided to prelacies: and to condemn their Episcopall offices,
whereunto they ascended the power; which they really had by their
commision: as the Kirk did upon good reasons abrogate the office of
Superintendents without impunging of the saids acts of Parliament
(which were never refixed till 1592.) whereby it is evident, that
though this act of Parliament 1581. ratifie the former acts wherein
Arch bishops, Bishops, Superintendents, or other Commissioners

of the Kirk are named, yet seeing the said acts are alternative conceived, the vigour and efficacy thereof subsists by this ratification in the last alternative; viz. Commissioners from the Kirk, Dyoces or Province: seeing the remant were formerly condemned: especially by this Assembly of Edinburgh holden the time of the Parliament. Fifthly, this ratification 1581. of the former acts made in favours of the true Religion repeating only the titles of these acts and not themselves, cannot import any corroboration of the offices under the titles mentioned in these former acts: because this ratification, can only be extended to the matter, and not to the designation of the persons, express in the former acts, which is only personal and circumstance, as for instance, this act 1581. could not confer any power or employment upon Superintendents: because that office was then abrogated; and out of the Kirk. But the true meaning of the act is: that ratifying the substance and matter in favours of the Kirk and Religion, it doth intrust the execution to the whom the Kirk shall lawfully authorize with commission for that end, which is more manifest in the 1st. act Par. 12. 1592. wherein this act 1581. and all the acts therein contained are ratified quoad materiam: and yet all Arch-bishops and Commissioners are discharged and all Ecclesiasticall matters subject to Presbyteries. Sixthly, it cannot probably agree with reason that by this ratification the Parliament, above their power would endeavour to establish in the Kirk any function so recently condemned of before by the Assemblies at Dundie 1580. and at Glasgow and Edinburgh, 1581. immediately before this Parliament.

The Acts of Parliament 1584. are of severall natures. But they were protested against by the Ministers of Edinburgh in the name of the Kirk of Scotland, at the mercat crost of Edinburgh, when they were proclaimed and as they were made in that time which was called the house of darkness in this Kirk, tirrannized by the Earle of Arran, so are they expressly repealed 1592. cap. 114.

Anent the act of Parliament 1584. For the three Estates, and so forth. To answer: Primo, that the Kirk from the yeare of God 1580, 1581. that the Confession was subscribed, unto the year 1597. all this time was by continall acts condemning the office of Bishops, their spiritual, their temporal, their whole estate, their confusion of civil and Ecclesiasticall jurisdiction, and craving in Counsell and Parliament the dissolution of Prelacies and the erection of Presbyteries.

2. De facto the former Bishops being continually proceeded and sentenced by the Kirk, these who presumed to usurp that office condemned by the Kirk, namely Mr. Patrick Adamson, and Mr. Robert Montgomery in the yeare 1582, 1584, 1586. they were deprived and excommunicate by this Kirk before the Parliament, 1587.

3. De facto no Ecclesiasticall Bishop voted in Parliament but Montgomery and Adamson, who were taken in by the Earle of Arran, unto the Parliament holden in May at Edinburgh 1584. Wherein the three Estates ratifeth the honour and dignity of the three Estates, so that these two
two Bishops cannot be called the third Estate which doth ratifie, fo the Estate of Bishops, cannot be called the third Estate, which is ratified: especially seeing by that same Parliament in the 132. act. Bishops of the Dioces are but nominate the Kings Commissioners. And in the last act of that same Parliament, printed of old in black letter, there is set downe the Kings Commission granted to the said pretended Bishop Adamson.

4. From 1581. till the yeare 1597. the quoter doth not cite nor can cite any act of Parliament expressly nominating any ecclesiasticall Bishop, but that in the 1584. wherein he is named as one amongst other the Kings Commissioners, whereof some were mere secular persons.

5. It is clear by the first act of the ninth Parliament 1584. and the eleventh act of the 10. Parliament 1585. that Bishopricks, Prelacies, Abbacies, Priories, Nunries, were then thought to be alike in the Kings hands, were granted to whatsoever persons being his subjects, albeit they brooked no office in the Kirk: so that some of these lordships and Baronies were erected before 1587. and excluded from the annexation.

6. As the Kirk had ever been craving the dissolution of Prelacies, and condemning the temporal as well as the spiritual estate of Bishops, by their act of the Assembly 1581. and by their censure of the Presbyterie of Striving for admitting Montgomrie to the temporality of the Bishoprick of Glasgow, and censure of Montgomrie for applying thereto, contrarie to the word of God and acts of the Kirk in the Assembly 1587. June. So in the 11. Parl. of King James the first 29. of July 1587. act. The three Estates of Parliament annexeth to the crown, all Lordships and Baronies pertaining to whatsoever, Archbishops, or Bishops, Abbots, Pryors, Nunnes, and Munkeys: referring alwayes to Archbishops, Bishops, Abbots, Pryors, Pryresses, commendators, and others possessours of great Benefices of the estate of Prelates, and which before had or hath vote in Parliament, the principall Castles and Fortalices: whereby it is clear, that the sui juris naming three Estates did no wayes include Ministers being Bishops: seeing no ecclesiasticall Bishops, late in that Parliament, nor could sit: because the only two Bishops of the time Adamson and Montgomery, were before deprived and excommunicat, and certainly they neither would nor could have sitten as an Estate in Parliament to abrogate their owne estate and lordships, and temporeall land, whereupon that act acknowledgeth any right they had, did depend. 2. It is clear that Archbishops or Bishops, Abbots, Pryors, &c. all alike voted in Parliament of old, not by reason of their ecclesiasticall office, but by reason of their great benefices and lordships: which here is said to have had vote in Parliament: for that cannot be relative to the persons, as unto Pryresses: but unto the benefices. So that Ministers voted not as Ministers in name of the Kirk, but as possessours of these great benefices or Baronies: and others who were not Ecclesiasticall persons being titulars, and possessours of these great benefices both communi jifo were called Bishops, Ab.
botes, &c. by vertue of the benefice without any office, in the rolls of Parliament, and in the act of Assembly 1587. The Bishoprick of Caithnes is said to vaile by decease of Robert Earle of March, the Kings Uncle: And the Assembly in their letter to the King declareth, to be against the word of God and acts of the Kirk, to preffent and admit any Minifter to that Bishoprick, as also some of these titulares, and poffeffours of the benefices, albeit they had no ecclesiastical office, did some times ryde and vote in parliament. 3. It is cleare that the three Estates by taking away from Archbifhops, and Bifhops, their Lordships Barronies, and temporal lands, they took away their vote in parliament, which doth not subsift, but in and by the benefice, and therefore ecclesiastical persons separat to the Gospel for want of their great benefices, had no vote in parliament, till the 1597, (albeit all the interveened acts are made by the three Estates,) wherein the Kings Majefty reforcerth Minifters to the titles and dignities of Prelacies, which sheweth that before they were difponed to others then Minifters; and provideth that Minifters prefenteth to these titles and dignities, and to the benefice of Bishopricks, shall have vote in parliament; which sheweth that the benefice and not the office giveth right to vote in parliament, like as the very act of parliament 1606, acknowledge, that by the act of annexion of the temporality of benefice to the Crown 1587, the estate of Bifhops were indirectly abolished; and therefore they behoved to refcind the act of annexion anent the benefice, and restore them to these titles and dignities, before Minifters could vote in parliament, but these acts alfo are hereafter anwered. 7. Butas for 130. act 1584. no Bishop is therein mentioned; and yet it is adduced for Bifhops, because the three estates are therein named, under one of which the Prelate claimeth to be comprehended, but why more he then Abbots, and Priors formerly abolished, as well as Epifcopacy? why more by that act, then many former made when Bifhops neither rode, fate, nor voted in parliament; but were expugned out of this Kirk, and yet the acts were all made by the three estates, which albeit it needeth none other demonstration then that it is fylyus curia, carefully observed in this Kingdome; Yet the truth is, that the Nobility, Barrons, and Burrows were the three estates of this Kingdome, many hundred yeares after Christianitie, before any Bishops was in this Kingdome, as is obserued by Buchanan and Soetius, and acknowledged by Lefly in his Chronicles; and after the Bishops were abrogate expressly the three estates of parliament did continue, and make all acts of parliament. Yea, after the 1592, where Bishops were discharged, for if Bishops were an estate, there behoved to be foure estates of parliament; as there are so many named in the Commission granted by King James, and King Charles, viz. The Clargie, Nobility, Barons, and Burrows, and that as ecclesiastical persons separate to the Gospel, since the reformation, were never warranted to voice in Parliament, while 1597. So on the other part, the Barons are, and have beeene, as an estate of parliament in uncontravered possession of voting in parliament, conforme to the
the 101. act Parl. 7. King James the first, renewed again in the parliament 1585. and 1587. act 113. wherein precepts of the Chancelary are ordained to be directed to the Barons as unto an Estate of parliament: even as they shall be direct unto other Estates, to wit, The Nobility and Borrowers; which in that act is mentioned. So in this same act of parliament (which in the narrative relateth the bygone great decay of the ecclesiasticall Estate) There are express three compleat Estates in Parliament, The Nobility, Borrowers, and Borrowers. And as in law the three Estates are entire without Bishops or Ministers voters in Parliament. So also, it is most expedient, and necessar for the liberty of the Kirk, honour of the King, and peace of this kingdom: That no Ministers vote in Parliament, as is more clearly and largely proved in the reasons of the protestation, given into Parliament against the same 1606. And in the act of this Assembly against civil places of Kirk-men.

As for the 151. act 1584. no Bishop is therein mentioned to get any benefit thereby, and far lesse can the same reach to the prejudice of the late Assembly, which was indicted by his Majesty, and is an ordinar judicatur allowed by the laws of God and man: like as it is answered in our protestation, more largely.

And for the 132. and 133. act of the said Parliament 1584. there is no Ecclesiasticall privilege or authority thereby granted to Bishops as Bishops; but only a power of cognition: wherein the Parliament hath joined others the Kings Commissioners with them, only as the Kings Commissioners: and granted the same unto secular persons with them: but the King could never provide them to the office and jurisdiction of Bishops, which was abolished by many acts of Parliament and Assemblies before written.

The 23. act 1587. worketh directly against Bishops: being a generall ratification of all acts formerly made, anent the religion presently profest in this kingdom: which must include the acts abolishing Episcopacy; but especially, seeing in the same Parliament 1587. temporal livings are taken from the Bishops, as well as the office was 1567. And the same act undoubtedly was granted in the same meaning, wherein the Kirk did crave it; who that same yeare had often condemned Episcopall government, as contrarie to Gods word, and the liberty of the Kirk, and approved Presbyteryall government, as flowing from the pure fountain of Gods word.

It falleth in here to be remarked that the act 114. anno 1592. is never allledged: and that because it not only revoketh in particular the beforeaid acts 1584. but in generall all other acts contrary to that discipline then established, and in particular, the Assemblies, Presbyteryes and Synods; with the discipline and jurisdiction of this Kirk, are ratified and established, as most just and Godly, notwithstanding whatsoever statutes, acts, cannones, civil or municipall laws made in the contrary: whereunto his Majesties prerogative is declared to be no wayes prejudicial. Further the said act abrogates all acts granting commission to Bishops, and other Judges constitute in Ecclesiasticall causes: and ordaineth
presentation to benefits to be direct to Presbyteries, with power to
give collation thereupon: And so containeth a ratification of the heads
of Policy set downe in the second book of discipline. Which act is re-
newed act 60 anno 1593, and the power of Presbyteries acknowledged
1594, act 129, and was never refcinded expressly in toto; but only in
part by the ratification of the act of Glasgow. Which now cannot be re-
spected; but faileth ex consequenti: seeing that Assembly of Glasgow is
now upon just and infallible reasons declared to have been null abinitio:
and so this act of Parliament, wisely omitted by the collector to the
Commissioners grace might serve alone, without our preceding speciell
answers, for clearing the whole preceding acts.

The 23. act 1597. granteth the privilege of a voyce in Parliament
to the whole Kirk; and under that name to Abbots, or other persons
provided to prelacies, as bishops; even as in time of papistry.
So as Sir Robert Spottiswood, Abbot of New-abbay rode thereafter in Par-
liament: which was both unwarrantable and unufuall. Which doth no-
thing contribute for the bishops advantage, because albeit the benefice
was not extinct, yet neither the King nor the Parliament might give
them the office so oft condemned by this Kirk: which is also acknow-
ledged in the same act; because after the granting to them of the faid
voyce, the Parliament remitteth them to the Kirk, and the Assembly,
concerning their office in their spirittuall policy and government in the
Kirk. 2. The faid act beareth expressly to be but prejudice of the jurif-
diction and discipline of the Kirk, established by acts of Parliament made
in any time preceeding, and permitted by the faid acts to all provinciall
and generall Assemblies, and other whatsoever Presbyteries and Seifi-
ons of the Kirk: and so the same cannot derogate from the former acts
ratifying the present discipline of the Kirk, especially the faid act 1592.
or yet from the acts of the Assembly abjuring Episcopacy. 3. The pri-
vilege is granted upon condition they be actual Pastors and Mini-
sters. And so we referre to the world and themselves, if with good con-
sciences they may claim the benefice of that act. 4. That privilege was
obtained, and pretended to be introduced in favour of the Kirk: who
may and hath renounced the same, as being incompatible with their
spirittuall function: as the act of the Assembly at more length beareth;
upon undeniable reasons. 5. When voyce in Parliament was first plau-
sible obstructed upon the Kirk, it was neither proposed nor tolerated
in other fearedness then that onely such should have voyce in Parlia-
ment, as had Commissioners from the Kirk. So that noas Bishops;
but as Ministers, Commissioners from the Kirk, they had voyce in Parliament. Like as the Assembly at Montrose, 1600; being so hardily prest by authority, that they could not get it altogether
refused: (albeit in their conference at Holy rood house, 1599. they
proposed unanswerable reasons against this, and all other civill
places of pastours) set downe cautions, binding the Ministers' voters in
Parliament, to bee infert in the act of parliament subsequent:
which was omitted notwithstanding of the Bishops oath and duty in the
contrace
contrare; for the breach whereof they are now most justly cenfured.

6. The ratificatory acts of the priviledges of the Kirk and Discipline thereof then profest, are not thereby abrogated, but notwithstanding thereof must stand in force, because it is ever understood, and frequently provided in Parliament, that all acts thereof are made *salvo jure con-jubitatis*; far more *salvo jure ecclesiæ & ipso Christi*, when she is robbed of her right without audience: especially seeing her right, is usually ratified in the first act of every Parliament. 7. Albeit it were granted, that by this Act of Parliament, or any whatsoever the Prelates had voice in Parliament, yet that doth not excomine them from Ecclesiastick cenfure, nor forefaul the Kirks right, whereby the may condemn them for their tranfegion: as now this Assembly most justly hath done, for by their owne caveats, whosoever is ecclesiastically cenfured by Presbyteryes and provinciall Assemblies, *ipso facto* loseth his benefice and vote in Parliament. 8. Further the Bishops in their declinatour profess they never had commiffion from this Kirk to voice for her in Parliament, according to the caws set down in the Assembly at Montrose: for the which caws that Assembly was never challeng-ed, as trenched unpon the third estate.

The act of parliament 1606. is coincident with the nature of the preceeding acts, for albeit the King and parliament might have repo-ned them to their rents, teends, lands, &c. which were annexed to the Crown; yea, might have dispsoned to them any part of the patrimony of the Crown. If lordly titles and civil places in the persons of pastors separatato the Gospel, had been lawfull, yet could not give them the spirituall office, and jurifdiction spirituall, which was abolished and abs-jured by many preceeding acts of Assembly and parliament forecited. *Et quod illud sanctum agebatur*, is evidente by the whole straine of the act, reponing them, for remeade of their contempt and poverty to their dig-nities, priviledges, livings, rents, lands, and teinds: and this always limited, as was competent to them, since the reformation of Religion in the reformed Kirk: From which time their office and jurifdiction spirituall was always extinct. Which is evidently acknowledged in the act of Parliament 1592. and expressly in the act of parliament 1597. granting voice in parliament to ministers. Which albeit it was the first step to *Episcopacy*, yet the parliament thereby hath remitted the office of Bishops in their spirituall policy and government (as not pertaining to their civil place and jurifdiction) to the King and the generall Assembly of Ministers, as properly belonging to them, but prejudice always of the jurifdiction and discipline of the Kirk, permitted by many acts of Parliament, (whereof that 1592. forecited is one) to generall provinciell Assemblies, Presbyteryes and Sessions of the Kirk, which were never prejudged neither by the act 1606. nor by the act 1609. albeit corruption was then fast advancing; till the yeare 1612. at which time first and never before, the King and Estates had taken the advice of the pretended Assembly at Glasgow, ancent their office and spirituall jurifdiction formerly remitted to them; as is cleare in the act of Parlia-

*exme the act 1606.*
ment 1612. relative to that remit in the Parliament 1597, which for that cause is also omitted by the quotter.

Like as also the act of parliament 1609. restore them only to temporal jurisdiction, and privileges, lawfully pertaining to them and flowing from his Majesty, as any other ordinar jurisdiction doth; with reservation of the King’s supremacy and prerogative therein; which can no ways comprehend their ecclesiastical office, because the same is not a temporal jurisdiction, neither did lawfully pertain to them, but by the law of God, and acts of this Kirk after reformation; and by the act 1592. was abrogated and taken from them; and the ecclesiastical power established in presbyteries. So that if it be an ecclesiastical office, it cannot flow from the King, who cannot make a Minister, Doctor, Elder or Deacon in the Kirk; albeit he may present a Minister made by the KING of Kings to the Kirk; neither can the parliament institute originally any ecclesiastical office in the Kirk, as is before said. Further the intended scope of that act is only the restitution of Commissariats and temporal jurisdiction flowing from his Majesty; as is clear by the act itself, bearing that they shall brooke all privileges and jurisdictions granted to them by his Majesty, and redintegrate them to their former authority and jurisdiction, lawfully pertaining to them, always flowing from his Majesty (from whom only temporal jurisdiction doth flow) which is only the jurisdiction of Commissers in temporal causes, and no ways any spiritual jurisdiction competent ratione officii: which by God’s word and the laws of the Kingdom was abjured in them, and established in assemblies, presbyteries, &c. as is many times before repeated. But to convince them further it is notor that both 1606. and 1609, they read in Parliament, and by their own voices and the iniquity of the time, made the said acts without expressing the cautions made at Montrose, without any commission from the Kirk, contrarie to the said cautions and their owne oath given for observance thereof, against which the Kirk of Scotland did protest solemnly, clearing unanswerably, not only the unlawfullness of their Ecclesiastick Episcopall function; but also of the civil places in persons of Pastors, from God’s word, our confession of Faith, 1580. acts of this Kirk and Kingdom, but this protestation being rejected by them was printed to the view of the world.

And as for the act of the Parliament 1617. it cannot fet down confecration to the office, without a preceding act of the Kirk: which is not allledged; but by the contrarie, the Kirk, had before condemned that office, and did particularly protest against that act of Parliament. Moreover this act is builded upon the supposed ground of Glasgow Assembly 1610. which for infallible reasons is now annulled: and so not only this act 1617. but all after acts, ratifying the same, fall ex consequenti; both by the light of reason, law and practice of this Kingdom. For when the principall act or right ratified doth fall, the subsequent ratification falleth eipso: especially in this case, when civil laws in ecclesiastical matters, cannot be made originally, nor superstit after
after the abolition of the ecclesiastical constitutions, which they ordained under civil sanction to be obeyed: and yet being once annulled, they cannot be obeyed. And further even that corrupt Assembly of Glasgow 1610, which is now declared to have been null ab initio, did never restore the office of a diocesan Bishop before condemned in this Kirk; but did too far enlarge and extend the power of these who were provided to the benefice of Bishops; and yet always under cautions and limitations sworn unto: which they never observed; and upon condition of their subjection for cenfure to yearly general Assemblies: which they have not kepted, but impeded, and to they ought not to claim the benefice of these acts of Parliament concluded by their own voyces, and protested against by the Kirk of Scotland and violated by themselves.

And last, for answer to all acts of Parliament whatsoever, let the Christian Reader consider, if, as the Assembly lately convened by his Majesties indiction in the name of Jesus Christ, should judge (and hath proceeded) by the word of God alone; and not by acts of parliament: so we are obliged by our oath made to God, to return to the doctrine and discipline of this Kirk 1580, and renounce all subsequent acts contrary thereunto, and prejudicial to the purity of reformation and the Kirk, in whose favours any pretended privileges is granted, and that out of experience of real prejudice, and the pungent sins of our oath and danger of perjury; under which this Kingdome lyeth: for the which we ardently deprecate Gods wrath; and beg mercy to every one of us who are guilty; and must still continue our earnest and humble supplications to his Majesty for redresse; as we shall do our petitions to God, for preserving the sacred person of our dread Sovereign, and perpetuating his reign and his Royall posterity over this land so long as the world endureth.

Revised according to the ordinance of the general Assembly, by mee Mr. A. Honston Clerk thereto.

Because the Reader shall not need to doubt of the vanity of all these exceptions against the Acts of Parliament here cited, and of the impertinency of their Citations of some Acts of Parliament to the contrary: We shall demonstrate to the Reader, that when this Confession of Faith was first framed, and enjoined to be subscribed; Episcopall government was then in force and strength, which doth appeare by the most unquestionable and irrefragable Record of that Kingdom, viz. The Bookes and Rolls of Parliament. And therefore Wee have here caused to be inserted out of the Sederunt Rolls of Parliament, the names of such Bishops as late in Parliament, and represented the third Estate since the Reformation, beginning no higher then the yeare 1579. In which the Reader must note that the Abbots were secular men who had got the Abbey-lands, but yet retained their names and places in Parliament.

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### Parliament 12. April 1604.
- **Glasgow.**
- **Dunkell.**
- **Ross.**
- **Brechin.**
- **Caithness.**
- **Abbots 2.**

### Parliament 3. April 1592.
- **Clero.**
- **Dunkell.**
- **Abbots 6.**

- **S. Andrews.**
- **Glasgow.**
- **Dunkell.**
- **Ross.**
- **Galloway.**
- **Orknay.**
- **Abbots 1.**
- **Priors 1.**

### Parliament 3. April 1593.
- **Clero.**
- **Abbots 6.**

### Parliament 22. April 1594.
- **Dunkell.**
- **Abbots 5.**

### Parliament 3. April 1595.
- **Abbots 6.**

### Parliament 3. August 1597.
- **St. Andrews.**
- **Glasgow.**
- **Murray.**
- **Brechin.**
- **Caithness.**
- **Orknay.**
- **Abbots 3.**

### Parliament 1. Novem. 1600.
- **Abbots 5.**

### Parliament 1. Novem. 1600.
- **Abbots 6.**

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About this time Our Commissioner resolved to ask Our leave for his returne to Us, seeing there was no good to be expected from Our faire and gracious proceedings with them of the pretended Assembly, and wrote unto Us accordingly. When he had received Our leave for his returne, hee hearing of the great shires which were now raised at Edinburgh, and the strong and great guards which were since his leaving of Glasgow put upon Our Castle there, repaired thither to Our Palace at Holy-rood house, where he found the people of that Citie horribly abused by the mis-reports of all the passages of the Assembly, whilst he continued at Glasgow, especially with a false information that We had there made good nothing of all which was contained in Our last gracious Declaration.
tion made at Edinburgh the 22. of September last past: here-
with he made Us prelently acquainted, which moved Us by
a very speedy dispatch to command him by Our Procla-
tion to make knowne to all Our subjects at Edinburgh, the
summe of his whole proceedings at Glasgow; which Our
Commissioner, prelently performed, by causing this Our en-
suing Proclamation to be published at the Market Croffe of
that Our Citie.

CHARLES R.

CHARLES by the grace of God, King of Scotland, Eng-
land, France, and Ireland, defender of the Faith. To Our

Lovits
Maiffars, Heralds, Purfeyants, Our Sherifles in that part con-
junctly and severally specially constitute, greeting. Whereas for
the removing of the disorders which had happened of late within
this Our Kingdom, and for settling of a perfect peace in the
Church and Common-wealth thereof, We were pleased to cause
indict a free generall Assembly, to be helden at Glasgow the one
and twentith of November laft: And for Our subjects their bet-
ter content and assurance that they should bee freed of all such
things as by their petitions and supplications given in to the Lords
of Our Privie Councell, they seemed to be grieved at: We in some
sort prevened the Assembly, by discharging by Our Proclamation
the Service Book, Booke of Canons, and high Commission,
freed and liberate Our subjects from the practising of the five
Articles, excused all Ministers at their entry from giving any
other oath then that which is contained in the act of Parliament,
made all persons both Ecclesiastical & Civill lyable to the censuare
of Parliament, generall Assembly, or any other judicatorie com-
petent according to the nature of their offence: had declared all
by-gone disorders absolutely forgotten and forgiven: and last, for
securing to all posteritie the truth and liberty of Religion,did com-
mand the Confession of Faith, and band for maintenance there-
of, and of Authoritie in defence of the same, subscribed by Our
deare Father, and his household in anno 1580. to be renewed
and subscribed againe by Our subjects here: And albeit that this
Our gracious and pious command, instead of obedience and sub-
mision, rancountered open and publicke opposition and protestation
against
againft the fame: And that they continued their daily and bournely guarding and watching Our Caftle of Edinburgh, fuffering nothing to be imported therein, but at their discretion, stopping and impeding, any importation of Ammunition, or other necessaries whatsoever to any of Our houses within this Kingdom: Denying to Us their Sovereigne Lord that libertie and freedome, which the meanefl of them assume to themselves (an act without precedent or example in the Christian world.) Like as they spared not boldly, and openly to continue their conventions and Council tables of Nobilitie, Gentrie, Ministers and Burgesses within the Citie of Edinburgh, where, not regarding the Lawes of the Kingdom, without warrant of Authoritie, they convened, assembled, and treated upon matters, as well Ecclesiasticall as Civil, sent their injuncions and directions throughout the countrey to their subordinate tables, and other under-Ministers appointed by them for that effect. And under colour and pretext of Religion, exercising an unwarranted libertie, required obedience to their unlawful and illegall directions, to the seen prejudice of Authority, and lawfull monarchical government. And notwithstanding it was evidently manifelt by the illegall and unformall course taken in the election of the Commissioners for the Assembly, whereof some of them were under the censure of this Church, some under the censure of the Church of Ireland, some long since banifhed for open and avowed teaching against Monarchie, others of them suspended, and some admitted to the Ministerie contrary to the forme prescribed by the lawes of this Kingdom, others of them rebels, and at the Horne, some of them confined, and all of them by oath and subscription bound to the overthrow of Epifcopall government. And by this and other their under-hand working, and private informations and persuafions, have given just ground of suspicion of their partialitie, and fo made themselves unfit Judges of what concerneth Epifcopacie. And als albeit it was sufficientely cleared by the peremptory and illegall procedures of the Presbyteries, who at their owne band by order of Law, and without due forme of proceffe, thrust out Moderators lawfully established, and placed others whom they found most inclinable to their turbulent humours, associate to themselves, for chusing of the Commissioners to the Assembly, a Laick-Elder out of each Parish, who being in most places equal, if not more in number, then
then the ministerie, made choice both of the Ministers, who should be Commissioners from the Presbyteries, as also of a Laick-Elder, which in time will prove to be of a dangerous consequence, and import a heavy burthen to the libertie of Church and Churchmen being more directed therein by the warrants of the forsaied pretended Tables then by their owne judgements, as appeared by the several instructions sent from them (farre contrary to the Lawes of this Country, and lawable custome of this Church) some whereof were produced and exhibit by our Commissioner, and publikely read: One whereof, direct to the Noblemen and Barons of each Presbytery, doth among many other odde passages, require diligence, (left say they) by our owne, silliness and treacherie wee lose so faire an occasion of our libertie both Christian and Civill, a strange pharse to proceed from dutifull or loyall hearted subjects: The other to the Moderatours of the several Presbyteries, under the title of Private Instructions, August 27. first, containeth that these private instructions shall be discovered to none, but to brethren well affected to the cause: secondly, order must be taken, that none be chosen ruling Elders but Covenanters, and those well affected to the business: thirdly, that where the Minister is not well affected, the ruling Elder be chosen by the Commissioners of the Shire; and spoken to particularly for that effect: fourthly, that they be carefull that no Chapellmen, chaptermen, or Minister justice of peace, be chosen, although Covenanters, except they have publikely renounced; or declared the unlawfulness of their places: fifthly, that the ruling Elders, come from every Church, in equal number with the Ministers; and if the Minister oppose, to put themselves in possession, notwithstanding of any position: sixthly, that the Commissioner of the Shire cause convene before him the ruling Elder of every Kirk chosen before the day of the election, and enjoyne them upon their oath, that they give vote to none but those who are named already at the meeting at Edinburgh: seventhly, that where there is a Nobleman in the bounds of the Presbytery, he be chosen, and where there is none, there be chosen a Baron, or one of the best quality, and be only a Covenant; eighthly, that the ablest man in every Presbytery be provided to dispute de potestate supremae magistratus in Ecclesiasflicis, pretentim in convocandis Conciliorum, &c. Whereby it is most evident what prelimitations indirect and partiall
partial courses, and dangerous propositions have been used in
the preparations and elections to this pretended Assembly. By
which unlawful doings, although We had sufficient reason to
have discharged the meeting of the said Assembly, yet We were
pleased patiently to attend the same, still hoping, that when they
were met together by the presence of Our Commissioner, and as-
ance of some well affected subjects, who were to be there, and by
their own seeing the real performance of what was promised by Our
Proclamation, they should have been induced to return to the due o-
bedience of subjects. But when we perceived that their turbulent
dispositions did increase, as was manifest by their repairing to the
said pretended Assembly with great troops and bands of men, all
boding in fear of war, with guns, &c. Pistolets, contrary to the laws
of this Kingdom, and in high contempt of Our Proclamation at E-
dinburgh the 16 day of November last; And also by the peremptory
refusing to the assessors authorized by Us (although fewer in num-
ber,) then Our dearest Father was in use to have the power of voting
in this Assembly, as formerly they had done in all others, openly a-
vowing that We, nor Our Commissioner had no further power there
then the meanest Commissioner of their number; & by their par-
tiall and unjust refusing, & not suffering to be read, the reasons &
arguments given in by the Bishops, & their adherents to Our Com-
misssioner, why they ought not to proceed to the election of a Moder-
tor, neither yet to the trying and admitting of the Commissioners,
before they were heard, though in Our name they were earnestly
required thereto by Our Commissioner; and notwithstanding that
Our Commissioner by warrant from Us gave in under his hand a
sufficient Declaration of all that was contained in Our late Pro-
clamation, bearing likewises Our pleasure of the registration of
the same in the books of Assembly, for all assurance of the truth
and purity of Religion to all Our good subjects, as doth clearly ap-
pear by the declaration itself; whereof the tenor follows. The King.
Majesty being informed that many of his good subjects have ap-
prehended that by the introducing of the Service Book, and Book
of Canons, the inbringing of Superstition hath been intended, hath
been graciously pleased to discharge, like as by these he doth dis-
charge the Service Book, and Book of Canons, and the prac-
tice of them, and either of them, and annuls and rescinds all
Acts of Council, Proclamations, and other acts, and deeds what-
ssoever.
foever, that have beene made or published for establishing them, or either of them; and declares the same to be null, and to have no force nor effect in time comming. The Kings Majestie, as he conceived, for the ease and benefit of the subject, established the high Commission, that thereby justice might be administrate and the faults and errors of such persons as are made lyable thereto, taken order with, and punished with the more convenientie, and leffe trouble to the people. But finding his gracious intention therein to be mistaken, hath beene pleased to discharge, like as by these Hec doth discharge the same, and all acts and deeds whatsoever made for establishing thereof. And the Kings Majestie being informed, that the urging of the five Articles of Perth Assembly hath bred distraction in the Church and State, hath beene graciously pleased to take the same into His royall consideration; and, for the quiet and peace of this countrey, hath not one ly dispensed with the practice of the saies Articles, but also discharged all and whatsoever persons from urging the practice thereof, upon either Laick or Ecclesiastical person whatsoever, and hath freed all His subjects from all censure and paines whether Ecclesiastical or Secular, for not urging, praclisings, or obaying them, or any of them, notwithstanding of anything contained in the Acts of Parliament, or generall Assembly in the contrary. And his Majestie is further contented, that the Assembly take the same so farre to their consideration, as to represent it to the next Parliament, where to be ratified as the Estates shall finde fitting. And because it hath beene pretended, that oaths have been admiristrate different from that which is set downe in the acts of Parliament, his Majestie is pleased to declare by me, that no other oath shall be required of any Minister at his entry, nor that which is set downe in the act of Parliament. And that it may appeare how carefull his Majestie is, that no corruption nor innovation shall creep into this Church, neither yet any scandal, vice, or fault of any person whatsoever, censurable or punisheable by the Assembly, go along unpunishe his Majestie is content to declare by me, and assure all His good people, that generall Assemblies shall be kept so oft, and as oft as the affaires of this Church shall require. And that none of His good subjects may have cause of grievances against the proceedings of the Prelats, his Majestie is content that all and every one of the present Bishops, and their successors,
ceffors, shall bee answerable, and accordingly from time to time censorious, according to their merits by the generall Assembly. And to give all his Majesties good people full assurance, that hee never intendt to admit any alteration or change in the true Religion profest within this Kingdome, and that they may be truly and fully satisfied of the reality of His intentions and integrity of the same, his Majestie hath been pleased to require and command all His good subjects to subscribe the Confession of Faith, and band for maintenance thereof, and of his Majesties person and Authority, formerly signed by His deare Father, in ann. 1580, and now also requireth all these of this present Assembly to subscribe the same. And it is his Majesties will, that this be insert and register in the books of Assembly, as a testimony to posterity, not only of the sincerity of His intentions to the said true Religion, but also of His resolutions to maintain and defend the same, and His Subjects in the profession thereof.

Which Declaration was by Our speciall command and direction given in, and subscribed by Our Commissioner, upon protestation made by him, that his assenting to the registration hereof, should be no approbation of the lawfulness of this Assembly, nor of any of the acts or deeds done, or to be done therein. And finding them in like sort no wayes to be satisfied therewith, and that nothing else was able to give them contentment, except at their owne pleasure they were permitted to overthrow all Episcopeall government in the Church, and thereby to abrogate Our publike lawes standing in vigour by the space of many yeares by-gone, and to alter the fundamentall government of this Kingdome, in taking away one of the three Estates, contrary to express Acts of Parliament: And left the continuance of their meetings might have produced other the like dangerous acts so derogatory to Royall authority, We were forced for preventing thereof, and for the reasons and causes above-mentioned, and divers others importing true monarchical government, to disolve and breake up the said pretended Assembly, and to discharge them of all farther meeting, treating and concluding any thing therein: And yet in that calme and peaceable way, as Our Commissioner before his removing desired their pretended Moderator for that time to have said prayer, and so concluded that dayes session, that so they might have had time to thinke upon the just reasons of his refusing to assist, or be any
any longer present at the said pretended Assembly, or of the causes moving Us to the dissolving thereof: and notwithstanding his earnest urging the same, and being willing to returne the next morning to heare their answer; in place of all other satisfaction to his so reasonable and moderate desires, it was refused, and met with a protestation of an high and extraordinary straine, thereby presuming to cyte and call Our Councell in question, for their dutifull assistance and obedience to Us and Our Commissioner. And finding their disobedience thus to increase, We were constrained to discharge them of new againe the next day thereafter, by publike proclamation, under the paine of treason. And albeit that their contumacie is such as hath not been heard of in former times, yet, they shall never move Us to alter the least point or article of that. We have already declared by proclamation, or declaration under Our Commissioners hand: All which was publikely read, and by Our Commissioner required to be insert and registred in the books of Assembly, therein to remain as a testimonie to posterity, not one ly of the sinceritie of Our intentions to the true Religion, but also of Our resolution to maintaine and defend the same, and Our sub jects in the profession thereof. And perceiving likewise that in contempt of Our proclamation at Glasgow the 29 of November they goe still on to convene, meet, and to make illegall and unwarrantable acts, We have conceived it fittig to forewarn all Our good subjects of the danger that they may incure by being insuured by these their unlawfull procedures. And to this pur pose doe not onely liberate and free them from all obedience to any of the pretended acts, made, or to be made at the said pretended assembly, or Committees direct therefrom, but do also free them from all pain and censure which the said pretended assembly shall inflict upon them, or any of them. And thereforr doe discharge and prohibit all Our subjects, that they nor none of them acknowledge nor give obedience to any pretended acts nor constitutions made or to be made at the said pretended meetings, under all bigbeft paines. And We command, charge, and inhibit all pres byteries, sessions of Kirkes, Ministers within this Realme, that none of them presume nor take upon hand privately nor publike in their sessions and meetings, nor in their conferences, sermons, nor no other manner of way, to authorize, approve, justify, or allow the said unlawfull meeting or assembly at Glasgow: nei ther
ther yet to make any Act thereupon, nor to do any other thing, private or publike, which may seeme to countenance the said unlawful Assembly, under the paine to bee repute, holden and esteemed and pursuad as guiltie of their unlawful meeting, and to bee punifhed therefore with all rigour: And siclike Wee command all and sundrie Noblemen, Barons, Gentlemen, Magistrates, and all other Our lieges who shall happen to bee present and heare any Ministers either in publike or private conferences and speeches, or in their Sermons, to approve and allow the said unlawful Assembly, raile and utter any speeches against Our Royall commandments, or proceedings of Us, or Our Councell, for punishing or suppressing such enormities, that they make relation and report thereof to Our Councell, and furnish probation, to the effect the same may bee accordingly punifhed, as they will answer to Us thereupon: Certifying them who shall heare and conceale the said speeches, that they shall bee esteemed as allowers of the same, and shall accordingly bee taken order with, and punished therefore without favour. And to this effect We likewise straightly charge and command all Judges whatsoever within this Realme, Clerks and Writers, not to grant or passe any Bill, summons, or letters, or any other execution whatsoever, upon any Act or Deed proceeding from the said pretended Assembly, and all keepers of the signet from signeting thereof, and that under all highest paines. And because Wee gave order and warrant to Our Commissioner to make open declaration, not only of Our sense, but even of the true meaning of the Confession of Faith, in Anno 1580. by which it may cleerely appeare, that as Wee never intended thereby to exclude Episcopacie, so by no right construction can it bee otherwise interpreted, as is more nor evident by the reasons contained in the said Declaration, and many more, which for brevitie (the thing in it selfe being so cleare) are omitted. Herefore Wee do not onely prohibit and discharge all Our subjects from subscribing any band, or giving any writ, subscription, or oath to, or upon any Act, or Deed that proceeds from the forefaid pretended Assembly, but also do require them not to subscribe, nor sweare the said Confession in no other sense then that which is contained in
the said Declaration, and manifestly emitted by Our Commissi-
nor, under all highest paines. And that none of Our good sub-
jects, who in their duty and bound obedience to Us shall refuse
to acknowledge the said pretended Assembly, or any of the pre-
tended Acts, constitutions, warrants, or directions proceeding
therefrom, may have just ground of feare of danger or harme by
doing thereof, We do by these promise, and upon the word of a
King oblige Our selves by all the Royall authoritie and power
wherewith God hath endowed Us, to prote& and defend them,
and everie one of them in their persons, fortunes, and goods, a-
gainst all and whatsoever person or persons who shall dare or pre-
sume to call in question, trouble, or any ways molest them, or any
of them therefore: And Our will is, and Wee charge you straitly
and command, that incontinent these Our Letters seene, you passe,
and make publication hereof by open Proclamation at the market
crosse of Edinburgh, and other places needfull, wherethrough none
pretend ignorance of the same.

Given from Our Court at Whitehall the eighth day of December,
and of Our Reigne the fourteenth yeere, 1638.

Per Regem.

This Our Proclamation, publishd onely to make Our
people acquainted with Our gracious proceedings at
Glasgow, which by the malice of their Leaders had either
beene concealed from them, or misreported to them, was re-
ceived as all Our former gracious offers, with a verie undu-
tifulfull, windie and blistering Protestation, so full of words,
but withall, so void of truth and sense, as We were once re-
solved not to have inserted it here, neither indeed is it necessa-
rie it shoule for it is stuffed with the idle and superfluous re-
petitions of those things which are contained in their former
Protestations, especially their last Protestation made at Glas-
gow, with which indeed it is for the most part the same ver-
batim: Yet, because We know that if it should be left out they
would not stick to assure their followers, that it was omit-
ted because of the unanswerable pregnancy of the reasons contained in it, here you shall have it, but without any answer to it, as to their former Protestations hath beene given, there being verie little in it which is new, and so not answered before, or what is in it new being either verie false or verie impertinent, both which falsities and impertinencies shall onely bee observed on the margent, being assured that the Reader will eafily finde that there is nothing in it worthie of any larger answer.

The Protestation of the generall Assemblie of the Kirke of Scotland, made at the Market Cross of Edinburgh the 18. of December, 1638.

We Commissioners from Presbyteries, Burghes, and Universities, now convened, and yet sitting in a full and free Assemblie of the Kirk of Scotland, indited by his Majestie, and gathered together in the name of the Lord Jesus Christ the onely Head and Monarch of his owne Kirk; And We Noblemen, Barons, Gentlemen, Ministers, Burgeses and Commons, Subscribers of the Confession of Faith, make it knowne; that where We his Majesties loyall subjects of all degrees, considering and taking to heart the many and great innovations and corruptions lately by the Prelars and their adherents introduced into the doctrine, worship, and discipline of this Kirk, which had been before in great purity, to our unspakeable comfort, established among us, were moved to present many earnest defires and humble supplications to his sacred Majestie, for granting a free generall Assemblie, as the only legall and readie mean to trye these innovations, to purge out the corruptions, and settle the disorder of the Kirk, for the good of Religion, the honour of the King, and the comfort and peace of the Kirk and Kingdom: it pleased his gracious Majestie out of his Royall bountie, to direct unto this Kingdom, the Noble and Potent Lord James Marquess of Hamiltoun, with Commision to heare and redresse the just grievances of the good subjects: who, by many Petitions and frequent conferences being fully informed of the absolute necessity of a free generall Assemblie, as the onely judicatorie which had power to remedy those evils, was pleased to undergo the paines of a voyage to England, for presenting the pitiful condition of our Kirk to his sacred Majestie: And the said Commissioner his Grace returned againe in August last.
laft, with power to indict an Assembly, but with the condition of such * prelimitations, as did both destroy the freedom of an Assembly and could no ways cure the present diseas'es of this Kirke: Which was made so clearly apparant to his * Grace, that for satisfying the reasonable desires of the subjects, groaning under the weariness and prejudices of long time attendance, hee was again pleas'd to undertake another journey to his Majesty, and promised to endeavour to obtaine a free general Assembly, without any prelimitation, either of the constitution and members, or matters to bee treated, or manner and order of proceeding: so that if any question should arise concerning these particulars (whereof the power of ruling-Elders as a part of the constitution, and the examination of Episcopacie as a present question to bee moved, was express'd, albeit now the Commissioner hath pretended the famine for the greatest causes of his rising and away going from the Assembly) the famine should be cognis'd, judged, and determined by the Assembly, as the only judge competent: And accordingly by warrant from our sacred Sovereign returned to this Kingdome, and in September last caused indict a free general Assembly to bee holden at Glasgow, the 21. of November last, to the unspeakable joy of all good subjects and Christian hearts, who thereby did expect the perfect satisfaction of their long expectations, and the small remedy of their pressing grievances. But these hopes were soone blaz'd; for albeit the Assembly did meet and begin at the appointed day, and for the space of seven days sitting was countenanced with his Grace's personal presence; yet his Grace did never allow any freedom to the Assembly, competent to it by the Word of God, Acts and practice of this Kirke, and his Majesties indiction, but did labour to restrain the famine during the time of his abode there, by protesting against all the Acts made therein, and against the constitution thereof by such members, as by all Laws reason and custome of this Kirke, were ever admitted as members constituents of our free Assemblies, and by denying his approbation to the things proponed and concluded, though most clear, customable, and uncontrovers'd.

And further, his Grace after the presenting and reading of his owne Commission from our sacred Sovereign, and after his seeing all our Commissions from Presbyteries, Burghes, and Universities, produced and examined, and the Assembly constitute in all the members by unanimous consent, did, to his great grieve, without any just cause or occasion offered by us, * unexpectedly depart, and discharge any further meeting or proceeding in this Assembly, under the paine of treason; and after seven days sitting, declare all Acts made, or thereafter to bee made in this Assembly, to bee of no force nor strength; and that for such causes as were either then express verbally by his Grace, or contained in a Proclamation made by his Grace at Glasgow, * without any warrant

* Falfe.
* More falfe then the other, if it were possible.

† It is a wonder that men can be found who dare averre such an untruth, when the Proclamation at Glasgow is subscribed by the hands of our Councellours: let the Reader turne backe to it and be judge.
warrant of an Act of Council, contrary to the Law and custome of this Realme: whereunto we answered by our Protestantion of the 29. of November, or otherwise for such reasons as his Grace thought meet to allege, which are since superadded in this late Proclamation, now made at Edinburgh, this 18. of December, wherein, for our greater furcharge of sorrow, we are heavily and wrongously blamed and taxed of many great offences.

And first for making Protestantion against the Proclamation made at Edinburgh the 22. of September last, whereas our reasons contained in that our Protestantion are so forcible and just, to demonstrate the necessity and lawfulness of our Act, that wee judge all good men and Christians will be satisfied therewith; whereaunt we remit our selves to our Protestantion printed, and will not for shortness repeat the same reasons here.

And where we are reproached and blamed in this new Protestantion for guarding and watching the Castle of Edinburgh, and impeding to import ammunition, or other necessaries to any of his Majesties houeses; an Act which is exaggerat to bee without an example in the Christian world, seeing we deny that libertie to our Soveraigne, which the meanest of us doe afumble to our selves: For anwver hereunto, wee confidently affirm that wee are unjustly challenged of all the said points, except for preveening dangers evidently threatened unto us by circumspect attendance about the Castle of Edinburgh; which afterward we shall shew to be warrantably done; * For we declare that wee have never made the least stop or hinderance to the importation of any ammunition, victual or thing whatsoever, into any other of his Majesties Hous’es, or Castles; nor for carrying all necessary sustentation into the Castle of Edinburgh; neither hath any of us fortified, or provided any of our private houeses for warlike defence; so that all those are heavie and unjust imputations: But wee confess and grant, that there being some provitio and ammunition quietly imported into this Kingdom, for furnishing the Castle of Edinburgh, and intended secretly to have beene put therein, we have carefully preveened the famine by our diligent attendance, And that for such reasons, grounded upon equity, the Law of nature, and municipal Laws and Acts of Parliament of this Kingdom, and the lowable example of our predecessours: For the truth is, that having petitioned his Maiestie for redresse of our just grievances, and a legall triall thereof, before we received any anwver thereunto, all possible means were used to dissolve that union which was made amongst us for that good cause, and to impede all our meetings from deliberating thereupon, wherein the town of Edinburgh made a considerable part, not only as an important member of this conjunction, but as a most commodious and ordinary place of our meetings; so that when all other means of persuasion had failed, the meanes of terror was not left unassailed: And for that effect a great quantity of ammunition was brought by sea from forraine parts to have beene clandestinly imported into the Castle of Edinburgh, as no doubt
doubt it was intended, seeing the famine was unloaded in the dead time of the night: And we considering that in case the famine had bin import-
ed into the castle, with other provision and store formerly therein, the
famine might have bin used & imploied for the overthrow of that place,
and tended to our great prejudice, by with-drawing them, upon that ter-
rour, and displacing us from our ordinarie meetings; upon these reasons
and considerations we preveened the famine by such a loyal way as can-
not be offensive to Authoritie: * For the saftie of the publiike is the end of
all lawful power, and Supreme Law. And the adveraries of our Religion
having formerly boasted, by that provision so to furnith the Castle,
that it might beat down the town of Edinburgh, and bar the supplicants
from meeting therein, we had just reason to hinder that letter of slavery
to be put upon the towne; and that the Castle of Edinburgh, which is
amongst the first strengths of the land against foraine forces, might
bee turned as a special engine of contraint against the subjects, to hin-
der their lawfull meetings, or to force the towne of Edinburgh to fe-
parate from the rest of the suppllicants: Which great prejudice the Law
of nature teacheth us to avoid, And yet we have not proceeded therein

For first, where there is any violent preumpation of spoyling of
the Countrey, it is ordained that the * Lievtenant raise the Coun-
trey, and paffe to fuch Castles and fortilices where there is any
unrulie men, and take soveretie of the person within the houses,
that the Countrey and all the Kings lieges bee unharmed and
unskathed of the saids houses, and of them who inhabits the
famine from time forth: And if any make difficultie to bee ar-
rested, and finde soveretie as Law will, they shal bee streined there-
to, James 2. Parliament 2. Act 3. And therefore now seeing
there is not onlye violent preumpation, but great menacing, from
the adveraries of the truth and Countrey, and their adherents,
of the breaking of the Countrey and harming of the famine; and especial-
ly his Majesties lieges within Edinburgh, by the extraordinarie pro-
vision of munition to the Castle of Edinburgh, and that by the saids
Bishops plots from his Majesties prime officers, who in his Majesties
absence should provide that inconvenient by the ordinance of that
Act: Therefore upon their default the Countrey it selfe and the Kings
lieges, in whose favour the Act is made, may provide for their owne
safety, and keep themselves unharmed by that Castle, or any inhab-
bitants thereof, and so preveen the importation of ammunition there-
unto, conforme to the said Act of Parliament.

* Secondly, as the Castle of Edinburgh and certaine other Castles
and lands are the Kings undoubted annexed propertie, so it is to bee
considered for what caufe they were annexed, by whom annexed, up-
on what condition, and how to be disposed upon. For the onely caufe
is, that the povertie of the Crowne is oftimes the caufe of the po-
vertie of the Realme: Which Act makes no mention that the
King
King was annointer of the Castles and Lands to the Crowne, but only that by the advice of the full Council of the Parliament it was so statute and ordained, And appoints that they may not be disposed upon, without advice, deliverance, and decreet of the whole Parliament, for great, scene, and reasonable causes of the Realme: So that being thus annexed to the Crowne by the Realme it selfe, for avoyding an inconvenient to the Realme, and being annexed with condition not to be disposed upon without the advice and decreet of the whole Parliament, and for great, scene, and reasonable causes of the Realme; justice and equitie will require, that these Castles should not be made an instrument of the povertie and defolation of the capital town of the Realme, and of the harme of the most considerable part of the bodie of the Realme there convened for supplicating his Majestie and the Council, and preparing overtures to the future Parliament, for redresse of our just grievances. But now by this extraordinary provision to the Castles, being threatened with ruine and extermination, they may stop the misemploying of that benefit granted to the Realme eo animo & ad hunc finem, for the well of the Realme, while the Parliament of the Kingdom give their humble advice to his Majestie thereon.

Thirdly, by the 9. Act. 9. Parl. James 6, it is acknowledged that the Castle of Edinburgh, Dumhartane, Stirling, and Blakene, are foure chiefest strengths of the Realme which ought to be safely kept to the Kings behove, and wel-fare of the Realme: And for keeping the Castle of Edinburgh, there is assigned, with consent of the Estates, both money and victuall, a great part whereof is for the thirds of benefices, which thirds in December 1561. were decreed and ordained by Queene Marie, with advice of her Council and others of the Nobility then present, to bee up tendered and employed for these two uses: viz. Sustaining of Ministers, and entertaining and setting forward the common and publike affaires of the Countrey and Common-wealth of the Realme: which was also enacted, Act 10. Parl. 1. James 6, and thereafter ratified Act 12. Parl. 12. James 6. Whereby it doth appeare that as the Castle is the Kings undeniable annexed property, so it is also a strength of the Realme, which should be safely kept to his Majesties behove, and wel-fare of the Realme, having for the keeping thereof rents assigned with consent of the three Estates of the Kingdom forth out of the thirds of benefices, estimate by the Estates in eum usum, for entertaining and setting forward the publike affaires of the Countrey and Common-wealth of the Realme. And consequently the most "loyall part of the body of the Realme hath maine interst to divert the converting of this strength to the weakening or ruine of the Realme or any member thereof, threatened by this unuall provision, and openly denounced by our said enemies.

Fourthly, by the 125. Act 7. Parl. James 6, it is acknowledged that the Kings Castles and strengths are the keyes of the Realme: and the onely use of keyes is for keeping together in safetie and preservati-
on; and not for sparkling, differing, or perdition. So that the Realme and collective bodie thereof can hardly be disallowed for contributing their loyall endeavours to the good keeping of their * owne keyes, when contrarie to the right end these keyes are used against the Coun-
trey and Realme, whereof they should be, and are the keyes of safety: as by the said Act is declared.

Fifthly, by the same Act, all violent detainers of the Kings Castles from him, of, or contrainers of the Kings regents do redeem his owne houses, and all makers of any such bargain, merchandize, or market of the Kings Castles, are onely ordained to render and deliver againe what they have received for redemption of the said Castles, and that the King shall have action for repetition thereof as necessarily given for the time, and wrongously received for unlawfull causes. And our pro-
cceedings being compared with the subject of that Act of Parliament, cannot deferve so harsh construnctions, where the *beft part of the bodie of the Realme being constrained for indemnifie of their persons and goods, do neither take nor detain the Castle, but onely with-hold importation, first clandestinely intended, and thereafter openly threat-
ed, of all kinde of warlike and invasive furniture, which could bee uefull to no purpose, but to the harm and annoyance of those who were coneved for the just occasions foresaid, who deferve and expect approbation and * thanks from his Majestie in his own due time, for keeping his evill Counfellours, and bad Patriots, from putting hand in his beft subjects.

Sixthly, by the 25, Act 6, Parliament James 2., sundry points of treason are ennumerate: And amongst the rest, one is the affailing, without confent of the Estates, the Castles or places where the Kings person shall happen to bee: And now the Kings person not being in this Castle, but out of the Country, and the * beft and most loyall part of his subiects both for number and fi-
delicie, imploying his Majesties authoritie, for convocating the Estates to take order with these, who, presuming upon his Majesties absence, are bold to give him finiffrus information and counsell, these who do no ways affaille the Castle, but bars these evill Patriots from putting in execution their damnable suggestions by their superchier ic violence and terrifications from that Castle, before the convention of Estates, cannot in Law and equitie bee challenged in their car-
rriage, fo necessarie to them in the interim, while the Estates convene in a Parliament, which now his Majestie hath bee graciously plea-
ased to proclame.

Seventhly, it is knowne by our Chronicles and Records, that the Castle of Edinburgh was given in keeping to the house of Erskine by the King and Estates of Parliament, * hoc lege expressa & condi-
tione, ut nulli nisi conventui ordinum reposcenti tradantem.

Eighthly, this Act is not unexampled in the Christian world: but

* Whether should the King or his subiects keep the keyes of his owne Kingdom?

* But the Covenanter are the worst part.

* Wee do not take them to be such fools as to exepct thanks from them for their proceedings; if they do, they are like enough to go without them.

* The worst and most di-loyall part of all Our sub-
jects.

* In what his-
tor be these words? is it not Regi as well as conven-
ti ordinum? 

thoritie?
hath many presidents both in the History of other Kirks and Kingdoms, and of our own, which hath many such examples even done by the Estates themselves: whose fact doth make our right, and whose authority is ratified conforme to the ancient and loveable cuftome, in punishing rebellious subjects, and preferring the faithfull, Act 130. Par. 8. James 6.

In the next place we are upbraied for our meetings, which in the Proclamation are called Council Tables only; by that name which by ordinary expression is due to judicatories, to make it believed, that we have arrogate to our selves some unwarrantable power and authority; (which we neither have nor intend to doe God willing) whereas the truth is, that in a matter so highly importing all of us, as the preservation of Religion and purity of Gods worship, it was most necessary for us to meet, and that in a sober, modest, and quiet way, for deliberating with joynt advice upon those weightie busineses for the good of the Kirke, his Majesties honour, and peace of the Kingdom: And those meetings did never emit nor fend forth any authoritative command or injunctions, but conclude upon such advices as might be most expedient for advancing that great businesse, and facilitating the way of supplication to his Maiestie, and overtures for the Assembly and Parliament, which was an Act lawfull and approvable; in the selfe, albeit the conclusions thereof did not carry the force or validity of a binding law or command, which was never aimed at, nor intended: Which meetings they might warrantably keepe for that end, being for Gods glory, and removing the just grievances of the subjectes, no waies prohibited by any of our municipal Lawes, which disapproveth such conventions as are for disturbance of the peace, or usurpation against Authority, whereof neither of the two can bee alleged against these meetings: Not the first, because no invasion, violence, offer of wrong by word or deed, to any person, no even to those, upon whom they unjustly complaine, enuied upon the same, notwithstanding of their provocations, and their feares falsely represented to his Maiestie, and maliciously pretended for their stay out of the Countrey: Not the second, because their meetings was to consult in manner forefaid upon the most fitting and humble way of supplicating his Maiestie, and for the most convenient propositions to be represented to his Maiestie, the Parliament, and Assembly: all which acts are most compatible with the loyalty and duty of good subjectes, and doe no waies interchup upon Authority, seeing they can never be challenged to have assumed to themselves any judiciall determination in any matter of State, Civill nor Ecclesiastical, but by voluntary instructions and opinions every one to another in a common cause of Religion, did resolve what might be most conducible to their lawfull and just ends: And yet those conventions want not the warrant of Law and Authority, because they confluxt of the Nobility, Earons, Barrows, and Minifterie, which by the fundamentall Lawes of the Land, have place of proposing, reasoning, and voting in Parliament and Assemblies, Act 113. King

James
James the 6. Parl. 11. wherein is acknowledged that it is necessary to the King and his Estates to be truly informed of the needs and causes pertaining to His loving subjects in all estates, and therefore ratifieth the Act made by King James, 1, anno 1427. Giving power to Barons, to propose all and sundry needs, and causes, and to heare, treat, and determine all causes to be proposed in Parliament: which necessary and true information cannot be made to his Majesty and Estates, without privy meeting and consultation: and consequently it being granted to them to informe the King and Estates, and to propose, heare, treat, and finally determine all needs and causes to be proposed in Parliament, there must be necessarily understood to be a sufficient power granted to them for meeting and advising upon that information: Quia aliquo concefso, omnia concefia videntur, fine quibus concessum expediri nequit. And as to the Ministers they have likewise power granted to them, not onely by the word of God and constitutions of the Kirke, but by the King and laws of this land, to propose, reaon, and vote in Assemblies, and by the famine parity of reason to keep preceding meetings, not to determinate or execute, but to consult upon their necessary propositions: So that these lawfull meetings, for the religious end, suffer wrongoufly the invidious designation of Counell tables: which is only done for procuring misconstruction against them; because at these meetings and consultations they sat about a table, which poffure is no ways prejudicial to Authority, the meanest of mechanic crafts having their own tables where about they fit, when they consult upon the smallest business importing their trade. And farther, these fame meetings, consisting of Commissioners from each Sheriffedome and body of this Estate, were allowed by his Majesties Counsel first, and thereafter by the Commissioner his Grace; In so farre as the whole subjects of this kingdom out of their repentment of the weight of this cause, having numerously convened at Edinburgh, from all the parts of the kingdom, that confusion of people was desired to be dissolved, and directed to make choyle forth of that great number of some Commissioners, from each Shire who might meet to reprefent their just grievances and desires, and attend the answers thereof.

The third particular challenge in the Proclamation, is for the illegall and unformall course taken in the election of Commissioners to the Assembly, whereof some are alleged to have beene under the circumference of this Kirke, some under the circumference of the Kirke of Ireland, some banifhed for teaching against Monarchie, others being fufpended, some admitted to the Ministry contrary to the laws of this kingdom, others at the Horne, some confined, and all by oath bound to the overthrow of Epifcopacie: Whereunto although no answer be requisite, being the persons thereby meant, are not specially condefcended upon, yet for clearing all mens minds, and showing the warrantableneffe of our proceedings, it is of truth that the Assembly, after particular triall which they took upon some such furmifes,
furnishes, could not find any cenfured by the Kirke of Scotland, or Ireland, by a lawfull manner, in a lawfull * judicatorie, or for a lawfull cause: but on the contrary, the Assembly, after carefull searchings and examination, found, that any cenfure inflicted upon any of these persons in Scotland was onely by a Bishop (who ought to be punished for taking arrogantly on him the name of the Kirke of Scotland) and that without the advice of any Presbyterie, but sitting in his high commission (which was condemned by the laws of this Kirk and Kingdome, is discharged by the Kings Proclamation, is one of our just grievances, and a part of the Bishops ditti) and that onely for refuting the innovations and corruptions abjured by the Confeffion of Faith. So, for the cenfure of the Kirk of Ireland, it was not notified to the Assembly by any such objection, and yet out of their zeal and care to satisfy all these misinformations, whereof they heard some whisperings, they found after triall, that these cenfures inflicted were for the fame caues foresaid, and yet could not militate out with the bounds of that diocie where they were cenfured in their own law and praetcke, and none of them were ever banishf for any caufe, let be for that odious caufe pretended in the Proclamation, wherein the mention of Horning against some of the Commissioners could not bee a lawfull exception against them, because Horning can neither take away their Ministeriall function, nor deprive the Presbyteries of their voice by their Commissioners: But in especial this Horning against the Commissioners to the Assembly cannot be respected, because it was done in Edinburgh upon a sudden dentity (upon what intention wee permit every one to consider,) after all the members of the Assembly were gone to Glasgow, and yet Proftation was taken against the famine, and suspension craved upon the reall offer of confignation, which, contrary to the common law and practice of this Kingdome, was unexamplely refused, and publike instruments taken thereupon: All which objections are onely now remembred to blemish the proceedings of this Assembly, but were never urged nor proposed in the Assembly; but on the contrary, the Commisions of all persons were produced, examined, dischiffed, and approven in my Lord CommiCioners owne audience, without any contrary voice of the Assembly: And yet upon these challenges much is built against the Assembly, and the famine are aggravate from a preceding oath, whereby it is alleged that the Commissioners were bound to overthrow Episcopall government, which is of the same flamp and metall with the rest: For the truth is, that there was never any oath given, nor exacted, but that which is contained in the Covenant, whereby all was abjured, onely in generall, which was contrary to the Confeffion of Faith 1580, leaving to the tryall and determination of the Assembly, whether Episcopacie and some other innovations were repugnant to the said confignation, or not. And at the beft, it is a bad inference, that one who hath maintaine orthodox opinions, and preached against herefie, and errour, may not in the lawfull judicatorie voice for condemnation of these errors. And as

*Who have made the Com- monwealth Judges of the lawfullneffe either of the judicatorie or the caufe? especially, what an intolerable pre- sumption is it in them to judge Our judicatories in Ireland?

† But they know that many members of that Assembly were denounced Our rebels, and put to Our Hones long before Our Assembly was thought on.
for the election of moderatours, admission of Minifters by Presbyte-
ries; and restitution of Elders; the fame needeth no anwer in this place,
being sufficiently cleared by us before in our anwers to the 11. Articles
exhibite unto us by the Commissiioner his Grace: Which anwers were
so satisfactory, that after the receit of the fame, his Grace promiued to
procure a free general Assembly, with power to determine upon all que-
tions anent members, matter, and manner of proceeding; And are fur-
ther cleared in the booke of Policie, and other acts already cited in our
particular anwer to the Declinator of this Assembly, produced by the
Bifhops. All which is approven by this general Assembly, and all acts
carrying appearance of contrariety thereto upon undeniable grounds
are declared to be null ab initio.

The fourth act rubbed upon us to our prejudice by the Proclamation,
is the sending from the Tables of instructions, whereof the heads are
summarily exprift, which his Grace indeed did shew to the Assembly,
and then the members of the Assembly declared, that neither of these
papers were ever sent from the * meetings at Edinburgh to any man in
their knowledge; and yet for the first (which possibly might have been
some private direction of one friend to another, without common ad-
vice) it doth not contain any thing offensive or partial. For the pharse
of losing of our Christian and Civill liberty might be warrantably ex-
previt in relation to our former bondage and slavery under the Prelats,
tyrannizing in their High Commination, whereby most summarily; at
their own pleafure, they deprived, fined, and confined all persons and
profeflors, with fuch an high hand as juftly we might affect deliverance
from that servitude, which was likely more to enterfide by the unlim-
ited power usurped in their Canons: So that the defire of this liberty
cannot be judged an affectation of licentious living without fubjection
to lawfull authority, which in our felemne Covenant with God wee
have sware to maintaine. And as for the other paper, the 11 fame is the
forgerie of our enemies prefted to the Commissiioner his Grace, of
deliberate purpofe to make a pretext for difcharge of the Assembly,
which we are forry was fo readily embraced, notwithstanding that
when the fame was produced by the Commissiioner, the fame was not
only cleared to be no draught fent by publicke advice, but the mem-
bers of the Assembly, and even those whom his Grace most suspected,
denyed the fame, and offered to control it by production of the true
paper of their instructions, altogether disagreeing from that other pro-
duced by the Commissiioner, except in the two points following, which
had been craftily intermixed with the faids untruths, to give them fome
countenance of probability. Like as they profefTed to his Grace, upon
their * oath, that they had never fene the fame before, nor ever read
any of the Articles therein contained in any other paper, except the

* There was no man in the Assembly who offered any fuch oath as is here alluded. Wee doubt not but there were many mem-
bers of the Assembly who might have taken that oath falsely, because they were indeed never acquainted with
the fame papers; but Our Commissiioner (if he had beene put to it by the Assembly) could have named many, e-
specially fome of the Nobilitie, Gentrie, and Minifters, who could not have taken that oath without perju-
dice; and fince it is now denied, they fhall be named in due time and place.
fourth and the eighth Articles, whereof the fourth was for eschewing (as far as might be) Chapels-men, Chapter-men, and Ministers Justices of the peace, from being chosen Commissioners to the Assembly; which was so reasonable, that none could be offended thereat, because

* Chapels-men had approved, and without warrant of this Kirk practised the innovations introduced of late; the Chapter-men had practised the booke of ordination, and (contrarie to the Acts of the Kirk discharging Chapters and their election of Bishops 1578.) had approved the corruptions of Kirk government, and Ministers Justices of Peace had likewise accepted that civill office upon them, whereunto they were promoved for the most part as creatures and dependers of Bishops. And the eighth, wherein some are desir'd to study the points which were likely to bee agitated in the Assembly, as de Episcopatu, de senioribus, and among other points, de potestate suprmi Magistratus in Ecclesiasiticis, praeferim in convocandis conciliis; whereat none can take just exception, because it was the duty of every member of that Assembly to instruct and enable themselves for agitating every point, which might occurre to be spoked of there by any, or been proponed by the Doctors of Aberdene, who were expected there, and commanded to study these points: So that this ought not to be wrested to their prejudice, seeing it was incumbent to the Assembly to know the precinct of the Kirks jurisdiction, especially anent their owne Assemblies, and to distinguish it from the civil jurisdicition of the supreme Magistrate, giving to God what is Gods, and to Cesar what is Cesar, whereby the Sovereign Magistrate hath no prejudice, but great benefite, to know the extent of his power in matters Ecclesiall, left either he should come short of what is due to him, or, for want of true information, incroach upon the liberties of Christ's Kirk. Whereby it is most evident, that no indirect not partiall course, nor dangerous propositions, have beene used in the preparations and elections to this Assembly, but such as are most legall, peaceable, ordinarie, and warrantable.

In the next place the Proclamation charges our innocency for repairing to the Assembly with great troops and bands of men boddinc in feare of war, and furnished with forbidden arms, in contempt of a preceding Proclamation; whereas the truth is, that our going and repairing to Glasgow was in the most peaceable, quiet, and single way which might serve for our security and indeminty against sundry outlaws, Clangregors, and their followers, who shortly before the meeting of the Assembly had done sundry outrages, and committed many inoffencies upon the Kings good subjects in these Westeme parts, both to private men,
men, whom by their number they might enforce, and by exacting mones at publike mercats neere Glafgow, wherof many were advertised by their private friends from these places, and to come thither prepared for eviting all affront or hazzard which they might incurre by that rafically multitude: So that being firmly resolved of before to goe thither every one accompanied with his own ordinary private train, wee yet continued in that resolution, and went thither in most sober and quiet way, onely with this change, that for preveening that hazzard we went not every man alone with his owne ordinary fervants, but some few together went in company; which is not onely ordinary in going out the way, but was most expedient at that time for avoiding the forefaid hazzard and prejudice: which moved us all fo to carry with us some offensive weapons, wherewith not onely these rebels were provided, but likewaies such who went to Glafgow with his Majesties Commissioners, who upon that faine necessity were likewaies provided with thofe prohibited weapons, and yet their carriage nothing thought to deboird from the duty of good subjefts. Upon thefe reaons some of the suppliants being prezent in Edinburgh, at the making of the faid Proclamation 16. of November laft, did protest that it might be lawfull for them to carry weapons for their owne defence, and prefervation against any fuch lawleffe invasion or violence as might threaten them, and that they might incurre no prejudice by carrying fuch weapons as thofe who followed Counsellours and many others did, promising to carry themselves peaceably and irreprovablely during the time of the Assembly, which accordingly they have done: and seeing our faid carrying of weapons was for defence of our lives, against the invasion of these barbarous forners, we are not cenfurably therefore by the act of Parliament prohibiting the farts weapons, becaufe wee was repairing to, or returning from the Assembly at command of his Majesties letters and authority, which is in speciall words expreft in the act of Parliament, act 18. Parliam. James 6. which is thereafter ratified with the fame provisions, act 87. Parliam. James 6 and thereafter also ratified, act. 248. Parliam. 15. James 6. Likeas by the 227. act, Parliam. 14. James 6. all honest men, and good subjefts free holders are authorized with a commiffion to take and apprehend the persons and goods of thofe forners and thieves, keep themfelves in prison, and execute them to the death: And therefore farre more to carry weapons for refifting of favage violence.

And where the formall and orderly proceeding of this Assembly is challenged in the Proclamation, as peremptory, for refuflng voice to the fix Affellors assumed to himfelfe by the Commission, and for not suffering the Declinator by the Bishops to be read before the eleeting of a Moderator, Wee cannot conceive the fame to be a just caufe of offence, becaufe albeit according to our bound duty, Wee deferre all humble repect to his gracious Majesties Commissioner, and to the persons and places of the prime Noble men, and Counsellours
cellours his Graces Affeffors, yet for preservation of the liberty of the Kirke of Jesus Christ, We did in all humility remonstrate that his Majefties Commissioner and Affeffors, how many ever (whose place is not to vote, but to affift the Commissioner by their counfell for his orderly proceeding) could have, but only voice in the Assembly: Since after thirty-nine nationall Assemblies of this reformed Kirke, where neither the Kings Majefty, nor any in His name were present, at the humble and earnest defire of the Assembly, his Majefty graciously vouchfesd His presence, either in His own royall perfon, or by a Commissioner, not for voting or multiplying of voices, but, as Princes and Emperours of old, in a Prince\ly manner to countenance that meeting, and to proceed in it for externall order: And if we had been honoured with his Majefties personall presence, his Majefty (according to the practice of King James of bleffed memory) would onely have given His own judgement in voting of matters, and would not have called others who had not been cloathed with commiffion from the Kirke, to carry things by plurality of voices: Which is also imported by his Graces Commission produced, wherein hee is nominate fo Commission. Like as also his Majefties Father never had Affeffors voicing in lawfull Assemblies, nor challenged the fame to his Commissioners, but onely of late days in these corrupt Assemblies, which for undeniable reasons are declared to have beeone null ab initio. And as to the refusing of the reading of the Declinator, and Protestation, exhibite by the Prelates, The fame was publickly read, and the first Act of the Assembly, immediately after the election of a Moderator and constitution of the members, before which time there was no Assembly established, to whom the fame could have beeene read, or by whom it could be judged; Like as we desired his Grace to bring in the Prelates themelves, and we should both answer for their safety, and give them a full audience.

And further, whereas his Grace under his hand, gave in his Majefties declaration, mentioned in this Proclamation, the fame being confidered by the Assembly, gave them matter of great joy, to finde his Majefties royall heart so farre enlarged towards them, as willingly to untie some of those grievous bands wherewith they had beeene fettered by the means of some who abused their own places, and truft with his Majefty; But the fame was not found satisfactory, nor sufficient for establishing of a legall security of the points therein mentionate, nor yet for purging the corruptions, and setting the peace of this Kirke, as was promised; whereof the Commissioner his Grace would not stay to be informed, but did unexpectedly and suddenly remove, to the great grief of the Assembly, who thereby was necessitate to use the power God had put in their hands, for removing all innovations, and setting the purity, and

**It is a bold and impudent speech to affirm that Our royall Father kept unlawfull Assemblies, especially when some of them are confirmed by Parliament.**

*God never put it in their hands, but the Devill, who is the author of all sedition and rebellion.*
and peace of this Kirke. And seeing in this Proclamation his Majesties declaration is inferre ad longum, and the Assembly taxed for not being fully satisfied therewith, we are enforced to repeat here the reasons which moved the Assembly not to think the same satisfactory, in hope that they, comming to his Majesties sacred eares, may procure the continuance of his benigne favour, so acceptable to this Kirke, by the indiction of this Assembly, and production of the said declaration, and obtain his Royall approbation to the whole acts and proceedings of this Assembly, which is heartily wished, and would replenish the hearts of all good subjects with abundant joy and contentment. And first, where his Majestie hath discharged the Service Book, and Book of Canons, and practice of both, and all Acts, Proclamations, and ordinances made for establishing thereof, upon information that by the introduction of them, the subjects have apprehended the inbringing of Popery, & superstition to have been intended: Neither the discharge nor the ground thereof are satisfactory: Not the first, because as some Acts and Proclamations did serve for their establishing, so others gave them an high approbation, as fit means to maintaine religion and beat down all superstition: And therefore though those which established them be rescinded, yet those which approved them do remaine, and may bring forth other Acts and Proclamations for restoring them or the like hereafter, if these books receive not a publike cenfure by the generall Assembly as the only judge competent to bar them, and the like in all time coming: Seeing Acts of Councell, and Proclamations, are frequent and variable, and yet are no legall valid meane either to introduce or abolish any thing concerning the doctrine and discipline of the Kirke, wherein they neither can meddle nor secure the subjects. Next, seeing by the constitutions of this Kirke the generall Assembly hath onely power to determine concerning the matters of Gods publique worship; and that the framers of these books, who called themselves the representative Kirk, made them to be practised in sundry places of the country by their own authority, and that which they borrowed from the Lords of secret Councell: Therefore it was most necessary that the same should be dischargd by the generall Assembly (the onely true representative Kirk of this nation) for vindicating her just right from violent usurpation, and preventing the like in time comings. Not the second, for the subjects have just grounds of perfusion that the Prelats and their followers (the framers & followers of those books) intended the inbringing of Popery and superstition by the introducing thereof, because, 1. Many grosse points of Popery and superstition are not onely closely couched under the cover of ensnaring ambiguities (the most infringing way of errors and beast mask to superstition) but also expressly contained in the Books themselves, as was made manifest by sundry treatises read and considerid in the Assembly, and is now so declared by the Assembly. 2. The framers and favourers of these Books in their sermons and conferences have vented sundry Popish errors, and approved Popish super-
superstitions: which fully declareth and leaveth no doubt of their intention, in the introducing of Books so full of Popery and superstition.

Secondly, the discharge of the high Commission by his Majesty's Proclamation or Declaration, cannot be sufficient; because first, his Majesty declareth that he established the same for the ease and benefit of the subjects, that justice might be administered with the more convenience and lefe trouble of the people. And now discharged it, because the subjects have mistaken his gracious intention: So that if the mistaking be removed, that which is conceived of it selfe to serve for administration of justice, with ease and benefit to the subjects, may bee established upon pretention of the removeall of all such mistakings: Secondly, though the acts and deeds made for establishing thereof bee reflect, yet the acts past heretofore by the high Commission are not reflect, and so the subjects censured by it are still esteemed under these centuries, as appeareth by the tenour of the Proclamation, wherein the Assembly is taxed, as consisting of some members that are under the censures of this Kirke, meaning the Bishops censure in the high Commission. Thirdly, it being found contrary to the acts of Parliament, and acts of general Assembly, and extremely derogatory to them and all other subalterne indicatorys both Civill and Ecclesiasticall (which is made clearly manifest by a treatise presented to the general Assembly,) and it being devised and brought in by the suggestion of Bishops, as a meane whereby they might and have unlawfully tyrannized over all the subjects, Therefore it is necessary that the Parliament and general Assembly, the highest Civill and Ecclesiasticall indicatorys that have been wronged, should by their severall sentences utterly abolish it as unlawfull and hurtfull.

Thirdly, whereas his Majesty dispenseth with the practice of Pearth Articles, discharges all from urging the practice thereof, freeth from censures for not urging or practising them, notwithstanding of any thing contained in the acts of Parliament, or general Assembly to the contrary, and he content that the Assembly take the same so far to their consideration, as to represent it to the next Parliament there to bee ratified, as the Estates shall finde fittting: These cannot satisfie; because first, a dispensation with the practice, without a simple discharge, leaveth it still arbitrary to those who will practice, and do continueth the rent and distractions in this Kirke. Secondly, although his Majesty had discharged the practice of them by his Proclamation or Declaration, yet the subjects had not been put in security thereby, except the general Assembly (to whose triall they belong and were referred by all the subscribers of the Confession in March) doe either repel the Articles of Pearth, or upon good reason declare that Assembly null, since his Majesty's Proclamation, or Declaration is not a sufficient warrant to infringe an act of Assembly, or Parliament made to the contrary. Thirdly by tying the Assembly to take the same no further into their consideration then to represent it to the next Parliament, the Assembly is both prelimitate (whereanet refers to the fix reasons against prelimitation)
(P A G. 390.)

It may not, and the holding of the contrary is a false and Jesuitical petition.

A fearful proposition indeed it is, to hold Episcopall government to be an uncontrov-erced government, which hath continued in the Church ever since the time of Christ and his Apostles, without the least suspension of controversy until within these few yeeres.

Fourthly, anent the oaths administrate to Ministers at their entry, it hath not onely beene pretended, but is certaine, and will be made manifest to the Assembly, (which also now is done) that oaths have beene exacted different from that which is set downe in the act of Parliament, and in many severall ways according to the pleasure of the Prelats: And where his Majestie declares that no other oath shall be required of a Minister at his entry, nor that which is set downe in the act of Parliament, the same is of fearfull consequence, because the act beareth an oath to be given unto the Bishop by Ministers intrants, and to sup-pose the office of a Bishop to be unchangeable and uncontroverted, whereby the Assembly is prelimited (against the reasons before men-tioned) which may finde that office usefull and unlawfull in this Kirk, and which now they have found upon most infallible reasons.

Fifthly, that his Majestie assures that general Assemblies shall be kept as oft as the affairs of this Kirk shall require, doth not satisifie, because first, by leaving the time undefined, it prejudiceth the liberty of the Kirke of holding yearly general Assemblies at least, and oftener: rati-ified by the act of Parliament 1592. the dismal whereof hath beene a maine caufe of our evils, which should bee prevented in time coming, by renewing that ancient necessarie custome and liberty: Secondly, by the same Act of Parliament it is provided that the King, or his Commissioner being present, shall appoint the time and place of the next Assembly: And in case his Majestie or his Commissioner be not present for the time in the town where the Assembly is holden, it shall be leaflome to the said general Assemblye by themselves to appoint the time and place of the next Assembly, as they have bin in use in times past: But this Declaration not only leaves all indefinite, but totally everts that power and liberty competent to them by law and custome: Thirdly, As it doth not determine how oft the ordinary affairs of this Kirke require an Assembly (which the custome of this Kirk and act foresaid evidently manifest to bee yearly once at least) so neither doth it determine who shall judge when the necessity of extraordinary affairs require an Assembly: whereas undoubtedly the Kirk will be most sensible of her owne necessities, and is the most pro- per Judge of her owne affairs: And therefore should have freedom to appoint her owne times when she finds her selfe pressed with present exigencies, as his Majestie hath alfo power when hee perceives any necessity requiring the same.

Sixthly, whereas his Majesty is content that all the present Bishops,
And the yeere yet the and yeere, whereto like as for lyeth do of the fubfcribition of the Assembly in the matter of trying that Office, and presupposes the continuance thereof by succession as unquestionable. Secondly, They have beene formerly made cenfurable by the generall Assembly in the straighteft way that the Kirke could enjoyn, or they could assure: And yet these thirty yeares they have shunned all cenfure (though all their actions deferred it) by procuring generall' Assemblies to be pro rogated, and then suddenly indicted when they had cunningly prepared both persons and purposes to their minde. Likeas now they, have by their Declinator refused to answer, and be cenfured by this present Assembly indicted by his Majestie, convened in the name of Christ, and perfitly constituted in the members thereof: And therefore it lyeth upon this present Assembly to take some solide course, for securing the Kirke in all time comming, against the prejudices of their former and frequent breaches contrary to their oathes given.

Seventhly, whereas his Majestie requireth this present Assembly to subscribe this Confession of Faith formerly signed by his Royall Father 1580, and lately commanded by his Majestie to be subcribed by all his Majesties subjects: The reasons contained in the Protestation September last 22. (whereto we adhere and repeats the same) do sufficiently evidence that we cannot subcribe the same: to which we add,

First, that his Majesties Commissioner hath declared to the Lords of Session when their subscriptions was required, that it might subfift with the innovations introduced since the yeare of God 1580, which some of the same Lords then did, and all of us doe noe conceive to repugne to the genuine and true fense of the Confession of Faith, as it was made:

Secondly, That his Grace hath protested divers times in this Assembly, that nothing done or to be done therein prejudice the Archbishops and Bishops in their priviledges, places, power and jurisdiction, whereby he declareth that these may subfift with the Confession of Faith, notwithstanding they be novations introduced upon this Kirke, contrary to the same, since the yeer foresaid, as is now found by the Assembly: Thirdly, That to the Assembly preftently convened and perfectly constitute in the members thereof, it pertaineth properly according to the word of God, constitutions of this Kirke, and booke of Policie ratified in divers Assemblies, to determine what is the true meaning of the Confession of Faith, and to make the same knowne to all the members of this Kirke, who thereafter without scruple or danger may subcribe the same. And although the Assembly could not finde this Declaration satisfactory for these and the like weighty reasons, yet were they willing the same should be insert in their books for obedience to his Majesties desire: and thankfully acknowledging his Majesties pious affection to true Religion, and Royall resolution to defend the same and his subiects in the profession thereof, express in the close of his Royall Declaration, they were confident that when his Majestie shall bee fully informed that the novations introduced since the

* But they do not declare all the truth for of twenty Lords of the Session, only foure did it, but the rest who were present did the contrary.
yeere 1580. are incompatible with the Confession of our Faith, he will be pleased graciously to vouchsafe his comfortable protection upon thofe, who (adhering to the true meaning of that Confession now fully cleared by the Assembly) have abjured all the innovations introduced, and by their great oath and subscription have bound themselves to maintain the true Religion, and his Majesties personas and authority in defence of the fame. And thus true Religion being the channel which conveys both duties to their proper object, the evidence of God's image in our dread Sovereign his Depute shall bee terrible to all the enemies of his Majestye, and of his loyal subjects who stand for the Confession of Faith, and the true meaning thereof, and shall raise up the affections of his Religious subjects towards his Majestie above all earthly respects.

And where it is subjoined in the Proclamation, that nothing was able to give contentment, except we were permitted to overthrow Epifcopal government, and to abrogate publicke Lawes standing, and take away one of the three Eftates, wee are sufficiently cleared thereof by the Acts of the Assembly, abrogating, and abolishing Epifcopal government in this Kirke for* infallible reasons contained in the said Act, and also by our answer published to the Declaration emitted in the Commissioners name (which for brevity we forbeare to infert herein) whereby wee have sufficiently evinced that our proceedings are not contrary to the Lawes of the Kingdom, or destructive of any lawfull third Eftate, and which part of the Proclamation doth clofe with an undeserved imputation to our loyalty, bearing, that for the like dangerous Acts so derogatory to Royall authority, and for other reasons importing true Monarchicall government, the Commissioner was forced to dissolve the Assembly; but the fame is so generally expressed, that it appears evidently to be done of plaine purpofe to make us hateful, which we hope will not worke that end, unleffe some speciall Act of disloyalty or malversation could bee specially condescended upon (which undoubtedly had not bee omitted if it had been possible) otherways that darte cloud of general terms cannot obfufe the pure brightneffe of our sincere intentions, unleffe our true representation of grievances, and earnest humble pressing legal redrefs thereof at his Majesties hands, may deserve that afperion in the eyes of these Counsellours, who thinke themselves obliged rather in absolute obedience, then a dutifull representation to their Sovereign of what is just and warrantable: wherein wee appeale to all the world, if either our proceedings, or opinions bee any wayes derogatory to the true power of Monarchicall government or his Majesties authority, which wee are obliged to defend with our lives and fortunes by our Covenant.

And where in the Proclamation, in that part thereof anent the Commissioners discharge of the Assembly, it infulate some expression of his Graces willingneffe to returne the next morning to the Assembly, wee declare, That we were most fenfible of the benefit of his Graces presence,
preence, and received great contentment by that countenance of Royall authority in representation, whereof we would never have deprived our selves if we had had the least signification of any such intention: but the truth is, that having called our selves to our best remembrances, we heard no word or expression tending that way; but by the contrary, we did humbly require his Grace to give in the reasons of his discontentment in writ, and to returne the next day againe, at which time we should give in sufficient answers thereto, which might wipe away all his Graces objections, and move him to continue his wished presence to that Assembly, whereat hee had publickly professed he could no longer assist: but this being refused, and the Assembly discharged by him, we were necessitate to protest both that day and the day following upon the Mercate Croffe of Glasgow, and to shew, that in conscience of our duty to God and his truth, the King and his honour, the Kirke and her liberties, this Kingsdome and her peace, this Assembly and her freedome, to our selves and our safety, to our posterity, persons, and estates, we could not dissolve the Assembly for the reasons following: First, for the reasons already printed anent the convening a general Assembly, which are now more strong in this case, seeing the Assembly was already indicted by his Majesties authority, did convene, and is fully consistute in all the members thereof, according to the word of God and discipline of this Kirke, in presence and audience of his Majesties Commissioner, who hath really acknowledged the same by assisting therein seven days, and exhibition of his Majesties royal Declaration to be registrate in the books of this Assembly, which accordingly was done. Secondly, for the reasons contained in the former Protestations made in name of the Noblemen, Barons, Burgesses, Ministers, and Commons, wherunto we did then judicall, and doe now actually adhere, as also unto the Confeffion of Faith and Covenant subscribed, and sworn by the body of this Kingsdome. Thirdly, because as we are obliged by the application and explication subjoyned necessarly to the Confeffion of Faith subscribed by us, so the Kings MAJESTIE, and his Commissioner, and privie Counsell, have urged many of this Kingsdome to subscribe the Confeffion of Faith made in anno 1580, and 1590. And so to returne to the doctrine and discipline of this Kirke as it was then professed; but it is cleare by the doctrine and discipline of this Kirke, that it was most unlawfull in the selfe, and prejudiciall to thee privileges, which Christ in his word hath left to his Kirke to dissolve or brake up the Assembly of this Kirke, or to stop and stay their proceedings in constitution of Acts, for the well-farre of the Kirke or execution of discipline against offenders, and so to make it appeare that Religion and Kirke government should depend absolutely upon the pleasure of the Prince. Fourthly, because there is no ground of pretence, either by Act of Assembly, or Parliament, or any preceding practice, whereby the Kings MAJESTIE may dissolve the general Assembly of the Kirke of Scotland, farre leffe his MAJESTIES Commissioner, who by his commissiion hath power to indict, and keep it secundum
secondum legem & praeim, but upon the contrary his Majesties prerogative Royall is declared by Act of Parliament to be no ways prejudicial to the priviledges and liberties which God hath granted to the spirituall office-bearers and meetings of this Kirke, which are most frequently ratified in Parliaments, and especially in the last Parliament helden by his Majestie himselfe; which priviledges and liberties of the Kirk, his Majestie will never diminish or infringe, being bound to maintaine the same in integrity by solemn oath given at his Royall corronation in this Kingdome. Firstly, the Assemblies of this Kirke have still enjoyed this freedome of uninterrupted sitting, without or not-standing any contramand, as is evident by all the records thereof, and in especiall by * the generall Assembly holden in anno 1582, which being charged with letters of Horning by the Kings Majestie his Commisioner, and Councell, to stay their proces against M. Robert Montgomerie pretended Bishop of Glasgou, Or otherwaies to dissolve and rif, did notwithstanding shew their liberty and freedome by continuing and sitting still, and without any stay going on in that proces against the said M. Robert, to the finall end thereof, and thereafter by letter to his Majestie did shew clearly, how farre his Majestie had been mis-informed, and upon mis-information prejudged the prerogative of Jefus Chrift and the liberties of this Kirke, and did enact and ordaine that none should procure any such warrant or charge under the paine of excommunication. Sixthly, because now to dissolve after so many suplications and complaints, after so many reiterated promises, after our long attendance and expectation, after so many references of processes from Presbyteries, after the publique indiction of the Assembly, and the solemn Faft appointed for the same, and after frequent convention and forrmall constitution of the Assembly, in all the members thereof, and seven daies sitting, were by this Act to offend God contenme the subjects petitions, deceive many of their conceived hopes of redresse of the calamities of the Kirke and Kingdome, multiply the combustions of this Kirk, and make every man despaine hereafter ever to fee Religion eftablished, innovations removed, the subjectts complaint respected, or the offenders punished with consent of Authority, and so by casting the Kirke and Estate loose and defolate, would abandon both to ruine. Seuethly, it was most necessary to continue this Assembly, for preveeneing the prejudices which might ensue upon the pretence of two Covenants, whereas indeed there is but one: that first subscribed in 1580, and 1590, being a nationall Covenant and oath to God, which is lately renewed by us, with that necessary explanation which the corruptions introduced since that time contrary to the same, informed: which is also acknowledg'd in the Act of Councell in September last, declaring the same to be subscribed as it was meant the time of the first subscription; and therefore, for removing that shame and all prejudices which may follow upon the shew of two different Covenants and Confessions of Faith in one Nation, the Assembly could not dissolve before it had tryed, found, and determined that both
these Covenants are but one and the selfe same: Covenant: The latter renewed by us, agreeing to the true genuine sense and meaning of the first as it was subscribed in anno 1580.

And further in the said Proclamation, the straine of our Protestation is taxed, because we have thereby premised to cite those of his Majesties Councell who have procured, subscribed, or ratified this Proclamation, to be responfull to his Majestie and three Estates of Parliament; whereas the same cannot be justly quarrelled, because it is grounded upon the Law of the Kingdome, and warranted by the act of Parliament therein cited 12. aet. Par. 2. James 4. which act is grounded upon good reason: for it were strange to thinke that Councellours giving bad counsell, to the evident prejudice and ruine of the Country, and publike detriment of the good subjects, should not be countable therefore to his Majestie and his Estates: and it is not without instance in our Lawes, that perverse counsell hath been given in misguiding the Kings and common good of this Realme, act 6. Par. 1. James 4. which is also acknowledged by the reduction of grants made by Kings to these perverse Councellours, act. 3. Par. 4. and act. 5. Par. 1. James 4. The perversenesse of which misguiding counsell, hath been affuredly the caufe why in the next Parliament in the yeere immediately subsequent, the Kings Councell was chosen in Parliament, and sworne in presence of the King and three Estates, and ordained to be responfull and accuable to the King and three Estates for their counsell: Which cleareth that both evil counsell may be given, and that the Councell may be accused before the King and Parliament for malversation in their charge. Like as his Majestie in the Proclamation, makes all persons lyable to the Parliament and genneral Assembly, and so giveth way to this previous cytation, which may serve for a forewarning and intimation that they may bee accused if they bee guilty, as wee know all are not, and wish that none were.

All which heavier objections and imputations are premitt in the Proclamation to the conclusion and command thereof, which resolveth into two heads; the first discharging obedience to the acts of Assembly, and liberating all, who shall disobey, from censure, and promising protection to the disobeyers, and inhibiting all Presbyteries, Sessions of Kirks, Miniftrers within this Realme in their Sermons, Sessions, and meetings, or any otherwaies, to authorize approv, or allow the Assembly at Glaisgow, or doe any deed which may countenance the same, under paine to be punished with all rigour. And commanding all who shall heare them, to delate the same, under paine of the like punishments, likewaies straitly charging and commanding all Judges within this Realme, Clerks, and Writers, not to grant or passe a bill, summond, or letters, or any other execution whatsoever, upon any act, or deed proceeding from the said Assembly, and all keepers of the Signet from signeting thereof, under all higheste paine.' And the second head, commanding all subjects to subscribe and sweare the Confession
Constitution commanded by his Majestie, conforme to the scale and meaning of the Declaration published by the Commissioner, wherein we need not here make any answer, but remits the same to a speciall answer, published in print made to that Declaration. But for the first, the same is so farre repugnant to the word of God, practice of the primitive Kirk, the Lawes Civill and Canonically, the custome of all Nations, the constitutions of our general Assemblies, Acts of Parliament, practice of other judicatories within this Kingdome, to the Confession of Faith and discipline of this Kirke, as we cannot believe any such commandments to proceed from our Sovereign, but from the malice and misinformation of our adversaries, the conscience of whose guiltiness affrighteth them to undergoe their deserved censure; which is a cleare, first, That the same is contrary to the Law of God, from that place of Scripture, Mat. 18, wherein the Kirke is commanded absolutely to inflict censures. 1. Cor. 5, wherein the Kirke did execute that commandment. And the Kirks of Pergamo and Thyatira, are reproved for not executing Ecclesiasticall censures against those who hold the doctrine of Balaam, or of Jezebel, 2. Rev. So that the power of the keys in Ecclesiasticall censures is so intrinsically, and so essentially competent to the Kirke and general Assembly, as obedience to her decreets and executions thereof, cannot be suspended, for lesse taken away and discharged by humane authority, more nor the power of preaching and administration of the Sacraments. Secondly, it is contrary to the practice of the Apostolike and Primitive Kirks, whose constant practice was to execute the spirituall functions and censures; and, notwithstanding humane prohibitions, to obey God rather then man. Thirdly, It is contrary to the civill Law, & contrajus vel utilem publicam, vel per mendacium fuerit, aliquid positulum vel imperatur ab Imperatore. Et titulo de diversis rescriptis & praeventibus, sanctiumbus. Fourthly, the same is contrary to the * Cannon Law, decret. decretal, extraordinarius, titulus de rescriptis. Fifthly, it is contrary to the universal custome in all Nations, ordaining their Judicatories to doe justice, notwithstanding their Princes prohibition, as is cleare by Concordian in Spain, Papon in France, Suebwyne in Germanie, etc. on the title de rescriptis et constitutionibus principium. Sixthly, to the constitutions of generall Assemblies, because in many generall Assemblies upon complaints made that the Kings Majestie and his Councell by their letters offered some stop to the Kirke from going on in her Ecclesiasticall censures, especially by act of the generall Assembly convened in the new Colledge of Sanctandrons 20. April 1582. it is ordaind that none being received to any Ecclesiasticall function, office or benefice, seek any way by the civill power to exeme and withdraw themselves from the jurisdiction of the Kirke, or procure, obtain, use any letters, or charges, either by themselves, or any other in their name, or at their command and instance, to impair, hurt, or stay the said jurisdiction, discipline, correction of manners, or punishment of their offences & enormities; or to make any appellation from the general Assembly, to stop the discipline,
discipline, and order of the Ecclesiasticall policie, and jurisdiction granted by Gods Word to the office bearers within the said Kirk, under the paine of excommunication summarily, without any process, or admonition to be pronounced by the judgement of the Eldership, by the Minister, or Ministers which shall be appointed by them, how soon it is known that any of the saids heads are transgressed; Like as both the Kings Majestie and his Counsell promised that none thereafter should have that cause to complaine, as is manifest by the Acts of Assembly at Montrose in July 1597, and in the Assembly holden at Saint Andrews, 24. April 1582. being charged with Letters of Horrow not to proceed against Master Robert Montgomery; the Assembly did write to his Majestie that this discharge was extraordinary, as a thing that was never heard nor seen since the world began, and was directly against the word of God; and Lawes of the Kingdome: And yet notwithstanding of the said charge the Assembly did proceed and excommunicate the said Master Robert. Further, In the Assembly at Edinburgh, the 27. of June 1582. Seft. 7. amongst the grievances presented by the Kirk to the King; The first is, That his Majestie by device of some Councillours is moved to take upon Him that spirituall power and authority which properly belongeth to Christ as only King and Head of his Kirk, the Minifter and execution whereof is onely given to such as bear office in the Ecclesiasticall government of the same; so that in his Majesties person some men preace to erect a Popedome, as though his Majestie could not be full King and Head of this Common-wealth, unleffe aswell the spirituall as temporall Sword bee put in his Majesties hands, unleffe Christ be rest of his authority, and the two jurisdictions confounded, which God hath divided; which directly tends to the wrack and overthrow of all true Religion, &c. And in the Assembly holden at Edinburgh in Octob. 1582. Seft. 15. summons are direct by the general Assembly against the Kings Advocate, for drawing up the Kings Proclamation of that fraught. 7. The foresaid command is also contrary to the Acts of Parliament; because as the Acts of Parliament appoint every matter for its owne Judicatoire, and to all Judicatories their owne freedome, so much more doth this liberty belong to the nationall Assembly, being the supreme Judicatoire Ecclesiastic of this Kirk, and onely competent Judge in matters so important, and so nearly concerning Gods honour and worship immediatly, the salvation of the peoples soules, thesettling of the purity of Gods worship, the purging away the corruptions thereof, and right constitutions of the Kirk, whose liberties and privilidges are confirmed, Parl. 12. King James 6. and Parl. 1. King Charles. Likewise by the 12. Parl. 114. Act K. James 6. April 1592, the liberty and discipline of the Kirk, especially in her Presbyteries and Assemblies, are fully and firmly ratified, with declaration that the act of the Kings Majesties prerogative Royall over all Estates and persons, shall no wayes be prejudiciall to the privileges which God hath given to the spirituall Office-bearers in the Kirk, concerning heads of religion, matters of herse, 

† Nay, but the pretended Assembly hath erected a Popedome, and for their authority goe upon the same grounds, and ufe the very same arguments, and abuse the very same places of Scripture which the Pope and the learned Patron of the Pope doe for robbing of Princes of their Authority over all Ecclesiasticall persons, and causeth in their several Dominions: The words which next follow are necer babbling.
excommunication, collation, and deprivation of Ministers, or any such like essentail censures, especially grounded and having warrant of the word of God, with full power, even to the particular Presbyteries, to put order to all matters and causes Ecclesiasticall, within their bounds, according to the Discipline of the Kirk. 8. The Lords of Council and Session by act 92. Parl. 6. King James 6. are ordained to proceed in all Civill causes intended or depending before them, or to be intended, and to cause execute their Decrees, notwithstanding any private writing, charge, or command from the Kings Majestie, or his Council in the contrary, and by the 47. act. 11. Parl. King James 6. all licences and superfederees purcahed from his Majestie, are discharged as contempt done to the Law, as great hurt to the leges, and contrarie to justice, and declarest the fame to bee null of the Law, and not admittably by any Judge, nor effectually to the purchaser any waies, and ordaineth all Judges within this Realme to proceed and doe justice, siclike and in the same manner as if the said superfederees and licences never had beene purchased nor produced, Likeas by the 106. Act Parl. King James 6. all licences granted by his Majestie to hinder the execution of acts against Papists and other adversaries of the true Religion, are discharged and declared to be of no force: According to which it hath beeene the ordinary custome both in Civill and Ecclesiasticall Judicatories (notwithstanding of privie warrants or prohibitions contrary to Law which commonly are impetrates from his MAjeste upon misinformation) to proceed and minister justice. 9. To discharge obedience to the acts of the Assembly, stop the execution thereof, protect and defend such as are delinquent and under the Kirks censure, doth directly repugne to the large Confession of Faith of this Kirk; where in cap. 19. the third mark of the true Kirk is affirmed to bee upright ministration of Ecclesiasticall Discipline, as Gods word prescribes, for establishing good order and repelling of vice; and so more can bee impeded nor justly taken from the Kirk then any other two marks, viz. the right preaching of the word, and ministration of the Sacrament: And therefore in the Oath at the Kings Coronation, he swereath to maintain this Confession, and these three marks of the Kirke; and particularly that hee shall be careful to root out of his Empire all Hereticks and enemies to the worship of God, that shall bee convict by the true Kirk of God of the forefaids crimes. 10. In the short Confession of Faith sworne, 1580. and 1590. and renewed by the greatest and best part of this Kirk and Kingdom, with an explication renewed also at his Majesties command by his Council, all are bound to continue in obedience of the Doctrine and Discipline of the Kirk, and defend the same according to their vocation and power: So that seeing this generall Assembly hath proceeded in their Constitution, Acts, and whole proceedings according to the Discipline of this Kirk of Scotland 1580. and 1590. contained in the second booke of Discipline; which in both these yeeres were ordained to bee registrate and sworn to by all the Ministers of this Kirk, as the Discipline thereof, and wherein
wherein the Civill and Ecclesiasticall jurisdiction are so clearly distinguished in the 1.c.1. as the power of the sword may no ways stop or impede the power of the keyes: and in the 7. c. the ElderShip and Assemblies hath power to execute Ecclesiasticall punishment upon all transgressors and proud contemners of the Kirke: and in the 10. c. the office of the Christian Magistrate is described to assist and maintain the Discpline of the Kirk, and punish those civilly who will not obey the censures thereof, without confounding alwaies the one jurisdiction with the other: and this order of Ecclesiasticall Discipline, condescended upon in generall Assemblies, as warranted by divine authority to be execute notwithstanding any humane inhibition, is set downe before the Prafmes in meeter: and therefore we can never expect that his Maiestie, who out of his pious inclination to justice by a late Proclamation in September last hath declared and ordained that all his subjects both Ecclesiasticall and Civill shall be lyable to the tryall and censure of generall Assembly or any other Judicatorie competent, will now stay the execution of the *lawfull and grave sentences of this nationall Kirk, so comfortable to us, and so necessarie for maintaining the puritie of Religion: which his Maiestie in the end of the Articles before mentioned hath promised to defend, and his subjects in the profession thereof, which is incompatible with the defence of excommunicate and obstinate persons. But therefore we are assured that his gracious Maiestie will be pleased to allow, that reverence and all ready obedience may bee deferred to the whole Acts, Constitutions, and censures of the said generall Assembly, by all his subjects, who undoubtedly and necessarily are obliged to obedience of all the lawfull commands and injunctions of the mother Kirk if they would be accounted members or fonnes thereof.

By all which * cloud of weightie reasons the warrantable necessity of our just proceedings doth evidently appeare, notwithstanding of all the arguments of challenge adduced against us in the said Proclamation: And therefore for these and many other reasons, Wee the members of this Assembly, in our owne names, and in the name of the Kirk of Scotland whom we represent, And we, Noble-men, Barons Gentlemen, Ministers, Burgesse, and Commons, before mentioned, doe solemnly declare in the presence of the everlastling God, and before all men, and protest * That our thoughts are not guilty of any thing which is not incumbent to us, as good Christians towards God, and loyal subjects towards our sacred Soveraigne: And we attest God the searcher of all hearts, that our intentions and whole proceedings in this present Assembly have beene and shall continue according to the word of God, the Lawes and constitutions of this Kirk, the Confession of Faith, our nationall Oath, and that measure of light, which God the Father of light hath granted unto us, and that in the sinceritie of our hearts, without any preoccupation or passion.

That it was and is most lawfull and necessary for us to sit still and
and continue in keeping this present Assembly indicted by his Majesty, untill after conclusion of all matters it bee dissolved by common consent of all the members thereof, and that for trying, judging and cenfuring all the by-gone evils, and the introducers, and providing a solide course of the continuance of Gods truth in this land with puritie and liberty, according to his word, our Oath and Confession of Faith, and the lawfull constitutions of this Kirke.

That this Assembly is and should bee esteemed and obeyed as a most lawfull, full and free generall Assembly of this Kingdome, And that all Acts, sentences, constitutions, cenfures, and proceedings of this Assembly (whereof the generall and principall Acts are to bee publisht, ) are in the selfe, and should bee reputed, obeyed, and observed, by all the subjests of this Kingdome, and members of this Kirke, as the Acts, sentences, constitutions, cenfures and proceedings of a full and free generall Assembly of this Kirke of Scotland: And to have all ready execution, under the Ecclesiastical pains contained or to bee contained therein, and conforme thereto in all points, and such like, that whosoever presumeth to utter any undutifull speech against the same, may be duly cenfur'd and condignly punished.

We protest that all and every member of this reformed Kirke efoldly and faithfully joyne and concurre in their severall callings and situations, to advance, further and assist the execution and obedience of the whole Acts of this Assembly, by all means which their abilitie can afford, as they affect the advancement of Gods glory and the worke of reformation in this land.

We protest against all the challenges and aspersions laid upon us in the said Proclamation, and that our whole anwers are not onely true in every point, but likewise sufficiently forcible to deliver us from all unjust imputations, and to justify the lawfulness and necessity of our whole proceedings and carriage, which hath beene so unreasonably blamed. Likes as by these presents we summon and cyte all those of his Majesties Counsell, or any other, who have procured, consented, subscribed, or ratified this present Proclamation, to bee responsible to his Majesty and three Estates of Parliament for their counsell given in this matter, so highly importing his Majesty, and the whole Realme; conforme to the 12. Act Parl. 2. King James 4. And protest for remeade of Law against them and every one of them.

We protest that it is, and may be lawfull unto us to defend and maintaine the Religion, Lawes, and Liberties of this Kingdome, the Kings authoritie in defence thereof, and every one of us another in that caufe, according to our power, vocation, and Covenant, with our best counfell, bodies, lives, meanes, and whole strenght, against all persons whomsoever; and against all externall, and internall invasions, and that in the obedience and observance of the Acts of this Assembly and nationall mother Kirke.

That
That whatsoever inconvenients shall fall out by impeding, molesting, or staying the observance and obedience due to the Acts, Ordinances and Conclusions of this Assembly, or execution to follow thereupon, that the same be not imputed unto us, or any of us in our lawfull defence and maintenance thereof, who modestly defined the concurrence of his Majesties Commissioner to this lawfull Assembly, and do yet still with humble vehemencie beg his Majesties gracious approbation thereunto, but on the contrary that the Prelats and their adherents, who have protested, and declined this present Assembly, in conscience of their owne guiltineffe, not daring abide to any legall tryall, and by their mis-information did move the Commissioner his Grace to depart and discharge this Assembly, beesteemed, repute and holden (as they truly are) the disturbers of the peace, and overthrowers of the liberties of the Kirke, and guilty of all the evils which shall follow hereupon, and condignly cenfured according to the greatness of their faults, and Acts of the Kirke and Realme.

We protest that none hereafter subscribe the Covenant formerly subscribed by the Commissioner his Grace in Council, as they will effect the danger of a contradictorie Oath, but that all and every one subscribe the Covenant renewed in Februarie last, And that with this sense, meaning, and condition, that they subscribe the same conforme to the determination and declaration of this Assembly at Glasgow alaterly.

We protest that as we adhere till all former Protestations and every one of them made in the name of the Noblemen, Barons, Gentlemen, Ministers, and Commons respective for the time, So wee may have his Majesties royall approbation to this present Assembly, whole Acts and constitutions thereof, and all our proceedings and behaviour in this businesse, which wee assuredly expect from his Majesties imbed pietie, justice, and bountie, notwithstanding the finittrous, untrue informations, whispering in his Royall ears in the contrarie.

Upon all which Premises and Protestation forefaid (which is the same with the former made by us at Glasgow, the 29. of November last, but so farre differing as was necessarie for answer to the new additions contained in this Proclamation; and clearing us of the aspersions wherewith we are charged therein, which wee might lawfully do, having protested for this liberty in respect of our surprisall) one certaine number of all qualities and ranks for themselves, and in name forefaid, asked instruments. This was done in presence of a great confluence of people upon the mercate croffe of Edinburgh the 18. day of December.

FINIS.

Revised, according to the ordinance of the generall Assembly, by me Mister Archbald Johnston Clerk thereunto.


Not
Not long after this Our Proclamation and their Protestation, Our Commissioner (seeing all things tending to a present rupture) begun his journey, according to the leave which We had granted him, for his returne: After which time, and ever since, they have through-out the whole Kingdome by threatnings made the acts of their unlawfull Assembly to be received, in many places have perswaded the reception of them by force and armes, have levied soldiery, and imposed taxes upon Our subjects for payment of them, have required of Our Judges or Lords of the Session to approve their acts, though none of them consented to it, have threatened and menaced them for refusing of it, have raised divers forfications in Our Kingdome, have blocked up Our Castles and Forts, and now at last forcibly taken Our Castle of Edinburgh, have at home got their Preachers most seditiously and rebelliously to teach Our people, that there is a necessity of their carrying armes against Us, under paine of perjury, and damnation, have scattered abroad, especialy here in England, divers infamous Libels justifying their own wicked and rebellious courses, inciting Our people here to attempt the like rebellion, and to deface Our Ecclesiastical government.

When the contrivers of that wicked Covenant first framed and devised it, and perswaded others who were well perswaded of their pietie, to enter into it, We dare appeale even to their owne consciences whether they did ever make the seduced people acquainted with their intentions of abolishing Episcopall government, and introducing of Lay Elders, which are the only two things they make the seduced people believe they now stand upon: And We doe wonder there should be any man found in the world, who can hold it a sufficient warrant for Our subjects, to take armes against Us their lawfull Soveraigne, because we will not give them leave to abolish some things which stand fully established by Our Lawes and acts of Parliament of that Kingdome, and to introduce other things which are interdicted and prohibited by
by the same: But much more have Wee reason to thinke Our subjects did then no whit believe, that though Wee should relieve all their grievances, just or pretended, (as now Wee have done) they should yet bee forced to acts of rebellion, and carrying of armes against Us, as now they are. But such hath ever beene the constant course of the Heads of all rebellions, to ingage their followers by degrees, to conceale from them their maine and wicked ends (which being at the first discovered, would bee abhorred and detested) untill they have gone on so farre in following their Leaders, as afterward they are easily perswaded by them, that there is no hope of pardon left, and so nothing but danger, if they shall offer to retreat: The very same course hath beene held in this rebellion for seducing of Our subjects of that Kingdome. The specious pretence, used by the contrivers of the Covenant to the people, was Religion; but that which was intended by them was a Rebellion, grounded upon the discontents of some few: And the very means whereby they have fomented their factious wayes, and kept up in Our people a belief that they intended only Religion as they pretended, have beene the very same which have beene usually practised by other discontented mutiners. But yet Wee finde, that the principall means used to foment this Rebellion by the Heads of it, have beene these three: 

First, the seditious prayers and sermons of some Preachers, suborned by them for that purpose, who made the people still believe, that all they said was Gospel; and they crying up in their Pulpits that Covenant, and most bitterly exclaiming against all opposers of it with the most vile and reproachfull termes they could devise, wrought the people to an incredible good opinion of all that favoured the Covenant, and a bad one of all those who opposed it: So that such things were delivered in their Pulpits, as cannot be related without both shame and horror. One of them upon Our Commissioners coming home, prayed God to deliver them from all craftie Compositions. Another refused to pray in the Church for Sir William Nesbette late Provost of Edinburgh, when hee was
was lying upon his death-bed, only because he had not subscribed the Covenant. Another prayed God to scatter them all in Israel, and to divide them in Jacob, who had counselled Us to require the Confession of faith to be subscribed by Our authority. Many Ministers would not admit to the Communion those who had not subscribed their Covenant, but in their exhortation before it, barred them in express terms with adulterers, flanderers, and blasphemers, &c. Others would not suffer children to be baptized in the Churches of those Ministers who were not of the Covenant, though they were their owne Parish Churches, but carried them sometimes many miles to be baptized by Covenanting Ministers. One preached, That all the Non-subscribers of the Covenant were Atheists; and so concluded, That all the Lords of Our Council, and all the Lords of Our Session were such: for none of them had subscribed it. Another preached, That as the wrath of God never was diverted from his people, untill the seven sonnes of Saul were hanged up before the Lord in Gideon, so the wrath of God would never depart from that Kingdom, till the the twice seven Prelats (which makes up the number of the Bishops in that Kingdom) were hanged up before the Lord there: which is extreme foule and barbarous. Another preached, That though there were never so many Acts of Parliament against the Covenant, yet it ought to be maintained against them all. Another delivered these words in his Sermon: 

*Let us never give over till we have the King in our power, and then He shall see how good subjects we are.*

Another in his Sermon delivered this, that the bloodiest and sharpest warre was rather to bee endured, then the least error in doctrine or discipline. Another in his Sermon wished, That he, and all the Bishops in that Kingdom, were in a bottomlesse boat at sea together, for he could be well content to lose his life, so they might lose theirs. Thousands more such beastly, barbarous and prophane speeches were delivered by them, not only in their Pulpits, but in their Sermons: For the Reader must know, that in these times of tumult, where the Churches were not able to contain...
taine the great multitudes, they did usually preach in common and profane places, in rooms which are yet in building, and not finished (intended for Lawyers to plead in) in the Halls of the Taylors, and other mechanical tradesmen of Edinburgh, in some private houses, in the Hall of the College of Edinburgh, where one Sunday Rollocke being to preach, but finding the crowds of people to be too great for that place, mounted upon the top of a pair of stairs which went up to an upper ground, in an open place which was only covered by the heavens, and from thence preached to a great troup or multitude, whose breath is the only air he defireth to live in, being shot quite through the head with popularitie. Others preached in the free-Schoole at Edinburgh, where boyes use to play and bee punished. If these speeches, and many as bad or worse then these, and delivered in such places be fit to persuade the people that their Covenant comes from God, the Reader may easily discern.

The second means which they used for blind-folding the eyes of the people, were, their many false reports, which both in their Pulpits and out of their Pulpits they vented amongst the people, which their Leaders knew in their owne consciences to be most false. They gave it out that We intended to bring in Poperie in all Our Kingdomes, or at least a toleration of it. It was preached that the Service-Book was framed at Rome, and brought over by a country-man of theirs, when they doe know that every Papist by the Popes Bull is prohibited to heare the Service Booke read. Others preached that all England was of their opinion and judgement, and that they had good intelligence from hence, that no man would adhere to Us against them. Another preached that no man would have protested against the generall Assembly but for money, and that none had protested but they who had received some, when they did know that many had protested who had received none. It is true indeed, that some poore Ministers being thrust out of their Benefices by them for adhering to Us, were petitioners to Our Commissioner for relieving the necessities of them and their families, some of
those who were most necessitated, he did a little relieve; but some of that number were none of the protesters, and many who were protesters were none of that number. It was preached ordinarily in their Pulpits, that neither We nor Our Commissioner in Our name did ever intend to hold the generall Assembly, or if We did hold it, did never intend to perform any thing which We had promised in Our gracious Declaration; though they now know that We have performed both. Within these few daies some desired the people publiquely in their Pulpits to give thankes to God for that overthrow which the Hollanders had given to the Spanish Fleet before Dunkirke; assuring their Auditours that it was no lesse to be celebrated by them, then their deliverance from the Spanish Invasion in 88. because all that Fleet was prepared at Our charge for their ruine and subversion: Besides many thousands more such reports and counterfeited letters scattered by them, of which some no doubt were devised by themselves, whereby they kept Our people in that ignorance in which at the very first they had resolved to involve them. Now what a fearfull and terrible thing is it for men in the house of God, and in those places of the houses of God which they call the chaires of truth, to deliver such things as either they do not know to be true, or doe know to be false? Besides these dictates of the Ministers, the lay-Elders, since they came to thinke themselves Ecclesiasticall persons (for so now they doe, and will not be called lay, but ruling-Elders) they have found new inspirations, and delivered doctrines as like their Divines as may be: one of them We cannot chuse but rehearfe. An ancient Knight and a lay-Elder intruded himselfe and his fellowes upon a Presbyterie for chusing the Ministers Commissioners for the Assembly, and the Ministers of that Presbyterie not being able to keep them out, though they earnestly desired it, fell to intrate these lay-Elders, that if they would needs intrude themselves in their election, they would have a speciall care to chuse the ablest Ministers, and who were most inclined to moderation and peaceable courses; because the Church at this
this time stood in great need of such Commissioners: The old Knight in great zeale replied, That whosoever at this time gave his voice to a moderate or peaceable minded Minister, hee was a betrayer of Christ and his cause; because these times required no luke-warme Commissioners; which barbarous and unchristian speech of his being related by way of complaint to the Tables at Edinburgh, was so far from being censured, as it was approved for a high and heroicall ejaculation.

The third meanes whereby they have perverted Our people, and continued them in their disobedience to Us and Our Laws, have beene their strange and damnable positions, whereby they have impoysoned Our subjects, some whereof We shall now declare unto you.

First, What subjects doe of their owne heads is much better then what they doe in obedience to Authoritie; the one favouring of constraint, but the other being voluntarie and cheerfull obedience. This proposition is delivered in their Protestation, bearing date the 22. of September, 1658. made against Our gracious Declaration; it is in their fifth reason against the subscription to the Confession of faith urged by Us.

A second, The Parliaments power doth no more reach to the placing of Officers originally in the Church, then the Church hath power to make State-men in the Commonwealth. This position is in their answer to Our Commissioners Declaration, concerning Our sense and meaning, in commanding the Confession of faith to bee subscribed: Where they have added the word Originally onely to puzzle the Reader: For certainly their meaning must bee, That the Parliament hath no power for confirming of Officers placed in the Church, by the Church it selfe; for no Act of Parliament in that Kingdome doth make any Officers in the Church originally, but onely ratifeth and confirmeth such as were established by the Church in her general Assemblies.

A third position is this, The Parliament can make no law
at all concerning the Church; but only ratifie what the Church decreeth: and after it hath ratified it, yet if the Assembly of the Church shall prohibit it, and repeale that decree of the Church, all the subjects are discharged from yielding obedience to the Act of Parliament which either made any such law; or ratifie any such decree of the Church. This position they deliver in their answer to the 5. reasons in the said Declaration; and would be well weighed.

A fourth position is this: The Assembly hath power to discharge all subscription to the confession of faith commanded to be subscribed by Us, and as it is interpreted by Us or Our Commissioner, so leaving Us no power at all in Ecclesiastical causes, which all Reformed Churches give their Princes, according to Gods Law: This position is in the same place in their conclusion of their answers to the five reasons.

A fifth position is this: The Assembly without Us is the Church, and the only Judge competent fit to interpret and explicate all doubts arising upon the confession of faith commanded by Us, which they put in practice, by explicating Our confession of faith against Our own meaning, and after We had dissolvd the assembly. This position is set down in the beginning of their conclusion after their answers to the five reasons.

A sixth position is this: Though the law be interpreted, yet if it be interpreted in a sense disliked by most of the Kingdom, the body of the Kingdom, for whose good the Law was made, may crave the lawfull redresse of the grievances sustained by that Law. This position is in the fifth of their ten Articles propounded before the indiction of the assembly. A strange position, that they shall crave redresse of a Law, and before a Parliament which only can redresse it; and though they call it a craving to redresse it, yet they mean an actual redressing of it: for they (before a Parliament was at this time indicted) have actually done many things against Acts of Parliament, and stand upon their justification that they may lawfully doe so.
The seventh position is this: The assembly is independent either from King or Parliament in matters Ecclesiastical. This position is in their Protestation against Our Proclamation of the 18. of December 1638, in their third reason against Our gracious offers delivered into the Assembly by Our Commissioner; and is a position delivered not only in the sense, but in the very words of the Jesuites. The other positions following generally dispersed throughout their Protestations and Pamphlets, are so obvious to any one who hath read them, as the particular citation of them may be borne, such as are these following.

An eighth position is: That in all matters determined in an assembly, We are to receive them as the Son of the Church, and have no further interest in them, though they be not matters of faith but matters of government, and those concluded by them against Acts of Parliament established by Us and Our three Estates; nay, though they concern secular business, as making of Salt, and fishing for Salmons on Sundays, changing of Markets from one day in the week to another, and such like; for in their late pretended assembly they have determined of many such things, as doth appear by the Index of their Acts. They will not find many Papists who have said so much for the Church of Rome, nor any Jesuites which have said more.

A ninth position is this: It is lawful for subjects to make a Covenant and combination, without the King, and to enter into a band of mutual defence against the King and all persons whatsoever, though by two Acts of Parliament before cuted, all such persons as shall be found either contrivers of, or adherers to any such league, are punishable with death.

A tenth position is this: That it is lawful for themselves fitting in an assembly, to indict a new assembly without Our consent, as they have now indicted a new assembly to be held in July next; or out of the assembly when they please, as they professed that now they would have done, if We had not
An eleventh position is this: If subjects be called before Us and Our Council for any misdemeanour, if they who are called doe any way conceive that the matter for which they are called, doth concern the glory of God, or the good of the Church (and a wonder it is if any cause can bee found which doth not concern one of these two) then they may appeale from Us and Our Council to the next general Assembly and Parliament, and in the mean time, before these appeals be either heard or discussed, they may disobey Us and Our Council, although by an Act of Parliament before cyted, it is expressly made treason: and the Ministers who appealed from Our Royall Father and his Council, were upon that Act arraigned and found guilty of treason.

The twelfth position is this: That when We are intreated to indict a general Assembly, it is not that there is any need of Our induction, but rather to doe Us honour, and to beget some countenance to their proceedings; alleging that the power of induction is in Us but cumulative, not privative, which if We shall refuse, then that power is suppletive in the collective bodie of the people, as it is always (say they) in all other cases, if the Prince shall either neglect or refuse to doe his dutie: Nor are they ashamed to averre, that all Soveraigne authoritie was originally in the collective bodie of the people, by them conferred with their owne consent upon the Prince; and therefore if the Prince shall omit to doe his dutie, he either falls from his right, or his right is interrupted, untill he returne to his dutie: but that in the mean time the Soveraigne right and authoritie doth returne to, and remaine with the people, from whom it was at the first derived upon the Prince: A prettie matter it were if Princes Crownes and Soveraignties should depend upon such notionall and pedanticall distinctions, and wonder it is that these men who professe themselves to be the greatest enemies to Poperie in all the World, should borrow the very words and terms of this
this ridiculous distinction from the Jeluites, which distinction, if it had ever been used in those primitive and purest Councils of the Church; all of which were onely called by the Emperours, and in which all matters were ordered and disposed by their Presidents and Deputies, it would have made those Emperours out of love with the Councils and Assemblies of the Church: But they were never robbed of that speciall prerogative of their Crowne untill the Bishops of Rome by their tyrannie and usurpation, and by animating and arming their owne subjects against them, disposessed them of it: And now We and Our Successors being repoffessed of it againe by the Lawes of that Our Kingdome, and the usurpation of the Pope, in that very particular, being by many of Our Acts of Parliament excluded, wonder it is to see these men take upon themselves that usurped and ca
diered Papall authoritie.

The thirteenth position is this: If We or Our Commissi
fioner sitting in Assemblies shall denie Our voice to any thing which to us appeareth to be unjust and repugnant to Our Lawes, yet if that shall be concluded by most voices of the Assembly, that then we are bound jure divino to see all these conclusions, made in delignt of Us, obeyed by all Our subjects, and by Our authoritie to inforce obedience to these Acts; and if Our Councillors or Judges shall refuse to do the like, then they shall be lyable to the sentence of Excommunication, and so be deprived not onely of their places, but of their estates: A position to which We suppose they will never gaine the content of Princes, or Magistrates put in authority under them.

A fourteenth position is this: An Assembly may abrog
ate Acts of Parliament, and discharge Our subjects from obedience to them, if they any way reflect upon businesse of the Church; which We wonder that the Nobilitie, Gentrie, and Burrowes can endure: for as it doth derogate principally from Our authoritie, so doth it proportionably from theirs when they are assembled in Parliament: and indeed it is to be wondred at, how any man that is acquainted with govern-
government can endure it: for it destroyeth not onely the nature, but the very name of the High Court of Parliament; For how can that be called the High Court of the Kingdom, if a generall assembly may reicind the acts of it? And that power which may repeale one act of it, may repeale more, nay all acts of it, when it shall be pleaed to exercise that power, and say it is in order to the glorie of God, and the good of his Church.

A fifteenth position is this: The Protestation of subjects against Lawes established, whether it be made coram Judice, or non Judice, before the Judges of the people, or the people themselves who are borne to be judged, doth void all obedience to these lawes, and dischargeth all the protesters from any obligation to live under them, before ever these Protestations and the validitie of them shall come to be discussett before the competent Judges of them; nay, although they bee repelled by the Judges before whom they are made: all which (since these troubles begun in that Kingdom) have beene usually practis'd by the Covenanters, who having sometimes made Protestations against Our Lawes before Our Counsell, sometimes before Our Commissioner, sometimes before the Lords of Our Session who repelled them all, then they made them before the people their owne associates in the publicke Market-places, and by that meanes held these Protestations sufficiently admitted, and themselves discharged from obedience to all these Lawes against which they protest'd, alledgeing (perhaps) that they were unjustly and unduely enacted: which course, if it may be allowed in any Common-wealth, and that Protestations before they be discussett, may discharge subjects from obedience to Lawes, what subject will yeeld obedience to any Law, by which he findeth himselle pressed or inconveniented, when the remedie of a Protestation, whether admitted or not admitted, is so readie at hand?

A sixteenth and last position is this; which indeed is the worst of all: for it is both the mother and nurse of all the rest, and is such a Shamefull one, that they have not printed it.
it in terminis; but it followeth by an unavoidable consequence upon many of their printed positions, as all of them do follow upon, and flow from it: And the practice of it is so current with them, as it appeareth almost in every one of their particular actions, And it is thus: A number of men being the greater part of the Kingdom, because they are the greater, (and in that sense (say they) the more considerable part) may doe any thing which they themselves doe conceive to be conducive to the glory of God, and the good of the Church, notwithstanding any lawes standing in force to the contrary; and that this greater part, especially met in a representative assembly, may, without the authoritie of Us, against the express commandement of Us and Our Counsell, and Our Judges declaration of it to be against the lawes of Our Kingdome, choose some few Noblemen, Gentlemen, Ministers and Burgessses, who, under the name of Committees or Commissioners from the generall assembly, to be chosen from assembly to assembly, shall sit and determine of things concerning the Church and State, as if there were neither King, Counsell, nor Judge in the land. They complain of a High Commission erected by Us and Our authoritie, but whether this be not a higher Commission then that. We leave it to every impartial judgement.

They answer for themselves onely this, That they doe it as being put in authoritie by the generall assembly, which is (say they) a Court independent from Us, and therefore may erect what Court it will without Us, and may appoint what Commissioners they will to sit for that Court, so they meddle with nothing but Ecclesiastical business. But let the Reader consider how many wicked and insufferable absurdities this their answer carrieth along with it.

First, By what authoritie did they doe the same things which they now doe, before the assembly was indicted? They could not bee then Commissioners from the generall assembly.

Next, Who gave the generall assembly power to erect any
such Table of Commissioners? They found themselves aggrieved with the High Commission established by Us, upon this ground, that there was no such Court established either by acts of general assembly or Parliament; And now We desire them to shew any act of Parliament giving the assembly power to erect any such Table of Commissioners.

Thirdly, in the erection of this Table, they out-doe any thing which yet hath been either said or done by the Jesuites in defence of the Churches authority, and the authority of her visible Head over Kings and Princes: for they did never yet affirme, that the Ecclesiastical authority could be exercised but by Ecclesiastical persons; but these men doe hold that Noblemen, Gentlemen, and Burgesses may execute this authority: But they say, they do not exercise it as any such lay-men, but as ruling-Elders, and so in the capacity of Ecclesiastical persons; But can there any childe be found who will not laugh at this, if ever he have heard but the common names of Church-men and Lay-men; Can these two be confounded? Can the calling of a man by the name of an Elder make him an Ecclesiastical person, if by his place and calling hee is never to discharge any office of a Church-man? They have declared it to be unlawfull for Bishops to have voices in Parliament, Council, or any secular Judicature, because these places are incompatible with the places of Ecclesiastical persons: And shall not lay-persons be as incapable at least to meddle with Divine and Ecclesiastical busineses: Or if they shall, then let these Ecclesiastical Elders renounce their places in Parliament, and other secular Courts of justice, and become ruling-Elders only.

Fourthly, they alledge that they meddle only in Ecclesiastical causes: Although it bee unlawfull for them to doe that, yet it were the more tolerable, if they did as they say: but they doe make good what they say, by telling the world what they meane by things Ecclesiastical, and their meaning they doe expresse in the very termes of the Jesuites; for by Ecclesiastical they meane, as their practice sheweth, any thing
thing which is in ordine ad Ecclesiastica: nay more, in ordine ad Spiritualia, whatsoever may be thought conducible to the good of the Church, or to any spiritual good, and yet more vastly, to the glory of God; by which latitude of the word Ecclesiastical, we would know what they have left without the compass of their cognizance: Just nothing. For in this sense they may set the price on victuals, they may censure the actions of all men in what kind soever, because Saint Paul biddeth us, Whether we eate or drinke, or whatsoever we doe, do it all to the glory of God. And truly, from this false and Jesuitical interpretation of this word Ecclesiastical, have issued most of all their acts of sedition and rebellion: They have provided arms for Our subjects, they first blocked up all Our forts and castles, and since have taken them, stopped Our Officers from carrying victuals or ammunition into them, they have raised forts, taxed Our subjects, levied soldiers against Us, not only turned Us out of the possession of Our Castles, but so far as in them lies, defeated Our title to them, by declaring that they are not Our Castles but the Kingdoms; they have incroached upon the undoubted bounds and marks of Our Soveraigntie, by sending warrants to Our Sheriffs for chusing Commissioners for the Shires for the next Parliament; they have discharged Our owne Printer for printing any thing which concerneth these troubles, or may make against them, though commanded by Us and by Our Council, so that if We have any thing to print there, We must first be a suiter to Johnston their Clerke for his hand to it, else it cannot passe: they have enjoyned or at least suffered the Preachers of their owne side to pray and preach most bitterly against Us and Our authorities; those Preachers who continued in their loyalty towards Us, they have most unjustly against Our lawes deprived of their benefices, and most unmercifully and unchristian-like exposed them to misery and beggerie, they have most contemptuously and rebelliously used Our Councillours and Judges: When they are asked, why they doe these things, and by what authorities they doe them.
To the first, they answer onely, That they doe them for the good of the Church, and the glorie of God, that Religion may bee preserved, the honour of God maintained, and his glorie increased: Who would thinke that there should be men found in the world, who call themselves after the name of Christ, and invoke the name of God, and yet dare profane and abuse the names of Religion, God, and his glorie, and to entitle those glorious names to such lewd actions of treason and rebellion, as can proceed from none but the Devill?

To the second: By what authority doe they these things, which are expressly against the Acts of Parliament, Acts of Councell, and Acts of generall Assemblies? They answer, that these Acts of Assembly were unduely obtained, and that now they have rescinded them. For Acts of Parliament and Acts of Councell, they express great wonder and admiration, that any man should question their authority over them: For that question they use to answere with another of their owne, viz. Whether any man doth hold Christ or Us to be supreme? and being answere that Christ is supreme, then they conclude, that they being his Councell must likewise be supreme; That the Parliament is but the Councell of the Kingdome, That Our Privie Councellours and Judges are but the Councell and Judges of the King, but that they themselves are the immediate and independent Councellors of, and Judges under Christ, who is the King of all Kings and Kingdomes; and that therefore in all caufes which they conceive to concern Christ and his Kingdome, which is his Church, they are supreme and independent, above Us, Our Parliament, Our Councell, Our Judges: And that if Our Councellours or Judges doe not obey their commandments, they will proceed to the sentence of Excommunication against them, and by the same reason (though as yet they have not said it) they may proceed against Us with the same sentence: for Wee acknowledge Christ to bee the supreme King, as much as Our Councellours and Judges doe acknowledge him to be the supreme Lord and Judge. These furious
furious frenzies have not been heard of in the world, since the Anabaptists madness reigned in Germany in Charles the fifth his time, which was most strongly and vehemently opposed by the Protestant Princes, who adhered to the Augsburg confession, and if Luther and Melancthon, whom God used as the chief instruments in reforming the abuses of the Church of Rome, had not shewed themselves in their sermons, lectures in the universities, and public writings which they published, stout champions against them, and thereby had drawn all Protestants to detest and persecute them, undoubtedly the Reformation of the Church falling out to bee about the same time when these Anabaptists raged most in their madness, had laboured and suffered extremely under the scandal of their frenzies, in the opinion of all those who were attending and looking after the issue of that Reformation: And yet these same follies and frenzies are daily acted by those who call themselves Commissioners of the Table, and presented to the Readers of their pamphlets and protestations, with the titles of irrefragable, undeniable, convincing, unquestionable, sun-shine truths, and twenty more such false impudent epithets, as one would wonder from whence they fetch the faces that can bear them out in saying so, when the whole Christian World who shall read them, upon the very first view or reading, must discern that there is not the least step or shadow of truth to be found in them. We confess we were amazed at, and aggrieved with their horrible impudence, expressed in their last Petition sent unto Us, in which they did invoke the name of God, calling him not only as a witness, but as an approver of their actions, at their pretended assurance of Our justification of them all, when they undoubtedly know, that We doe abhorre and detest them all as rebellious and treasonable; at their shameless asseveration of their confidence that their neighbour Churches will approve all their proceedings, that they are afraid they should be thought to have offended in nothing so much as in lenitie, when they have proceeded to
the deposition and excommunication of the Bishops and others their opposers; which is the utmost of that power which ever any Church did yet challenge to it self; and many more such audacious untruths, which after Wee once heard read, We resolved never to anfwer, and now doe anfwer it onely thus. That in the maine points of it there is not one true word: To say nothing of the boldneffe of this petition; which expecteth Our anfwers in fuch termes, as it doth not onely, seeme to require Our approbation of their wicked proceedings, but almoft to command it: and lastly, it is subscribed onely by the hands of the Moderatour and Clerke of the Assembly, as if it were an ordinarie cyration served upon the meanest subject of that Our Kingdome. And besides all these, We would know what Ecclefiafticall assembly, juft or pretended, did ever use any coercive power, but that which was Ecclefiafticall, viz. suspension, deprivation, degradation, or excommunication: But this pretended Assembly hath besides all these enforced her acts with arms, and all manner of violence both against the persons and fortunes of fuch as doe not agree unto them, but continue loyall to Us.
By this time We hope the Reader is well satisfied that We have been from time to time well acquainted with, and rightly informed concerning all the particular passages of these troubles: For since We produce their own original foul and blacke acts, and the counsels which We tooke, and courses which We held for meeting with them, and hindering them, so farre as then on the sudden We could, every man will now hold their ordinarie and so often repeated calumnie sufficiently confuted, viz. That all the proceedings and proffers on their parts were quite concealed from Us, That their petitions, remonftrances, and grievances were kept from Us, That We understood no more of the estate of the affairs of that Kingdome, then the malice of their adversaries and bad patriots were pleased to impart unto Us, That Our Commissionet in his severall journeys betweene Us and them never made Us acquainted with the true state of the business, or with their requests and protestations, That he at his severall returns did do that which he thought fitteft to be done, and not what We had commanded him, or, that if We did command him, Our commandements were according to the information which hee had given unto Us of their counsells and courses, which information was never true nor right, but onely such as hee and the Bishops had contrived for mis-informing of Us. All which most wicked calumnies, invented onely to keep Our people un satisfyed, as they are attended with want of truth, so they are accompanied with a most undeserved ingratitude. For We doe professe, that there was no man since the time of these troubles, who hath more zealously stood between Our wrath and them, then Our Commissioner, and who hath more constantly laboured Us to admit any probable construction which might be made of their actions, ever untill such time as they came to that height, that they could neither probably nor possibly receive any good construction, and
yet even then all his persuasions were to pardon and forgiveness, if they should acknowledge their errors, and with a submissive humility return to Our obedience. And here We must needs justify all his proceedings with them, as being punctually and exactly ordered and performed according to Our instructions and commandments to him, and condemn their ingratitude to him, not doubting but ere long they will heartily wish that they had some such about Us, who might solicit Us for their peace and pardon so carefully as hee did, so long as hee had any hope of their amendment.

The same course which they held with him their owne country-man, they held likewise with some of this Kingdome of great place, especially some of the Prelates neere Us, and intrusted with the greatest business of this Church and Kingdome: For, during the time of all these troubles, they have likewise slandered them amongst Our subjects of that Kingdome, both for mis-information of Us, and giving Us counsell and advice to shunne all ways of peace; Whereas We must profess that those Prelates, whom (in their last seditious and treasonable information to the good Christians of England) they have traduced for their greatest enemies, and chiefly some of them whom they especially glance at with Our Commissioner, have been their greatest friends; their counsels were always counsels of peace, and their solicitations to Us were vehement and earnest, for granting unto them those unexpected and undeserved favours, which We were graciously pleased to bestow upon Our people, published in Our Proclamation at Edinburgh the 22. of September 1638. and afterward made good to them in Our name by Our Commissioner at the Assembly in Glasgow: Those Prelates and Our Commissioner advising Us rather to condescend to these particulars, then to be put to the effusion of any drop of Our subjects blood.

But the miserie and misfortune of many of Our well meaning subjects in that Kingdome, hath in all this business been
been this, That they trusted the mis-informations of their Leaders, even in those things of which their Leaders themselves did not believe so much as one word; Such were their false reports of Our inclination to Poperie, of Our intentions never to hold an Assembly, although We had indicted it, of Our intention of never performing any thing in that Assembly which We had promised in Our gracious Proclamation of the induction of it: All which false reports We have since sufficiently confuted by Our commanding the renovation of the subscription of that Confession of faith which cannot subsist with Poperie, by Our inducing a free general Assembly (the freedome whereof they quite destroyed by their proceedings both before it and in it) by Our making good in that Assembly (such as it was) all Our gracious promises, and therefore We, cannot now but hope and expect that all Our good and loyal subjects of that Our ancient and native Kingdome will, by their former experience of the falsehood of their Seducers and Leaders, learn to give no trust or credit to their posterior and new mis-information, which by their last seditious Pamphlets printed or written, and by many intercepted letters We find to be these three especially, but all of them most notoriously false.

First, they goe about to per-suade Our good subjects, that We intend an invasion of that Our Kingdome: But they must have a great power over the faith of such as they can make believe that a King would invade his owne Kingdome: Invasions made by Princes of other Princes dominions have been usiuall, but for a Prince to invade his owne Kingdome is a prodigious untruth. But they tell Our people that We are coming thither attended with English troupes: We wonder if they should bee afraid of them, whom Our people in their Pulpits, and elsewhere, have been made believe were all of their owne partie, and would take armes with them in their defence against Us. But the truth is, these English troupes goe along to secure this Our Kingdome of England from invasion by them, which they have so fre-
quently threatened, and if for the securing of Our person they should offer themselves to bee Our guard wherefoever We goe, what doe they else but shew themselves to be true and loyall subjects, and lay an obligation on Us to continue in Our breaff that full assurance of their loyaltie and fidelitie towards Us, of which We have alwaies by unanswerable demonstrations been fully perswaded; as also upbraid the disloyaltie of many of Our subjects of that Our native Kingdome, amongst whom they are loath to truft Us without offering their perffons to bee Our guard? 

But these two things We doe desire all Our good subjects of that Kingdome firmly to beleive: First, We are confident that We shall not much stand in need of English troupes to chastife the Heads of this late Rebellion, as being fully perswaded that Our loyall subjects, who have all this while adhered unto Us; and Our mis-led subjects, who upon this Our Declaration will adhere unto Us, but above all the justice of the cause of God and of Us his Anointed, shall be strength enough to bring those principall Rebells to undergoe the tryall of Our Lawes. Next, Wee desire all Our good subjects there, to beleive that We are so farre from intending any invasion of that Our native Kingdome, as that according to Our dutie and oath taken at Our Coronation, We shall by the grace of God alwaies be ready with Our whole power, estate, and expense of Our bloud (if the case shall so require) to defend that Our Kingdome and subjects thereof against all invasions whatsoever. For We doe at this time onely intend to reduce the principall Heads of these tumults to the obedience of Us and Our Lawes, and in case of their Rebellious obstinacie, to bring them to those deserved punishments, which in such cases the Lawes of that Our Kingdome have provided: nor can this either bee called or accounted an invasion, more then the Judges sentencing malefactors to punishment, can bee called an invasion of them.

The second mis-information whereby We find the Heads of this Rebellion goe about to keep Our people from returning
turning to Our obedience, is this: They make them believe,
that since they have not accepted of Our gracious offers
made in Our Declaration at Edinburgh the 22. of September
laft, and made good by Our Commission in Our name at
the Assembly in Glasgow, that now We will certainly per-
forme none of them: But these wicked mis-reporters spoke
both according to their owne defects (as knowing that their
rebellious misdemeanours have indeed deserved no such fa-
vour at Our hands) and likewise, according to their owne
defires (as fearing that if We should make them good, then
Our people might and must receive satisfaction thereby) but
they doe not speake according to Our Royall intentions,
which are to assure Our subjects, that (as We have before
expressed in Our Preface) their faults and disloyall courses
shall not make Us goe backe from any thing which We
have promised in either of those two Our gracious Declara-
tions made at Edinburgh and Glasgow, but that We will
performe them all for the securing of all Our good sub-
jects from any further feares of these pretended innova-
tions.

The third mis-information whereby the Heads of this
Rebellion goe about to continue Our people in disobedi-
ence to Us, is this: They would make them believe, that if
they shall now yeald, We doe intend to make that Our na-
tive Kingdome a Province, and to dispoile them of all their
lawes and liberties, and to give them new lawes, as if they
were a conquered Kingdome: A most divilish and false
suggestion; for We professe We never harboured any such
thought in Our Royall breast, but doe intend by the grace of
God to continue that Our native Kingdome in the govern-
ment of Our lawes, and confirme unto them all their liber-
ties, and when it shall please God to translate Us, to leave
the same in charge to Our Successour.

These foule but false aspersions being thus wiped off, We
are now desirous to remove their grand and maine calum-
nie, whereby they doe at once endeavour both to disparage
Our just, and to justifie their owne most unjust proceedings.
They give out that We have no quarrell against them but Religion: and when they are asked in what points of Religion We will not yeeld to them, they doe not name any one of which they have complained in their Petitions, and which in them they called innovations in Religion (for they know, that in Our gracious Declarations We have given full satisfaction concerning them) but they instance in other two particulars: First, Our not admitting the introducing of lay-Elders into their Presbyteries, and that in equall number with the Ministers, and that these lay-Elders shall have voices, and alwaies the casting voice in the election of the Ministers Commissioners from the Presbyteries to the generall Assembly. The second, That We will not give way to the abolishing of Episcopall government. For the former, We professe that We cannot give way to it, it being a course unheard of, not onely in that Church of Scotland, but in any Church in any age: for how can We yeeld that Noblemen, Gentlemen, Commoners shall be made Ecclesiasticall persons, which must needs bring in a confusion of these two, Ecclesiasticall and secular persons, which have alwaies been distinguished? Next, how can We betray the Ministers of that Kingdome unto perpetuall slaverie? for if Episcopall government should bee gone (which they intend) and the Ministers in their Presbyteries shall be over-swayed by the voices of the lay-Elders, what face of Ecclesiasticall government can remaine, when it shall be quite pulled out of the hands of Ecclesiasticall persons? And therefore We cannot chuse but account it a great ingratitude in those Ministers who oppose Us, for whose maintenance as We first stood against the laitie, so We are now resolved to stand against them for their libertie. For the second, which is the abolishing of Episcopall government, We professe We cannot yeeld unto it (though it were not warranted by Apostolicall institution at the first, and since by the perpetuall practice of the Church of Christ in all ages and places, as We hold it is warranted by both:) First, because it is establisht in that Kingdome, and hath ever been by Acts of Parliament, and
is so now, and hath been for many yeeres by Acts of the general Assembly. Next, because of the course which they have taken to abolish it, to wit, by an Assembly, holding that an Assembly may abolish Acts of Parliament; a proposition which must not bee endured in any Monarchie; for then the Convocation in England, or general Assembly in Scotland, might introduce in either of these Kingdomes, Popery, and the Popes authority if they had a mind to doe so, notwithstanding the Acts of Parliament in both Kingdomes which have ejected them, and which Acts of Parliament were posteriour to the Acts of these Ecclesiastical Assemblies, and were confirmations of what was passed before in them. Thirdly, We cannot destroy Episcopall government without destroying one of the three Estates of Parliament, which Wee will not doe; but these men in an Ecclesiastical Assembly, without Our consent, or consent of Parliament, have gone about to destroy the first of the three Estates of Parliament.

But say that none of these things were so, yet Wee would be satisfied in this point, Whether Our refusing of the intru- sion of lay-Elders, and the extrusion of Episcopall govern- ment, can bee to the conscience of any man a sufficient warrant or ground for his taking arms against his lawfull King and Soveraigne? for now their very Leaders, acknowledging that We have given them satisfaction in the rest, make these two the only ground of all their arms. And Wee appeale to the consciences of most of Our subjects Covenanters, if, when they entered into that Covenant at the first, they did ever imagine that they should be persuaded to take arms against Us, for these two points of lay-Elders and Episcopall government, if they should receive satisfaction from Us in their other grievances, and feared innovations, as We have before declared. Wee are confident that no such matter was then within the compass of their thoughts: We then having fully removed those pretended fears which occasioned their Covenant, Wee cannot but hope that Our

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seduced
seduced subjects will return to their former obedience; but for their seducers, Wee know that some of them from the very first were resolved never to receive any satisfaction.

This grand imposture and calumnie, with the other three, being removed, We will now declare fully and freely to all Our subjects of Our three Kingdomes, and to all forrainers besides, the true and onely causes which doe inforce Us at this time to use force for the represling of the insolencies of such of Our subjects in that Kingdome as shall stand out against Us, first protesting that none of the causes before mentioned, suggested by their Leaders, have settled in Us this resolution, but onely these causes which now follow.

1. First, We will never endure that any of Our subjects, nay that all Our subjects (if they could possibly bee all of one mind) out of Parliament shall ever abolishe or destroy any Act of Parliament, especially not Noblemen and others assembled in an Ecclesiastical Assembly: for to hold that any Assembly of subjects out of Parliament, or in Parliament without Our consent, may abolish any Act of Parliament, destroyeth the very foundation of government and justice in all Monarchies; and the doing of it by Ecclesiastical persons in their Councells and Synods, hath been the cause of infinite calamities and miserable wars and devastation of Kingdomes in the Christian World, since the Pope and his Conclave did usurp that unlawfull and unlimited power, which, being in that Our Kingdome in all these late troubles practised against the express laws of the same, We are resolved to punish, unlesse the offenders betake themselves to Our mercie.

2. Secondly, We are resolved not to endure that any of Our subjects, without Our consent, and the consent of the Parliament, shall destroy any of the three Estates of Parliament, which they in their late pretended Assembly have gone about to doe.

Thirdly,
Thirdly, We are resolved not to endure that any general Assembly shall be called but by Our indiction, according to an express Act of Parliament in that case provided; or that it shall continue after that Wee by Our authority have dissolved it; and are resolved to punish them who shall doe so, as Our Royall Father punished those who did the like at Aberdene.

Fourthly, We are resolved to punish those who have imposed taxes upon Our subjects, levied men or armes, raised any fortifications in that Our Kingdome without Our leave, and first blocked up; and then taken Our Castles and Forts, and by violence disposed of Our loyal subjects of their houses and castles, detaining them by force; for all these, by the express Lawes of that Our Kingdome, are acts of treason and rebellion.

Fifthly, We are resolved not to endure that the Protestantions of subjects against Us, Our Councell, Our Judges and Lawes, shall discharge the obedience of the protesters unto these Lawes, unless they be admitted before the competent Judges, and legally discussed before them; the contrarie whereof hath been practised by the Covenanters all the time of these tumults.

Sixthly, We are resolved not to endure that Our subjects shall enter into any covenant or band of mutuall defence, without Our leave asked and obtained, it being expressly forbidden by divers Acts of Parliament of that Our Kingdome; for this hath been, and still is, the ground of all this Rebellion.

Seventhly and principally, We are resolved not to endure that any of Our subjects, under the name of a Table, or Committees of the general Assembly, or under any other name, title or pretence whatsoever, shall sit without Our consent and authoritie, and order businesse of the Church and Kingdome at their pleasure; and if they shall be called in question for the same by Us, Our Councell, or Judges, shall appeal from Us and them, and refuse to be judged by either, alleging that they will be judged by none but by the gener-
rall Assembly, which is Christ's owne immediate Councell, and therefore hath no dependencie from, or subordination either to Our Councell or Judges, or Our Parliament, which is the Councell of Our Kingdome, and so that both Churchmen and lay-men under Ecclesiastical names shall exempt themselves from the authoritie of Us and Our Lawes, and the Assembly it selfe shall hold the members of it free from being judged in all matters of Assembly by any but by it selfe; which by the Lawes of that Our Kingdome is treason, as appeareth by the Act cyted in the bodie of this narration: Now all this hath been practised, and is practised by those which call themselves of the Table.

From all which We hope it is evident, that the offences which We resolve to punish in some of Our subjects, doe not concerne Religion: So that the question is not, Whether there shall be a Service Booke, Booke of Canons, high Commission, nay, nor whether there shall be no lay Elders in Assemblies, or no Episcopall government, (though We are resolved to reject the one, and retaine the other:) But the question indeed is neither more nor lesse then this, Whether We and Our Successours shall be any more Kings of that Kingdome: for if these traiterous positions shall bee maintained and made good by force of armes, then We and Our Successours can bee no more Kings there, Our Parliament, Councell, and Judges have no more authoritie there; So that unlese We will give over to bee King, and so betray and desert that charge wherewith God hath intrusted Us, We must use that power which God hath put in Our hands, and by faire, just and legall waies, to Our great griefe, force them to obedience.

These are the true reasons which have forced Us to undertake this journey, and to make use of the armes and aide of Our loyall subjects here, for the securitie of this Kingdome, and safeguard of Our person, as likewise of the armes and aide of Our subjects of that Kingdome for the same purposes.

And here first We call God to witnesse what an unwel-
come journey this is unto Us, and how unwillingly We doe undertake it.

Secondly, We doe profess and protest, that as We (like God himselfe, whose Vicegerent We are) have shewne Our Selfe all this while how to anger; so now like him We shall shew Our selves ready to forgive, upon the repentance of such of Our subjects as have been mis-led, their deserted the Heads of their Rebellion, and returning to Our obedience.

Thirdly, that We intend to use no armes against that Our Kingdome, but onely against some Rebells in it, for their apprehension and bringing them to justice.

Fourthly, that such even of those who shall be apprehended, shall have their faire and legall tryalls according to the Lawes of that OurKingdome, without the denyall of the least favour which can be allowed them by the course of justice, if they will offer and submit their persons to a legall tryall.

Fifthly, that all Our subjects of that Kingdome, who shall now adhere unto Us, shall be protected and defended by Us in their persons and fortunes, with the uttermost of Our power: For We profess that We doe not hold it a nationall defection, but a revolt of some Rebells, who have mis-led a great many of the rest; We having a great many subjects of all rankes in that OurKingdome, who for their constancie in their loyaltie and fidelity towards Us, shall justly expect both protection and reward from Us.

Sixthly, that who so ever shall goe about to make any of Our subjects beleeve that this is a nationall quarrell between these two ancient Kingdomes, both now being under Our government, shall be punished as a disturber of the peace of both: and therefore We exhort and require all Our subjects of both Kingdomes, who shall accompanie Us in this journey, to live and converse peacably and lovingly, whereby as they shall doe Us most singular and acceptable service, so they shall notably disappoint the Heads of that Rebellion, who now labour no point so much as this, to make Our subjects of that Kingdome beleeve, that this journey of Ours bringeth along
along with it a nationall invasion; and if Our subjects of both nations shall keep that friendly and loving correspondence in their attendance upon Us in this journey, We doe not doubt but it will be a means to yte them in a stronger band of love for ever hereafter, when Our Scotish subjects shall here see the alacrity and forwardnesse of the English, and the English shall there perceive the alacrity and forwardnesse of the Scotish, both of them meeting in this point and center, viz, the defence of Our person, and of Our Royall Crowne and Dignitie.

To conclude: As We have found the aide and assistence of Our loving subjects here towards this journey, so We doe heartily desire their prayers all the time of Our absence for a good success unto it, and that if it be possible We may returne with peace, and without the effusion of any drop of Our subjects bloud: And We doe require all Our good subjects of that Our Kingdome of Scotland, especially the Ministers who should bee the messengers of peace, to frame and settle Our subjects minds to the courses and waies of peace, and to lead them on in the way of returning to Our obedience, who doth resolve to maintaine them in the Religion now establisht amongst them, that so We be not forced to draw Our sword of justice against any of them, which in case of their obstinacie how unwillingly We shal doe, We call the King of kings to witnesse: But if nothing else will serve it must be, and their bloud will rest upon their owne heads.

FINIS.
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