

Scottish Historical Review

VOL. XV., No. 60.

JULY, 1918.

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The SCOTTISH HISTORICAL REVIEW is published Quarterly, price 2/6 net, and may be obtained from any Bookseller or from the Publishers. The Annual Subscription is 11s. post free. The London Wholesale Agents are Messrs. Macmillan & Co., Ltd., and Messrs. Simpkin, Hamilton & Co., Ltd. Cloth Cases for Binding the volume, containing four numbers, can be had from the Publishers, price 1s. 6d. net.

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NOTICE

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Review has just been issued. In one volume. Royal
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The Scottish Historical Review

VOL. XV., No. 60

JULY 1918

Macaulay's Treatment of Scottish History¹

ONE of the merits of Macaulay is that he treats the Revolution broadly and comprehensively, connects throughout the history of England with that of Ireland and Scotland, and shows how the change of government in one country affected the fortunes of the other two. It was a more difficult task than his readers realise, for there was at the time no good history of either Ireland or Scotland in existence, nor were there available many of those monographs on particular subjects which help to replace consecutive narratives. Take, for instance, Scotland. Malcolm Laing's verbose and obsolete *History of Scotland from the Union of the Crowns to the Union of the Kingdoms* was the best available account. Tytler's excellent history stopped short in 1603; Hill Burton's was not yet published. However, the first instalment of Burton's book, which covered the period from 1688 to 1745, appeared in 1853, and was much used by Macaulay in his account of William

¹This article is part of a series of lectures delivered at Oxford on Macaulay's *History of England*. Their object was not merely to criticise the statements made by Macaulay and the point of view adopted by him, but also to show the extent to which his conclusions had been invalidated or confirmed by later writers, who had devoted their attention to particular parts of his subject, or by the new documentary materials published during the last sixty years. It was hoped thereby to encourage students to investigate the history of the period with an open mind, and to try to weave the new evidence into the tissue of the national story. Accordingly the notes indicate some of the recent monographs and publications of documents, though they do not profess to give an exhaustive list of them. The references to Macaulay are to chapters instead of volumes, and to the pagination of the illustrated edition published by Messrs. Macmillan in 1913-15.

the Third's reign. At present an historian of the period has at his service Hill Burton's revised and completed history, the books of Professor Hume Brown, Mr. Andrew Lang, and Mr. W. L. Mathieson, besides a number of biographies of particular persons or treatises on particular subjects. Take into account also the new evidence made accessible during the last sixty years, the documentary publications of the government, the reports of the Historical MSS. Commission, the volumes issued by the Scottish History Society and other societies, and the matter contained in the *Scottish Historical Review*.¹ With little assistance from previous writers, and from imperfect materials, Macaulay put together his vigorous and vivid narrative of events in Scotland from 1685 to 1701. It contains many errors, and there are some serious omissions, but he deserves the credit which belongs to a pioneer, and should for that reason be more leniently judged. Perhaps the fact that this portion of the *History* has been more minutely scrutinised than the rest makes it seem comparatively more inaccurate.²

The chief omission is, that Macaulay gives no adequate account of the state of Scotland at the end of the seventeenth century. A clear conception of the social and economic conditions under which the political life of Scotland developed is essential, in order to appreciate the policy of statesmen and the strength of the forces with which they had to deal. Without it the meaning of events and their true proportions are obscured.

Macaulay begins his narrative of the reigns of James II. and William III. by an account of the state of England in 1685, but there is no similar account of the state of Scotland. We get incidental glimpses of the country during the reign of King James. In Chapters II. and IV. there is some account of the persecution of the Covenanters, in Chapter V. a narrative of Argyle's rebellion, and in Chapter VI. an account of the attempt made to carry out the ecclesiastical policy of James II. in Scotland. But Chapter XIII. is the first one devoted entirely to Scotland, and while it contains a lengthy description of the condition of the Highlands, there is

¹ Mr. John Paget devoted three articles to the Scottish part of the *History* in his *New Examen*. Mr. T. F. Henderson, in the annotated edition of Macaulay, published in 1907, points out a large number of minor errors.

² See *An Index to the Papers relating to Scotland described or calendared in the Historical MSS. Commission's Reports*, published by Professor C. S. Terry in 1908, and the same author's *Catalogue of the Publications of Scottish Historical and Kindred Clubs and Societies*, 1909.

not anywhere an equally full account of the condition of the Lowlands.

Macaulay introduces this description of the condition of the Highlands in order to explain the rising of the clans on behalf of James II. Its correctness has been vehemently denied, and a section of Paget's *New Examen* is devoted to its refutation. 'We cannot allow,' says Mr. Paget, 'this gross caricature, this shameless libel, this malignant slander, this parricidal onslaught by a son of the Highlands on the people and the land of his fathers . . . to pass unnoticed. Lowlanders as we are it moves our indignation.'¹ He then examines Macaulay's authorities in detail, and has no difficulty in showing that some of them are of very little value, and that others do not say what they are represented as saying. However, the errors in Macaulay's description of the Highlands are less serious than his omissions. The Lowlanders were the makers of the Scottish nation: their ideas and their institutions moulded its character, shaped its future, and determined its place in the British Empire. Anyone who reads Macaulay's narrative of the events which followed the Revolution in Scotland should supplement it by reading the chapter entitled 'Scotland on the Eve of the Union' in Professor Hume Brown's *History of Scotland*.² It summarises in a masterly fashion the state of agriculture, trade, industry, and commerce during the later part of the seventeenth century. Incidentally it corrects some of Macaulay's errors. For instance, Macaulay somewhat exaggerates the result of the Act for the Settling of Schools passed by the Scottish Parliament in 1696.³ In Scotland, even before that date, 'education was more widely spread among all classes than in any other nation,' and the Act marked no new departure, though it was doubtless more effective than its predecessors.⁴ In another passage Macaulay dwells on the influence of commercial considerations in modifying the stubborn attachment of the Scots to their independence, and in preparing the way for the union of the kingdoms. He exaggerates the importance of the freedom of trade which existed during the Cromwellian

¹ *New Examen*, ed. 1860, p. 80.

² Volume iii. chapter ii. ed. 1909. This should be taken in connection with the last chapter of volume ii., which describes the social condition of the country from 1625 to 1689.

³ Chapter xxii. p. 2598.

⁴ Hume Brown, ii. 453, iii. 71, 261; cf. Lecky, *History of England in the Eighteenth Century*, ii. 44.

union, and the extent of the prosperity resulting from it as factors in producing these results.¹ Hopes for the future, not reminiscences 'of the golden days of the usurper,' influenced the Scots. The failure of the Darien scheme showed that the development of a national trade was impossible without a closer union with England.

Much evidence illustrating the social and economic history of Scotland has been published since Macaulay wrote. To begin with, there are four volumes containing descriptions of Scotland, written by English and foreign travellers during the seventeenth century.² The accounts written by French visitors are much more favourable than those written by Englishmen. Half the English travellers were excessively hostile, and many laboured to make the country and its people ridiculous. Their descriptions of the Lowlands remind one of Macaulay's description of the Highlands. It is clear, however, that their tempers were soured, not merely by religious or political animosity to the Scots, but by the discomforts of travelling in Scotland. 'I must confess I was too impatient at the Scottish victuals,' said Thoresby. 'They have neither good bread, cheese, nor drink,' said Ray. 'They cannot make them nor will they learn.' Complaints of dirt and smells are continually repeated. 'The sluttishness and nastiness of this people is such,' says an earlier tourist, 'that I cannot omit the particularising thereof.' The fact is the poverty of Scotland compared to England produced a lower standard of living, not merely different manners, and both were obstacles to the intercourse of the two nations.

Other evidence of a more impartial but duller nature is supplied by books of household accounts,³ by judicial records,⁴ by local

¹ Chapter xiii. pp. 1508-10. Macaulay was led into this error by Hill Burton. Whatever advantages the Scots then derived from freedom of trade were neutralised by the weight of taxation. See Firth, *The Last Years of the Protectorate*, ii. 113-5, 119; and Miss Theodora Keith's article on 'Scottish Trade with the Plantations before 1707,' *Scottish Historical Review*, vi. 32.

² *Early Travellers in Scotland*, 1891; *Scotland before 1700 from contemporary Documents*, 1893; *Tours in Scotland by Thomas Kirk and Ralph Thoresby*, 1892. All three collections were edited by Professor Hume Brown. There is also C. Lowther's *Journal into Scotland*, 1629, edited in 1894 by W. D.

³ *Account Book of Sir John Foulis of Ravelston*, 1671-1709, ed. by A. W. C. Hallen, 1894; *The Household Book of Lady Grisell Baillie*, 1692-1733, ed. by R. Scott-Moncrieff, 1911.

⁴ *The Records of the Proceedings of the Justiciary Court from 1661-1678*, ed. by R. Scott-Moncrieff, 2 vols. 1904-5.

records of various kinds,¹ and by private correspondence. There are also collections of extracts and documents arranged either in the form of annals or under subjects in order to illustrate social history.³ The development of Scottish trade and manufactures during the seventeenth century is now being investigated with great thoroughness.³ All these various contributions to the national history have made it possible 'to relate the history of the people as well as the government,' as Macaulay wished to do.

The history of the government of Scotland has also been made clearer. Macaulay's account of it is vague and rhetorical. In Chapter IV. he tells us that the legislature of Scotland 'was as obsequious as those provincial Estates which Lewis the Fourteenth still suffered to play at some of their ancient functions in Brittany and Burgundy,' that 'none but an Episcopalian could sit in the Scottish Parliament, or even vote for a member,' and that it could 'pass no law which had not been previously approved by a Committee of courtiers.'⁴ Of the composition and powers of this legislature, either before or after the Revolution of 1688, no precise account is given. Macaulay mentions the abolition of the Lords of the Articles, but does not explain the magnitude of the change which the Revolution made in the position of the Scottish Parliament.⁵ William's difficulty in governing Scotland was caused by the fact that he had to deal with an assembly, which was no longer subservient to the Crown, but almost as independent as an English Parliament.⁶ And the King could not play off one House of Parliament against another, since the Scottish Parliament consisted of a single chamber, in which nobles, barons of the shires, and burgesses all sat together. Under

¹ *The Court Book of the Barony of Urie*, 1604-1747, ed. by D. G. Barron, 1892; *Records of the Baron Court of Stitchell*, 1655-1807, ed. by C. B. Gunn; *Records of the Convention of Royal Burghs of Scotland*, 1295-1738, ed. by J. D. Marwick, 6 vols. 1866-90, and the Publications of the Scottish Burgh Records Society.

² *Domestic Annals of Scotland*, by Robert Chambers, 3 vols. 1859; E. D. Dunbar, *Social Life in Scotland in former days*, 2 vols. 1865-6.

³ *Minute Book of the Managers of the New Mills Cloth Manufactory*, 1681-1690, ed. by W. R. Scott, 1904; Dr. Scott's *Constitution and Finance of English, Scottish and Irish Joint Stock Companies to 1720*, 3 vols. 1911-12, contains much new information, ii. 207, 227, 377; iii. 123-195.

⁴ Chapter iv. p. 488-90.

⁵ Chapter xvi. p. 1933.

⁶ See *The Scottish Parliament, its constitution and procedure*, 1603-1707, by Professor C. S. Terry, Glasgow, 1905; and as an introduction to that work, Professor R. S. Rait's *The Scottish Parliament before the Union of the Crowns*, 1901.

Charles II. and James II. the government of the country had been conducted by the Privy Council ;¹ after the emancipation of Parliament from the control of the Lords of the Articles the importance of the council diminished.

It was the council which conducted the repressive measures against the ecclesiastical or political opponents of the government which fill so large a place in Scottish history during the reigns of Charles II. and James II. Macaulay mentions the beginnings of this repression in Chapter II. when he describes the administrations of Lauderdale and of the Duke of York. Incidentally he charges James with exceptional cruelty. 'The Scottish Privy Council had power to put state prisoners to the question. But the sight was so dreadful that, as soon as the boots appeared, even the most servile and hard-hearted courtiers hastened out of the chamber. . . . The Duke of York, it was remarked, seemed to take pleasure in the spectacle. . . . He not only came to Council when the torture was to be inflicted, but watched the agonies of the sufferers with that sort of interest and complacency with which men observe a curious experiment in science.'² This charge, which Macaulay repeats three or four times, rests solely on the authority of Burnet, and is not confirmed by other evidence. James was not humane: he had no objection to the employment of torture, but there is no proof that he took any special delight in it.

In another passage Macaulay says that the 'fiery persecution, which had raged when he ruled Scotland as vice-gerent, waxed hotter than ever from the day on which he became sovereign.' For illustrations of this persecution he relies mainly on Wodrow's *History of the Sufferings of the Church of Scotland from the Restoration to the Revolution*, published in 1721-2,³ and on the *Cloud of*

¹ *The Calendars of the Register of the Privy Council of Scotland* now cover the period from 1473 to 1680. Its action during the reign of Charles II. is fully explained in Professor Hume Brown's introductions to the post-restoration volumes.

² Chapter ii. p. 260. See Mr. T. F. Henderson's note at p. 71 of his edition of the *History*. In one of his letters James expresses his satisfaction that the application of the boot to a prisoner has proved effective. When the Privy Council proposed that contumacious rebels, who were let off with transportation, should be 'stigmatised by having one of the ears of everyone of them cut off,' he warmly approved of the measure. *Report on the MSS. of the Duke of Buccleugh at Drumlanrig*, i. 105, 205.

³ It is to be regretted that a critical edition of Wodrow has never been published, though his correspondence and papers furnish materials for the purpose. Patrick Walker's lives of Peden, Cameron, and other worthies have been carefully

Witnesses, which is a collection of the last speeches and testimonies of the sufferers published about 1720. Both were partisan works, but there was no impartial authority available.¹

In legend and history the accumulated odium of all the persecutions and executions of the 'killing time' had been heaped on Claverhouse, and Macaulay accepted the popular tradition with too little discrimination, exaggerated his misdeeds, and credited him with the crimes of other men. 'Pre-eminent,' writes Macaulay, 'among the bands which oppressed and wasted these unhappy districts were the dragoons commanded by John Graham of Claverhouse. The story ran that these wicked men used in their revels to play at the torments of hell, and to call each other by the names of devils and damned souls.'² Wodrow, however, who is the authority cited, appears to attribute these diversions to Grierson of Lag and his men.³ Macaulay terms Claverhouse 'the chief of this Tophet,' though even Wodrow does not accuse him of taking part in the alleged revels.

Another famous figure amongst the persecutors was Sir George Mackenzie, Lord Advocate from 1674 to 1685. 'The bloody advocate Mackenzie,' one of Scott's characters terms him, 'who for his worldly wit and wisdom had been to the rest as a god.' Another calls him 'the man that has the blood of the saints at his fingers' ends.' Lawyer, essayist, novelist and historian, his accomplishments attracted the admiration of Mr. Andrew Lang, who came to the conclusion that the charges against him were not warranted by the facts, and that he was a much maligned man.⁴ But the vindication is by no means convincing.

edited by Mr. Hay Fleming under the title of *Six Saints of the Covenant*, 2 vols. 1901. Similarly the collection of epitaphs at the end of the *Cloud of Witnesses* has been reprinted, with additions, in Mr. J. H. Thomson's *The Martyr Graves of Scotland*, though these stories are not critically examined.

¹ Unluckily the records of the Privy Council for these years are imperfect. Macaulay says that the Acta during almost the whole administration of the Duke of York are wanting, and adds that the hiatus extends from August, 1678, to August, 1682. The missing volume has been since recovered, and is now in the Register House, but there is still a gap.

² Chapter iv. p. 492. The charges against Dundee were examined in a later lecture in detail.

³ See the *Laird of Lag: a life sketch*, by Col. Alexander Fergusson, 1886.

⁴ *Sir George Mackenzie, King's Advocate, of Rosehaugh, his Life and Times*, 1908. The account of Mackenzie's career and character given in Mr. G. W. T. Omond's *Lord Advocates of Scotland*, 1883, vol. i. pp. 200-234, appears to me to be substantially just.

Amongst the opponents of the government prosecuted by Mackenzie was the ninth Earl of Argyle, who was condemned for high treason in 1681 on a scandalously unjust charge, but succeeded in escaping to Holland. In May, 1685, he returned to Scotland, was prisoner on 18th June, and was executed on July 1. In Chapter V. Macaulay gives a full account of his rebellion, basing his narrative mainly on Wodrow, and on the narrative of Sir Patrick Hume, who accompanied Argyle.¹ Since then the journal of another of his companions, John Erskine of Carnock, has been published. Erskine left his studies at the University of Leyden 'to join in that design of endeavouring the delivery of our native land from being again drowned in popish idolatry and slavery.'² Like Hume he makes it clear that divided counsels were one cause of the failure of the expedition: others were 'the lukewarmness and little zeal' of gentlemen and people in the Lowlands, and the desertion of Argyle by the 'irreligious and cowardly Highlanders' when he crossed the Clyde. Outside his own clan Argyle was personally unpopular, and he possessed neither military skill, nor the gifts of a leader. Macaulay lays the blame for the failure on Hume and the Committee, but it does not appear that if Argyle's hands had been entirely free he would have been more successful.

After the suppression of the rebellions headed by Monmouth and Argyle the position of King James was so much stronger, that he could attempt to carry out his plans in favour of the Catholics. The laws against them in Scotland were so severe that justice demanded their mitigation,³ but as in England the King aimed at something more than toleration, and to carry out his policy he had to change his ministers and coerce those who

¹ Hume's narrative is printed in vol. iii. of the *Marchmont Papers*, edited by Sir G. Rose in 1831. Macaulay also used the *Memoirs of George Brysson*, edited by Thomas M'Crie in 1825.

² *Journal of John Erskine of Carnock, 1683-1687*, edited by Walter Macleod. Scottish History Society, 1893, pp. 113, 124, 130. Other new evidence may be found in the *Report of the Historical MSS. Commission on the papers of the Duke of Athole*, pp. 12-24. One of these letters gives a detailed account of Argyle's capture which differs from that followed by Macaulay. The MSS. of the Duke of Argyle, calendered in the Ninth Report of the Historical MSS. Commission, contain very little new information. A biography of Argyle, entitled *A Scots Earl in Covenanting Times, being the Life and Times of Archibald, ninth Earl of Argyle*, by Rev. John Willcock, was published in 1907.

³ See Bellesheim's *History of the Catholic Church of Scotland*, translated by O. S. Hunter Blair, 4 vols. 1887-90.

ventured to oppose it. William Douglas, first Duke of Queensberry, was Lord Treasurer, and had been for some years considered first minister. No man had been more trusted by James whilst he was still Duke of York. He was now suspected of promoting the anti-catholic riots which took place in Edinburgh, and was not disposed to turn Catholic himself. The two Drummonds, James Earl of Perth, who was Chancellor, and John Earl of Melfort, the Secretary of State, were not men to stick at such trifles. Both had abjured their creed, and had for some time been plotting to overthrow their rival. 'Duke Queensberry,' said Perth to the King, 'was an atheist in religion, a villain in friendship, a knave in business, and a traitor in his carriage to him.'¹ This was effective: in February, 1686, Queensberry lost the treasurership, and was made President of the Council instead. In June he lost that post too.

William Douglas, third Duke of Hamilton, was more compliant than his kinsman, but even he would not go as far as the King desired. In February, 1688, King James asked him whether he would support the repeal of the penal laws and tests, demanding a positive answer in three days. Hamilton declined to pledge himself. 'I have been ever, and am still of opinion, that none should suffer for conscience sake, and that every peaceable subject should be allowed the exercise of their own religion; but how this is to be done with security to the Protestant religion, our laws, and oaths, is in my humble opinion what will deserve serious consideration, and is above what I can presently determine myself in.'²

When the Revolution came Hamilton declared against James, was chairman of the assembly of Scottish lords and gentlemen which requested the Prince of Orange to call the Convention, was elected president of the Convention when it met, and was appointed High Commissioner when it was turned into a Parliament. Macaulay speaks rather slightly of Hamilton's abilities; Burnet is still more depreciatory. 'He wanted all sorts of polishing; he was rough and sullen, but candid and sincere. His temper was boisterous, neither fit to submit nor to govern. He was mutinous when out of power, and imperious in it. . . .' Burnet confesses that Hamilton ' . . . seemed always to have a regard to justice and the good of his country,' but adds that his 'narrow and selfish temper' rendered him unfit for great affairs. In spite of his defects Hamilton's importance

¹ *Report on the MSS. of the Duke of Hamilton*, p. 171.

² *Ibid.* pp. 172-5.

made him indispensable, and his correspondence during the first eighteen months of William's reign is an authority of great value.¹

The conversations with William III., which the Marquis of Halifax recorded in his journal, contain a number of references to Scottish politics during those months. Scotland was one of William's difficulties. Before he became King he told the Marquis of Halifax that Scotland by its divisions 'would give him more trouble than anything,' and Halifax noted that the 'Scotchmen by their several stories distracted his mind.'² Though William employed Hamilton, he had no great confidence in him. 'Upon my best observation,' wrote Halifax, 'Duke Hamilton was never well with the King from the beginning. . . . He was too pressing at first, and earnest in his own particular concerns, which gave the King an ill impression of him.' William promised Hamilton that 'he should be the first man in Scotland,' but the Duke grumbled because he was not made Lord Treasurer.³ The Scottish Parliament demanded the abolition of the Lords of the Articles, a veto on judicial appointments, and the incapacitation of the ministers of the late government. William refused: in Scotland as in England he meant to maintain all the prerogatives of the Crown. He told Halifax that he would not agree to take away the Lords of the Articles but would reform them, and when Halifax said that would not satisfy the Parliament, he replied, 'he could not help it, he would yield no more neither there nor here, and if the Parliament in Scotland did not like it, he would dissolve it, and get another.' Privately he said that 'Duke Hamilton was at the bottom of all the opposition in Scotland,' and 'all the Scotch lords, both friends and enemies, agreed that he might have hindered some votes if he would.'⁴

William was not much better satisfied with his Secretary of State. It had been customary to have two, but William declared that he would not have two Secretaries of Scotland 'to have one advise him one thing, and the other to another.'⁵ Accordingly

¹ *Report on the MSS. of the Duke of Hamilton*, pp. 177-194. Parts of the correspondence are printed in the *Leven and Melville Papers* and were used by Macaulay, but there are many letters which he never saw.

² Foxcroft, *Life of the Marquis of Halifax*, 1898, ii. 202.

³ *Ibid.* pp. 205, 221, 234.

⁴ *Ibid.* ii. 223, 236, 237, 239.

⁵ *Ibid.* ii. 218.

on May 15, 1689, he appointed Lord Melville sole secretary. 'A very unhappy step,' says Burnet, 'for as he was by his principle bigoted to presbytery, and ready to sacrifice everything to their humours, so he proved to be in all respects a narrow-hearted man, who minded his own interest more than either that of the King or country.'¹ Halifax noted that William 'spoke well of my Lord Melville at his first making him Secretary, since hath changed his style of him as to his abilities.' He complained that Melville was very slow and very timorous, and by July, 1689, he was looking round for another secretary. Halifax proposed Lord Tweeddale. William cried, 'Pish, he cannot be,' thinking him too old.² The King solved one of his problems in 1690, by appointing Melville High Commissioner in place of Hamilton, and the other in 1691, by appointing as second secretary for Scotland Sir John Dalrymple, Master of Stair, till then Lord Advocate.³

The feuds of Scottish parties and Scottish statesmen gave William more trouble than the armed opposition of the Jacobites. He said in June, 1689, that 'he did not know whether he was not to wish King James might come into Scotland,' adding 'we shall never be quiet till we have a brush for it.'⁴ The brush was not long in coming: in April Dundee had raised the standard of James II., on July 27 the battle of Killiecrankie was fought, on August 21 the Highlanders were repulsed at Dunkeld, finally, on 1st May, 1690, Sir Thomas Livingstone routed Buchan and what was left of the Jacobite forces at the Haughs of Cromdale.⁵ Since Macaulay's narrative of these events was put together some new evidence has come to light. Most of the letters collected by Mark Napier in his life of Dundee were written before the Revolution, but there are some of this period in his book. Napier translates also long passages from the Latin epic on Dundee named the *Grameid*, which was one of Macaulay's authorities.⁶ This poem was edited by Mr. Alexander Murdoch for the Scottish History Society in 1888.

¹ *Own Time*, ii.

² *Ibid.* ii. pp. 217, 224.

³ See Macaulay, chapters xvi., xviii., pp. 1932, 2143. ⁴ Foxcroft, ii. 220.

⁵ Napier's life was published in 1859-62. It is rather difficult to discover from Macaulay's narrative whether he really knew the letters of Dundee published by the Bannatyne Club in 1826.

⁶ See Macaulay, chapter xiii. p. 1607. Macaulay's criticisms of the 'Life of Sir Ewan Cameron' and the 'Account of the Clan Maclean' also deserve attention, pp. 1597-8.

Macaulay also employed *Memoirs of the War carried on in Scotland and Ireland, 1689-1691*, by Major-General Hugh Mackay, which was published by the Bannatyne Club in 1833, and the *Life of Major-General Mackay*, by John Mackay of Rockfield, published by the same club in 1836. But many letters of Mackay's have been lately printed in the reports on the MSS. of the Dukes of Hamilton and Athole.

The study of the campaign has resulted in a number of controversies. Historians disagree about the site of the battle of Killiecrankie. Macaulay fixes on one spot, Mark Napier on another, Professor Terry on a third. Professor Terry says: 'Mackay's very minute topography leaves me no room to doubt that the sites which have hitherto been accepted for the battle are wrong. Macaulay imagined that the battle was fought in the field where Claverhouse's stone is marked in the map. That site has the sanction of the Ordnance map of 1900. The most cursory reading of Mackay's narrative is sufficient to prove that that was the spot on which Mackay halted, and not that on which the battle was fought.' He then takes the site preferred by Mark Napier, and gives various reasons for believing that the battle was not fought there. Finally he gives his own theory of the position, illustrating it by a plan, and proving that it is the only reasonable one. Two years later Mr. Andrew Lang took up the question again, and pronounced in favour of Mark Napier's theory.¹ Thus all three writers agree in rejecting Macaulay's view. The opinion of a competent military critic on the issue would be of interest.

A second controversy concerns the manner of Dundee's death and the nature of his wound. Was he killed by a shot in the left eye or a shot in his side? Did he die on the spot, or at the castle of Blair after the battle? Did he write the letter to James II. which was printed in his name? After examining the evidence, I have no doubt that he died on the field, and that the letter is fictitious, but there is not the slightest proof that it was forged by Macpherson, as Macaulay insinuates.²

After the Jacobite rising had been defeated, the settlement of constitutional and ecclesiastical disputes became more easy.

¹ Terry, *Life of Dundee*, p. 336; Lang, *History of Scotland*, iv. 17; Napier, *Dundee*, iii. 630.

² Macaulay, chapter xiii. p. 1634; Napier, iii. 647-672. 'Claverhouse's Last Letter,' by Michael Barrington, *Scottish Historical Review*, v. 505; Answers by C. S. Terry and John Anderson, *ibid.* vi. 63-70.

William wisely gave up the attempt to maintain the Lords of the Articles, and accepted in ecclesiastical affairs arrangements which satisfied the main body of the Presbyterians. In effecting this settlement the chief instruments were Melville, as High Commissioner, and the Earl of Crawford, who was President of the Parliament. Macaulay describes Crawford as a Presbyterian zealot, needy, greedy, and canting, with a steady eye to the main chance. The view is based on Crawford's letters in the Leven and Melville papers; other letters of his have been published since.¹ Judging from them he seems to have been an honest zealot, as merciless as such men usually are, but faithful to his principles, and not without ability.

Behind Melville and Crawford was Carstairs (or, as he signs himself, Carstares), an adviser who, as Macaulay says, 'deserved and possessed more influence than anyone of the ostensible ministers.' He goes on to say that Carstairs 'united great scholastic attainments with great aptitude for civil business, and the firm faith and ardent zeal of a martyr with the shrewdness and suppleness of a consummate politician. In courage and fidelity he resembled Burnet; but he had, what Burnet wanted, judgment, self-command, and a singular power of keeping secrets.'² Burnet barely mentions Carstairs, and was evidently jealous of his influence.³ That influence is difficult to define, but clearly attested both by the correspondence addressed to him and by his letters to other people.⁴ His policy was temperate and cautious: we see him inspiring the King, reconciling the quarrels of William's supporters, restraining the zeal of the fanatical, confirming the waverers, and securing the triumph of the moderate Presbyterianism which the majority of the Scottish people desired. 'Use all endeavours,' he wrote to a friend, 'to keep people from extravagances upon the account of changes that are made.' The counsel might have been given by Burnet, but Carstairs saw clearly what Burnet failed to perceive, that good or bad, the ecclesiastical settlement must be the work of Scotland itself.

¹ Macaulay, chap. xiii. p. 1578; *Report on the MSS. of Mr. J. Hope Johnstone of Annandale*.

² Chapter xiii. p. 1580.

³ See Foxcroft, *Supplement to Burnet's Own Time*, 1902, p. 541, and Story, *Carstares*, p. 263.

⁴ See McCormick's *State Papers and Letters*, 1774; see also the letters of Carstairs to Crawford, 1689-91, in the *MSS. of Mr. Hope Johnstone*, those to Lord Polwarth in the *Marchmont MSS.*, and those to the Duke of Hamilton in the *Hamilton MSS.*

‘The more I consider the temper of this nation and their notions of government, the more I dread the thoughts of any of the English being much concerned in our affairs.’ Since Macaulay wrote, Principal Story’s life of Carstairs has thrown new light on his career, and it has been further elucidated by the letters published more recently.¹

More prominently employed, and working generally in close co-operation with Carstairs, were the two Dalrymples, Sir James, first Viscount Stair, President of the Court of Session, and his son Sir John, afterwards first Earl of Stair. Macaulay draws the character of both at full length.² Admitting the great ability of the father, and his moderation during the ten years in which he held office in Charles the Second’s reign, he charges him with hypocrisy and insincerity. No man was more unscrupulously attacked by contemporary libellers, and Macaulay, complains Stair’s biographer, ‘has drawn chiefly from these satirists all the charges his enemies made against Stair, and without examining their truth has insinuated others, for which even satire gave no foundation.’³ As the satires referred to have been reprinted, their value can easily be estimated. Macaulay employs them to supply picturesque and romantic touches to his account of the house of Stair, and this is legitimate enough.⁴ But he appears to allow them to influence his judgment too much, and proceeds to suggest charges against the founder of the house which rest on hypotheses rather than facts, and are the more difficult to meet because they are not directly made. In short the character is unfair.

The Master of Stair had been made Lord Advocate by James II., when Mackenzie refused to support that King’s claim to the dispensing power, but held that post only for a year.⁵ He was one of the Commissioners who on behalf of the Scottish Convention

¹ *William Carstairs: a character and career of the revolutionary epoch*, by R. H. Story, 1874, see pp. 188, 195, 206, 225.

² Chapter xiii. pp. 1548-51.

³ *Sir James Dalrymple, first Viscount Stair: a study in the History of Scotland and Scotch Law during the 17th century*, by Aeneas Mackay, Edinburgh, 1873, see p. 286.

⁴ See Maidment, *Scottish Pasquils*, ed. 1868, pp. 174, 221, 370.

⁵ From 21st Jan. 1687 to 19th Jan. 1688. Macaulay says he had ‘been an accomplice in some of the misdeeds he arraigned’ after the Revolution. But Sir John had been himself fined and imprisoned by the government of Charles II., and during the period when he was Lord Advocate persecutions had almost ceased.

offered the crown to William III. and was reappointed Lord Advocate 23rd May, 1689. In January, 1691, he became the colleague of Melville as Secretary of State. Macaulay terms him 'the prime minister for Scotland,' and this is a fair description of his position from 1691 to the summer of 1695. Sir John was the ablest debater in the Scottish Parliament: 'there was none in the parliament capable to take up the cudgels with him,' says Lockhart. Bold, able, clear-sighted, free from prejudices, either ecclesiastical or secular, and equally free from scruples, he was a curious contrast to men such as Melville, Crawford, and Hamilton. But the massacre of Glencoe has permanently stained his fame and his national services have been forgotten.

Macaulay's account of the Glencoe episode has led to more controversy than almost any passage in the *History*, because it affects the character of the King as well as that of his minister. Paget, Mackay, Lang, and many other writers have minutely examined the evidence on which Macaulay's story is based. It is not a case in which the discovery of fresh facts has invalidated an historian's verdict, but a question of the conclusions to be drawn from well-known facts and documents.¹ Macaulay tries to exonerate the King at the expense of the Secretary. In this he follows the example of the Commission of enquiry appointed by the King in 1695. Both the report of the Commission and the address of Parliament based on it, in the words of a contemporary, 'loaded the Master of Stair to purpose,' but 'most justly relieved' William 'of all the aspersions raised in that affair.'² William in turn exonerated Stair, and laid the blame on Glenlyon and the inferior agents employed. He declared that the manner of the execution of the men of Glencoe was contrary to the laws of hospitality and humanity, but that Viscount Stair, 'being many hundred miles distant, could have no knowledge of nor accession to that method of execution,' and was therefore pardoned for 'any excess of zeal, as going beyond his instructions.'³ To a limited extent this distinction is justifiable. Stair did not suggest the treachery which preceded the massacre, he merely ordered the massacre. He ordered that 'the thieving tribe of Glencoe' should

¹ Paget, *Paradoxes and Puzzles*, 1874, p. 32. *Lord Macaulay and the Massacre of Glencoe* (originally published as an article in *Blackwood's Magazine* for July, 1859).

² Ogilvie to Carstares, *Carstares State Papers*, p. 258. The report is printed at p. 236 of that collection.

³ See *Annals and Correspondence of the Viscount and the first and second Earls of Stair*, by John Murray Graham, 1875, p. 200.

be 'rooted out,' and that the attack should be 'secret and sudden.' But after the massacre he wrote: 'All I regret is that any of the sect got away,' and this subsequent approval of the measures taken to carry out his orders fixes the responsibility upon him.

William's position is clearer. His orders were: 'If MacIlan of Glencoe and that tribe can be well separated from the rest, it will be a proper vindication of the public justice to extirpate that sect of thieves.' These orders, evidently drafted by Stair, do not sanction either treachery or breach of faith, and it is improbable that all the details of the affair were known to William.¹ Stair decided with promptitude that a distinction could be made between the MacIans and the rest, and ordered the extirpation to be effected. When subsequent inquiry revealed the details, William, as we have seen, condoned the massacre and pardoned Stair. He treated Stair's act as an error, not as a crime, and regarding Highland thieves as 'two-footed wolves,' was not much moved by their fate.² The extirpation by fire and sword of a turbulent and intractable clan was no new thing in Scottish history, the novelty was that it excited so much popular indignation amongst Lowlanders. This was not entirely due to humanity; opponents of the government seized the opportunity to discredit it, and the enemies or rivals of the secretary utilised it to overthrow him.³

One of these rivals was Stair's colleague, Secretary Johnstone, who had succeeded Melville about the end of 1691. James Johnstone was the son of Sir Archibald Johnstone of Warriston. His cousin Burnet described him as a man of 'a very good understanding and a great dexterity in managing business,' and also 'of an entire virtue.' He adds that though his descent obliged him 'to espouse the Presbyterian interest,' yet he had 'none of their narrow notions,' and was even 'a little too loose as to the doctrinal part of religion.' In the first draft of his history Burnet gave many particulars about Johnstone which are omitted in the final version.⁴ His character, his political views, and his influence

¹ Mr. Paget considers that 'no reasonable doubt can be entertained' that William knew that Glencoe had taken the oath (p. 57). The evidence he adduces does not prove the point.

² The phrase was used by William in conversation with Breadalbane. Story, *Carstairs*, p. 218.

³ See Hume Brown, *History of Scotland*, iii. 22.

⁴ Foxcroft, *Supplement to Burnet*, pp. 370-373, 392, 415. See also pp. 542-544, *Note on Burnet's Original Account of Scotch Affairs after the Revolution*.

have been made clearer by the publication of a number of his letters, now scattered through various collections but worth collecting and editing.¹ The difference between Johnstone and Stair was not entirely personal: what Burnet terms Johnstone's 'principles with relation to public liberty' enabled him to work more harmoniously with popular assemblies, and in Parliament he not only showed great skill in debate, but great dexterity in the conduct of business. William dismissed him in February, 1696, and Sir James Ogilvie, afterwards Earl of Seafield, became Secretary in his place, and held that office till the end of the reign. His correspondence, lately published by the Scottish History Society, is a valuable addition to our knowledge of the last years of William's reign.² Johnstone had been dismissed for his part in the passing of the 'Act for a Company trading to Africa and the Indies' (June 26, 1695), against which the English Parliament had protested. This Act led to the attempt to found the colony at Darien, established in November, 1698, and abandoned in June, 1699. Macaulay's account of the inception and failure of the scheme is based mainly on the volume of Darien Papers edited by Hill Burton in 1849 for the Bannatyne Club, but recent investigations have shown that his narrative is in many points inaccurate. Originally the Company was to have been a British rather than a Scottish enterprise; half the capital was to be raised in one country, half in the other. The London subscribers raised their money at once, but the English Parliament intervened, forced them to withdraw their subscriptions, and put an end to the operations of the Company in England. It then became a purely Scottish enterprise, and was doomed to failure because its capital was insufficient and its directors inexperienced. Macaulay inverts the order of events; the subscription in London took place in October, 1695, that in Edinburgh began in February, 1696. The intervention of the English Parliament took place in December, 1695, more than two months before any capital had been raised in Scotland, and the promoters must have been well aware that they could expect no support from the English government.³ The disaster which overtook the colony at Darien emphasised the

¹ See MSS. of Mr. Hope Johnstone, Marchmont MSS., MSS. of the Duke of Buccleugh at Montagu House, and MSS. of the Duke of Hamilton.

² *Correspondence of James, Earl of Seafield*, ed. by James Grant, 1912.

³ See *A History of William Paterson and the Darien Company*, by J. S. Barbour, 1907.

fact that without English protection it was impossible for Scotland to develop its foreign or colonial trade. Ex-Secretary Johnstone—a shrewd observer—pointed out to the Earl of Annandale that the best that could be hoped from any success was that it would ‘produce an union in trade betwixt the two kingdoms.’¹

The reign of William III. prepared the way for the union. The ecclesiastical settlement made it possible, the commercial difficulty made it indispensable. William began his reign by recommending it to the Scottish Convention, and ended it with a similar recommendation to the English Parliament. ‘On the 28th of February,’ says Macaulay, ‘the Commons listened with uncovered heads to the last message that bore William’s sign manual. An unhappy accident, he told them, had forced him to make to them in writing a communication he would gladly have made to them from the throne. He had, in the first year of his reign, expressed his desire to see an union accomplished between England and Scotland. He was convinced that nothing could more conduce to the safety and happiness of both. He should think it his peculiar felicity if, before the close of his reign, some happy expedient could be devised for making the two kingdoms one; and he, in the most earnest manner, recommended the question to the consideration of the House.’² The *Seafield Correspondence* supplies a fresh proof of William’s eagerness for its completion. The King sent for Seafield four days before he died. ‘My lord,’ wrote the Countess of Seafield, ‘had a short audience of him on Wednesday, when he spoke very kindly to him and of the Scots nation, and mighty forward for the Union. I am sure there is no honest or Christian Scotsman but will be sensible of this irreparable loss.’³

This regret was not universal. One Scottish historian says bluntly that the Scots ‘were glad to be rid of King William.’⁴ Another confesses that when William died ‘he was not a popular King in Scotland. . . . There was no class among his subjects to whom his rule had given entire satisfaction; and the fact may be put to the credit of his general policy.’ However, ‘the main body of his Scottish subjects gladly recognised that he had fulfilled

¹ *MSS. of Mr. Hope Johnstone*, p. 108.

² Macaulay. From the fragment on the death of William III., chap. xxv. p. 3000. On the attitude of the English Parliament see *Marchmont MSS.* pp. 152, 154-5, and Mackinnon, *The Union of England and Scotland*, 1896, pp. 57-59.

³ *Seafield Correspondence*, p. 349.

⁴ Mackinnon, p. 65.

the chief objects for which he had been invited to become their King. He had saved Protestantism, given to the nation a Church which the majority desired, and substituted a constitutional monarchy for a despotism.¹ A third writes: 'William was the only Scottish sovereign since the Reformation who had governed the country in an entirely reasonable spirit; and however little appreciated by his English subjects, as the champion of Protestantism who had overthrown the wretched government of the Stuarts, he enjoyed a popularity in Scotland which was little obscured by the shadow of Glencoe, and which even his enforced attitude on the Darien question did not seriously impair.'²

My own view is that William was not really popular in either England or Scotland, and could not be. The Scots wished to be governed according to Scottish ideas, the English according to English ideas: in both countries William sought to impose ideas of his own. 'The King,' wrote Secretary Johnstone, 'has his rules, and often very hidden ones; if you can comply with them you can serve him; if not, you can not; he will not part with them.'³ In each country he endeavoured to be the King of the nation, not the King of a party: in England he governed sometimes through the Whigs, sometimes through the Tories, sometimes through a combination of both. In Scotland he tried to follow a similar plan. But in neither was he thoroughly a national sovereign; the Scots felt that he sacrificed Scottish to English interests, the English that he sacrificed English to European interests. The larger community came first in his mind. Such a king by the breadth of his views might render great services to the nations he ruled, but was not likely to give satisfaction to all classes or to win popularity.

C. H. FIRTH.

¹ Hume Brown, *History of Scotland*, iii. 42-3.

² W. L. Mathieson, *Scotland and the Union*, 1905, p. 70.

³ MSS. of Mr. Hope Johnstone, p. 97.

The Solemn League and Covenant of the Three Kingdoms of England, Scotland, and Ireland¹

NOWADAYS, when people speak of the Scotch Covenanters, they generally mean the Covenanting ministers (like James Guthrie, of Stirling, or Hugh McKail) and the 'Cameronians,' the peasants of the south and west of Scotland, in the 'killing times' of the second Charles and the second James. Well or ill-founded, these brave men and women had their convictions and the courage of them. Hunted on the hills by Grierson of Lag, or by 'The Muscovite,' Dalyell of Binns; shot down by the orders of Claverhouse, in cold blood, on the moors (or pistoled by his own hand, when his troopers refused his orders to fire); hanged in Edinburgh, 'glorifying God in the Grassmarket,' or shipped off to the plantations, at the instance of Sir George Mackenzie, King's Advocate, all honour to our dauntless ancestors. Their faults were many; but some of the most grievous of these faults were the natural, if not the inevitable, result of intolerable oppression and relentless cruelty. Wordsworth finely speaks of the Days of the Covenant as 'times whose echo rings through Scotland to this hour!'

But the name, Covenanter, has a wider significance in Scottish History than those staunch and virile forbears of ours in the 'killing times.' In 1638, when the word first came into common use, more than twenty years before the Restoration, the 'National Covenant' of that year was signed by most of the Scots nobility, by representatives of every important town except Aberdeen, and by the mass of the people of substance all over Scotland. In 1643 the 'Solemn League and Covenant of the Three Kingdoms of England, Scotland and Ireland' was sworn and subscribed by

¹ *Papers relating to the Army of the Solemn League and Covenant, 1643-1647*, edited with an introduction by Charles Sanford Terry, Burnett Fletcher Professor of History in the University of Aberdeen. Scottish History Society, 1917.

the English, as well as the Scotch, Parliament, and by the Westminster Assembly of Divines, as well as the General Assembly of the Church of Scotland. On 3rd August, 1650, Oliver Cromwell, writing from Musselburgh, implored the General Assembly, contending for the maintenance of the Solemn League and Covenant: 'I beseech you, in the bowells of Christ, thinke it's possible you may be mistaken.' Their retort is less familiar, and it may be less quaint, but it is not less trenchant. They asked 'The Commander-in-Cheiff of the Armie come from England into Scotland' whether 'our Covenant be not the same, which you sealed by your solemn oath and subscription before the Lord, and whether we be not upon the same grounds and principles, and following the same way, without declyning to the right hand or to the left, which we were upon and followed, when the Solemne League and Covenant was first sworne and subscribed in these Kingdomes?'

We forget the days of the National Covenant, when all Scotland, high and low, rich and poor, outside King Charles I. and his slender following, was Covenanting, and the time, five years later, when England, through her Parliament, in defiance of the King's authority, professed adhesion to the Solemn League and Covenant. These Covenants, like many others, sacred and secular, that preceded them, had the same object in view. They were the desperate attempts of a crooked age, when man's word was as bad as his bond, to secure fidelity to mutual obligations through the sanctity of an oath and the penalties attaching, in the next world, to perjury. Generally speaking, like oaths in Courts of Justice to-day, they proved almost, if not altogether, useless; superfluous, in the case of the straightforward, and mere ropes of sand for the wilful and the skilful liar.

In his masterly brochure, *The Story of the Scottish Covenants in Outline*, Dr. Hay Fleming says: 'No Englishman, it has been said, can distinguish the National Covenant from the Solemn League and Covenant. It is to be feared that many Scotsmen are in the same case: the Covenants, indeed, have been sadly mixed up even by native historians.' Scotland never had a more exact historical scholar than Professor Masson. Yet he told me that he had once to plead guilty to a charge of having confounded the National Covenant with the Solemn League and Covenant in one of his most deliberate books! And Robert Burns, in his famous couplet (with the daring but effective repetition in the

second line), is speaking of men and women who died for their refusal to abjure the *National Covenant*. Yet he wrote :

‘The *Solemn League and Covenant*
 Cost Scotland blood, cost Scotland tears;
 But sacred Freedom, too, was theirs;
 If thou’rt a slave, indulge thy sneers!’

These two Covenants, the one national, the other international, were no manifestoes of rebellious barons or of an autocratic King. The first, the *National Covenant* of 1638, drafted by Sir Thomas Hope, the King’s Advocate, and Sir Archibald Johnston of Warriston, the two most distinguished lawyers of the time, was framed to unite Scotland against the attempt of Charles the First, and his evil genius Archbishop Laud, to force the Laudian Service Book and Anglican Episcopacy on Scotland, a Presbyterian country. The second, the *Solemn League and Covenant* of 1643, was mainly the work of Alexander Henderson, with emendations by Sir Harry Vane. Henderson presented the combination, rarer probably in those days than now, of culture and personal charm, with intellectual force, business ability, and driving power. The *Solemn League* was designed (in addition to more questionable objects, to be presently referred to) to unite Scotland and England against Royal and Royalist assaults on the civil and religious liberty of both kingdoms.

Many questions connected with the Covenants, especially with the later Covenant, are illuminated by two volumes recently published by the Scottish History Society, dealing with the Scots Army, which fought in England between 1643 and 1647, along with the Army of the English Parliament, in support of the *Solemn League and Covenant*. These volumes, edited with an Introduction by Professor Charles Sanford Terry of Aberdeen, consist chiefly of the accounts of Sir Adam Hepburn of Humbie (a Senator of the College of Justice, under the title of Lord Humbie), who was Treasurer and Commissary-General of the Army of the *Solemn League and Covenant*, as well as Colonel of the East Lothian Regiment. The sensitive features and distinguished air of the militant judge appear in the frontispiece to the first volume; and the second volume contains a portrait of Sir Alexander Leslie, the first Earl of Leven, the ‘Lord-General’ of the Covenantee Army—a great army-leader, but not a soldier-statesman, like Oliver Cromwell. Nearly twenty years ago, Professor Terry dealt exhaustively with the Lord-

General's career in his *Life and Campaigns of Alexander Leslie, First Earl of Leven*, published in 1899.

Mr. Terry's term, *The Army of the Solemn League and Covenant*, is a convenient and accurate one. But it does not appear in any of the documents printed in these volumes. The descriptive terms there used are 'The Army of the Kingdom of Scotland,' 'The Expedition to England,' and 'The Scotts Armie in England.'

In his interesting introduction, Mr. Terry necessarily deals also with what he calls 'The Army of the National Covenant,' which was disbanded at Leith, in 1641, on the successful conclusion of the second of the two 'Bishops' Wars,' when the Scots Army went home with £200,000 of English gold in their pockets. At the close of his Introduction, he also tells how, after the disbanding of the Solemn League's Army in 1647, 'New Model' regiments of infantry, cavalry, and dragoons, numbering 7,400 men, were formed, under an order of the Scots Estates. That was the force which was destroyed at Dunbar in 1650, when the Scots' watchword, 'The Covenant,' proved no match for the battle-cry of Cromwell's Ironsides, 'The Lord of Hosts.'

The Covenants and the Covenanters are Scotland's glory and Scotland's shame. To Sir Walter Scott, the Covenanters, as rebels against royal authority, and deeply attached to a democratic faith, were little more than 'superstitious fanatics,' as he often called them. So blinded by prejudice and so short-sighted was Sir Walter that he actually wrote of them: "The beastly Covenanters hardly had any claim to be called men, unless what was founded upon their walking upon their hind feet!" He treated them as good 'copy' for purposes of picturesque ridicule. Perhaps they deserved pity, but from no point of view could any self-respecting person hold them entitled either to admiration or respect. Historians of the school of Mr. Andrew Lang and Mr. William Law Mathieson (as honestly persuaded as Sir Walter that their point of view is entirely dispassionate, impartial, and unprejudiced) think it Jesuitical quibbling to profess to admire, and also to condemn, the Covenanters. I once heard Mr. Froude say that the most prejudiced people he had ever known were latitudinarians!

Take Mr. Mathieson's learned and able book, *Politics and Religion in Scotland, 1550-1695*. None of the modern defenders of the Covenanters, when dealing with the Covenanters' opponents as a whole and not with individuals, have used language to

compare with Mr. Mathieson's in violence and exaggeration. Within the compass of a few pages, he describes the Covenanters as 'besotted fanatics,' 'furious zealots,' 'irresponsible fanatics,' 'infuriated zealots,' culminating in this outburst: 'A people too fanatical, if not too ignorant, to have any regard for truth'! And, at the same time, Mr. Mathieson ignores, or, confounding surface distinctions with essential differences, tries to differentiate and excuse the equal intolerance and fanaticism, and the far greater, because more cold-blooded, cruelty of their opponents. One self-contradictory sentence shows the hopelessness of such a position. Mr. Mathieson is indeed far too honest, and able, and deeply read, to be consistent. Writing of Episcopacy in 1639, the time of the renewal of the National Covenant, he says: 'Episcopacy was essentially modern in spirit, courteous, rational and tolerant; but it had always been in league with despotism, and latterly, under the auspices of Laud, it had asserted the illiberal pretensions of a priestly caste.' A tree is known by its fruits. How can a system be modern in spirit, rational and tolerant, which is, at the same time, in league with despotism, and asserting the illiberal pretensions of a priestly caste?

On the one hand, the National Covenanters of 1638, and the International Covenanters of 1643, stood against autocracy, for democratic principles of civil and religious liberty. This note rings true in all their Manifestoes, Declarations and Apologies. In intolerance and the use of exaggerated language, they were no worse than their age; in disinterested attachment to principle and in far-seeing assertion of the rights of the people against the Crown and the ruling classes—in what they called 'the duties we owe to Religion, our King, and bleeding countrey'—they were much above it.

The Covenants of 1638 and 1643 disclose on the face of them the inconsistency of the Covenanters' position so clearly that it is difficult to understand how it escaped their own attention. In the National Covenant, the subscribers 'promise and swear that we shall, to the uttermost of our power, with our means and lives, stand to the defence of our dread Sovereigne, the King's Majesty, his Person and Authority, in the defence and preservation of the true Religion Liberties and Lawes of the Kingdome.' In the Solemn League and Covenant, they declared that they had before their eyes 'the true publick Liberty, Safety and Peace of the Kingdoms'; and they swore to preserve 'the Rights and Priviledges of the Parliaments, and the Liberties of the Kingdoms.'

On the other hand, the National Covenant reaffirms the persecuting Acts of Parliament passed at and after the Reformation. It enacts that 'none shall be reputed as loyall and faithful subjects to our Sovereigne Lord, or his Authority, but be punishable as rebellers and gainstanders of the same, who shall not give their Confession, and make their profession of the said true Religion'; and the subscribers swear to be 'careful 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.' In the Solemn League and Covenant, after abjuring a 'detestable indifferency or neutrality in his cause,' and propounding the strange idea that their proceedings were going to secure 'that we and our Posterity after us, may, as Brethren, live in Faith and Love,' the contracting parties undertook 'that we shall, without respect of persons, endeavour the Extirpation of Popery, Prelacy (that is Church Government by Arch-bishops, Bishops, their Chancellours and Commissaries, Deans, Deans and Chapters, Arch-deacons and all other Ecclesiastical officers depending on that Hierarchy), Superstition, Heresy, Schism . . . that the Lord may be one and his Name one, in the three Kingdoms.'

Thus the Covenanters, while demanding full religious liberty for themselves, denied to fellow Protestants, as well as to Roman Catholics, the right of private judgment in things of the conscience.

They bound themselves, under the National Covenant, not only to resist the imposition of Laudian or Anglo-Catholic Episcopacy upon Presbyterian Scotland, but to compel all Roman Catholics in Scotland to become Protestants, and all Episcopalians in Scotland to become Presbyterians. The citizens of Aberdeen were heavily fined for failure to take the National Covenant, and they were forced to subscribe it. They were actually compelled to swear that they did so 'freely and willingly.'

Under the Solemn League and Covenant, the Church of England and Ireland was to be reformed in 'Doctrine, Worship, Discipline and Government, according to the word of God, and the examples of the best Reformed Churches.' The English Parliament took care that the language should be ambiguous; but the Scottish Covenanters understood that both they and their English coadjutors were pledged to force Episcopal England to adopt the Presbyterian system of Church Government as it existed in Scotland. Our ancestors had no doubt that 'the example of the best Reformed Churches' meant their own

Church ! Wordsworth's lines, titled 'Persecution of the Scottish Covenanters,' are applicable to their own principles and methods in dealing with their opponents :

'Who would force the soul tilts with a straw,
Against a champion cased in adamant.'

But it is fair to add that the Covenanters' records are not stained by the slow agonies of the boot and the thumb screw.

Scotland, like other countries, suffered, until comparatively recent times, from three deep-seated and far reaching delusions : (a) Belief (practical as well as theoretical on the part of the Sovereign, theoretical rather than practical on the part of the people) in the Divine Right of Kings to govern according to their own absolute will ; (b) belief in the Divine Right of Roman Catholic, Episcopalian, or Presbyterian Churches, as the case might be, and their consequent right and duty to impose, and to see that the State imposed, their systems on all others ; and (c) belief in the literal interpretation of all Scripture, and the continuing obligation of portions of Old Testament teaching, which are now admittedly superseded. Archbishop Sharp might have gone still further afield, and included the Bench of Bishops, of which he was one ; but he was right so far, when he said that there were three pretenders in Scotland to ecclesiastical supremacy, all of whose claims were equally invalid—the Pope, the King, and the Presbyterian General Assembly.

Belief in the Divine Right of Kings, and their freedom from responsibility to their subjects, cost Mary Queen of Scots and her grandson, Charles I., their heads, and her great-grandson James II., and, but yesterday, her grand-daughter in the eleventh generation, the Ex-Czarina of Russia, their thrones. And it led in 1660 and 1685 to our country's greatest misfortunes, the rule of the two most depraved and degenerate members of the Stuart race, 'His Most Sacred Majesty, Charles II.,' redeemed only by his humour and talent, and 'His Most Sacred Majesty James II.,' redeemed only by his attachment to his religion. 'Since Scotland had embraced the Reformation,' says Professor Hume Brown, 'it had been her perverse destiny to be ruled in succession by three Sovereigns, all of whom were in antagonism to the deepest convictions and aspirations of her people.'

Belief in the literal interpretation of all Scripture, and in the continuing obligation of portions of Old Testament teaching now admittedly superseded, stained Scottish annals with many crimes,

as it stained the annals of all other Christian countries. Thus interpreted, 'Thou shalt not suffer a witch to live,' left no option to the conscientious believer in the Bible. However repulsive to natural humanity, however irreconcilable with the spirit of the New Testament, the revolting brutalities, practised by the most humane, enlightened and devout men in all Churches, Catholic and Protestant, on so-called witches—mostly old women, in very many cases obviously insane—necessarily followed.

Belief in the Divine Right of Presbytery (as against its reasonable advocacy on the ground that Presbyterianism is consistent with Scripture, and is, on the whole, and subject to periodic and local modifications and adjustments, the most efficient form of Church Government), cost the Scottish Church generations of suffering, and led that Church into treatment of its Roman Catholic and Episcopal fellow-Christians, which cannot be defended. That sorry record can only be poorly palliated on the humiliating ground of the universal practice of the period, and on the miserable principle of reprisals for still more cruel treatment of Protestants by Roman Catholics, and of Presbyterians by Episcopalians.

Moreover, in pursuance of a vain dream of Uniformity of Religion, the Scottish Church, in order to conciliate the English Puritans, abandoned its fine old Reformation Scots Confession, drawn up by Knox, Wynram, Spottiswoode, Willock, Douglas and Row, and adopted the Westminster Confession of Faith, along with the Larger and Shorter Catechisms, compositions, all of them, of English scholars and divines, inside and outside Oxford and Cambridge, who lived remote from the capacities and needs of the people and their children, and who knew nothing whatever of Scotland. With the same object, it consented to the omission from its Church services of many of their best features, including the provision, according to John Knox's *Book of Common Order*, for liturgical, as well as extempore, prayer. Because the use of the Lord's Prayer, the Creed, and the *Gloria Patri*, in Church on Sunday, did not commend itself to the English Puritans, that was no reason why these comprehensive, simple, impressive and time-honoured formulæ, one of them commanded to be said by Christ Himself—bonds of union also with the Church Universal—should have been dropped from the worship of the Scottish people. At the same time, the deplorable practice of 'reading the line' was introduced from England. Natural and proper in the South, where education was deficient, it was nothing

short of an insult to force it, for any time-serving reason, on comparatively well educated Scotland.

Apart from the belief of the Scots Church in the Divine Right of Presbytery, they could not have been condemned for a desire to secure uniformity of Church Government and worship for England and Scotland, had they proceeded in a manner consistent with Protestantism, common-sense, and humanity, and with due regard to the history and special characteristics of the two nations. The attempt, as made, was hopeless from the beginning, and would have been known by the Scots to be so, but for a disturbing element to be referred to later. Professor Hume Brown charitably puts it: 'That the Scots should ever have entertained such a hope showed a pious simplicity, which at least avouched the honesty of their convictions.' And Mr. Mathieson states the unhappy result in a nut-shell: 'Instead of the union of three churches, the Solemn League and Covenant effected only the disunion of one.'

The fact is that the Solemn League and Covenant prevented Presbyterianism having a fair hearing in England; and later, the spread of Unitarianism among the English Presbyterians in the eighteenth century still further prejudiced consideration of the system in England. In the one case, it was associated with Scotland and intolerance; in the other, with heresy. The same may be said about Episcopacy in Scotland. Even to-day the Scottish people will not weigh it on its merits. They look upon it as English, and they visit upon its innocent head the sins of its supporters in the 'Killing Times,' the worst of whom were renegade Presbyterians!

Professor Terry does not discuss the wisdom of the two ruling powers in Scotland, the Estates of Parliament and the General Assembly of the Church of Scotland, in accepting the proposal of the English Parliament to enter into the agreement, which took the shape of the Solemn League and Covenant, and to send troops into England.

Dr. Hay Fleming in his brochure, already mentioned, referring to the English Parliament's request to the Scots Estates for help, in 1643, says: 'The Scots had now got all that they wanted from their King, although many of them must have doubted his sincerity, and feared a future revocation should that ever be in his power. This fear, coupled with a fellow feeling for the Puritans, and gratitude for the seasonable assistance of the English in 1560, accounts for the readiness of the compliance with the proposal of the Commissioners of the Long Parliament, who arrived in

Edinburgh in August 1643.' Mr. Hill Burton and Professor Hume Brown take much the same view. I do not doubt the existence and effect of these justifiable motives. But I am afraid that, mixed with the view that the King's success in England might imperil the liberties of the Scottish Church and people, was first, the unjustifiable determination to coerce England into Presbyterianism, and second, the sordid temptation of English gold.

In the relations between the two countries there was no romance, as there had been between France and Scotland. In 1648, John Maitland, afterwards Duke of Lauderdale, first an out-and-out supporter, and then a relentless persecutor of the Covenanters, said that the English hated four things—the Covenant, Presbyterianism, the Monarchy, and the Scots. The old Scotch animosity against the 'auld enemy' still subsisted, tempered with a growing realisation of England as a happy hunting ground for needy and capable Scots of all classes of society. 'Aye haud sooth,' has been the marching orders of the tinker tribe in Scotland ever since the union of the Crowns. 'What can I do to oblige you?' said James VI. and I. to an English noble, who had rendered him substantial service. 'Make me a Scotsman, please your Majesty,' was the witty reply.

There are three possible explanations. The first, the recognition of the fact that the civil and religious liberties of Scotland and England must stand or fall together, and the honourable desire to assist those, who were recognised as brethren in essentials, has been already acknowledged.

The second and third are not pleasant for Scotsmen, especially those who, like myself, are descendants of Covenanters, and proud of the descent.

The second was the passion for Uniformity of Religion in the three Kingdoms in 'doctrine, worship, discipline and government,' which possessed the Presbyterian people of Scotland, as it possessed their Episcopal Sovereign Charles I.; they wishing to force Episcopal England into Presbytery, as practised in Scotland; he determined to compel the Presbyterians of Scotland to become Anglican Episcopalians. The father went further than the son. The Merry Monarch, it is true, thought Presbyterianism 'not a religion for gentlemen'; and, in his sense of the word 'gentleman,' he was not far wrong. But Charles I. did not think it fit for Christians.

Yet it is fair, in this connection, to keep two things in view. In the first place, some of the Scottish leaders must have known

that England would never abandon Episcopacy and accept Presbytery pure and simple, and must have been prepared for a system, which would combine the essential features of the two systems, in the manner foreshadowed in John Knox's time, when 'Superintendents' co-existed with Presbyteries. It is 'my lord, the Bishop' that the Scots have always objected to, rather than the 'Lord's Bishop'; not men like Archbishop Ussher or Archbishop Leighton, but camouflaged mediaevalists like Archbishop Laud and Archbishop Sharp.

In the second place, it is too generally assumed that, in 1643, Presbyterianism was an exotic in England, whereas its essential principles, if not its detailed practice, had been indigenous to the soil from the Reformation, or at least from the time of Queen Elizabeth. John Milton, judging Presbyterianism not on its merits, but from the most extravagant utterances of its most extreme supporters, said that 'new Presbyter was but old priest writ large.' It would have been truer to say that Presbyterian was but Puritan full blown; Puritans in the Church of England were called Presbyterians as early as 1570. And at the Restoration in 1660, when 2000 beneficed clergymen of the Church of England were ejected from their livings, only seventeen years after the date of the Solemn League and Covenant, 1700 of them were Presbyterians, the other 300 being Independents or Baptists.

The third of these reasons has been incidentally stated already, namely that the Scots did not go warring at their own charges. Professor Terry's two volumes throw much light on this point. The King, as well as the English Parliament, angled for the support of the Scots. But His Majesty's meagre exchequer could not afford the golden bait held out by his rebellious English subjects. Besides, the Scots had ample experience of the small reliance to be placed on His Majesty's most solemn promises, whereas, two years before, as already mentioned, the Scots in the Army of the National Covenant had received £200,000 from England. From the English Parliament, Mr. Terry tells us, the Scots were to receive £100,000 down, and £31,000 a month in sterling money, sums which must have appeared immense to so poor a nation. Officers and men, while in England, were to be paid at rates far beyond the current salaries and wages in Scotland, and probably also much in excess of the current pay of Scottish mercenary officers and common soldiers in Continental countries. It appears from Lord Humbie's

accounts, dealing with service in England, that the pay of a Colonel in the Cavalry was at the rate of £972 a year, or 54s. a-day, and of a Cavalry Captain, or 'Routmaster,' at the rate of £324 a year, in sterling money. In the Infantry, a Lieutenant-Colonel was paid at the rate of £432, and an Infantry Captain drew £216 a year.

Money then must have had at least double its present purchasing value. In Lord Humbie's Accounts, butter cost 3d., and cheese 2½d. a pound. Shoes sold for 4s. 3d. a pair. A horse could be bought for £4, oxen for 25s., and sheep for 5s. each. Take, along with these figures, the following statement from Mr. Henry Grey Graham's *Social Life in Scotland*, applicable to a later and wealthier period: 'A Scots landowner was *wealthy* with a rent roll of £500, *rich* with an income of from £200 to £300, and *well off* with 80 to £100.' In the end, the payments made to the Scots by the English Parliament amounted to £1,862,769 sterling.

Therefore, I fear that the explanation of the action of the Scots estates and the Scots people suggested by Professor Hume Brown, namely their simplicity, and the praiseworthy motives suggested by Dr. Hay Fleming must be supplemented by the glitter of English gold. It is inconceivable that the long heads among the Scots were ignorant of the position, shrewdly put by Charles I., when he wrote in his 'Declaration to all his loving subjects of his Kingdom of Scotland' (Edinburgh, 1643), that the English Parliamentary party, 'what pretence soever they make of the true Reform or Protestant religion, are in truth Brownist and Anabaptist and other independent sectaries, and though they seem to desire an Uniformity of Church Government with our Kingdom of Scotland, do no more intend, and are as far from allowing, the Church Government established there, or indeed any Church Government whatsoever, as they are from consenting to the Episcopal.'

The Leslies, Alexander the uncle and David the nephew, who were at the head first of the Army of the Covenant, and then of the Army of the Solemn League and Covenant, were typical Scots of the kind, who served the highest bidder, with incorruptible fidelity, as soldiers, statesmen, scholars, physicians, and traders in France, Holland, Denmark, Sweden, Russia, and Prussia. During part of the 'Thirty Years' War there were said to have been 10,000 Scotsmen, including 100 officers, in the service of Gustavus Adolphus of Sweden, 'the War Lord

of Protestant Europe.' Experts pronounce David Leslie the greater commander of the two. Certainly, at Marston Moor in 1644, whether from better luck or better leadership, the battle was not won by the three commanders, Leven, Fairfax, or Manchester, but by David Leslie and Oliver Cromwell. The divisions led by the Earl of Leven and Sir Thomas Fairfax were scattered by Prince Rupert's impetuous attack, and the Earl took to flight. He did not draw rein till he got to Weatherby, or, some say, as far as Leeds, where he learned, no doubt to his extreme astonishment, that his nephew and Cromwell had won a great victory after his flight. And, if the surrender of Charles to the Commissioners of the English Parliament at Newcastle on 3rd February, 1647, concurring as it did with part payment of arrears of pay by the English Parliament to the Scots Army, was blameworthy, and was not rather the course which the interests of both kingdoms peremptorily demanded, this was done while the uncle was in supreme command, and not the nephew.

The Leslies frequently appear in Professor Terry's Introduction and in the text of these two volumes. Alexander Leslie returned to Scotland from Sweden in 1638, and came to the Covenanting command with thirty years' experience of attack and defence in Continental warfare. He had served with distinction in the Swedish Army against Russia, Poland, Denmark, and Austria. Under Gustavus Adolphus he held the rank of Lieutenant-General, and after that King's death he became a Field-Marshal in the Swedish Army, and shared with Banel and Wrangel the direction of the Swedish armies. 'Such was the wisdom and authority of that old, little, crooked souldier,' writes Baillie, 'that all, with an incredible submission, from the beginning to the end, gave over themselves to be guided by him, as if he had been great Solyman.'

Professor Terry gives us a graphic view of the arrangements for raising the army of the Solemn League and Covenant. He explains how, until the institution of a standing army after the Restoration, an obligation to military service rested upon the entire male population in Scotland between the ages of sixteen and sixty, in addition to the military service, exigible under the feudal tenure, on which the barons, freeholders, and burghs held their lands. A War Committee was nominated in Edinburgh, and local Committees of War, 'Shire Committees,' in each county. All fencible persons, between sixteen and sixty, were ordered

to mobilise within 48 hours of receipt of the proclamation, equipped with 40 days' provisions and duly accoutred. The horsemen were to have pistols, broadswords and steel caps (called 'pots' by the English soldiers), or, failing them, 'jackes or secreites (armour under the clothing), lances and steill bonnettes.' The infantry carried either muskets or pikes, and, in addition, swords, Lochaber axes, or Jedburgh staves.

The Scots Estates agreed to furnish for the joint fight against the King 18,000 foot, 2000 horse, 1000 dragoons (mounted infantry), and a train of artillery of about 120 guns. This artillery train was under the charge of the famous engineer, Sir Alexander Hamilton, brother of 'Tam o' the Cowgate,' the Earl of Haddington, who built 'cannon and fireworks, murdering pieces,' in the Potter Row of Edinburgh. The guns of 'Dear Sandy,' as his contemporaries called him, caused so much alarm that Sir Thomas Fairfax 'did not stick to own that, till he passed the Tees, his legs trembled under him'; and, at the siege of Newcastle in 1644, when the newly-elected Mayor was proceeding along the streets, 'a thundering shot,' Wishart calls it, nearly destroyed the City Fathers.

The Foot Regiments, under Leslie's command, included a 'Ministers' Regiment,' and a 'College of Justice Regiment,' otherwise known as 'The Levied Regiment.' The College of Justice Regiment was raised by the Senators of the College of Justice, and was recruited largely in Edinburgh, being, we are told, composed of 'wrytter-prentices, and servants, with many trads-youths.' The Colonel was Lord Sinclair, who took over the command from Sir Alexander Gibson of Durie, a Senator of the College of Justice. Both the Lieut.-Colonel, James Somerville, and the Major, Sir James Turner, the author of the *Memoirs*, had seen service on the Continent.

It was at first intended that the sums to be advanced and paid by the English Parliament for the sustentation of the Scots Army should be got out of the confiscated estates of 'Papists and other Delinquents against the Parliament'; but it was ultimately found necessary to assess the northern counties of England. The English Parliament undertook to provide eight men-of-war for the defence of the Scottish coasts. The two countries were to act together, and neither was to make a separate peace. No Generalissimo, English or Scotch, was appointed over the Joint Army; it was placed under the 'Committee of both Kingdoms' in London, which included representatives of the two allies.

Notwithstanding the comparatively small number of men engaged, and the comparatively small sums involved, it is curious how many of these conditions find a parallel in the present World War.

There are certain other details in Mr. Terry's volumes which raise questions of general interest. Note, in the first place, apart from Alexander and David Leslie, the number of the superior officers in the Army of the Solemn League and Covenant, who had experience of Continental warfare. In addition to the Earl of Leven, Lord General, the officers of highest rank were William Baillie of Lethem, Lieutenant-General of the Foot, David Leslie, Major-General of the Horse, Sir Alexander Hamilton, General of the Artillery, Sir Adam Hepburn of Humbie, Lord Humbie (whose accounts are contained in these volumes), Treasurer and Commissary-General, and Ludovick Leslie, Quartermaster-General. With the exception of Lord Humbie, all these officers had served abroad. Of the 21 Lieutenant-Colonels of the Regiments of Foot, in January 1644, all but two had the same advantage. In the Regiments of Horse, out of 8 Lieutenant-Colonels, six had seen foreign service; and, of the 28 Foot and Horse Majors, twenty-two had served abroad. I doubt whether, in the corresponding English Regiments, Royalist or Parliamentarian, any such military experience could have been found.

Distinctively Highland names are few, there being only one Mac and one Campbell among the 57 Lieut.-Colonels and Majors. Most of the common soldiers were from the Lowland Counties, although, in Lord Gordon's troop, there were cavalrymen from Inverness and Caithness.

A glance at the list of the Covenanting Colonels, under the Earl of Leven, will dispel the common idea which associates the word 'Covenanter' with the masses, and not the classes, as applicable, at all events, to this period. Out of 21 Colonels of Foot Regiments, there were 14 Scots noblemen. All the 8 Colonels of Horse Regiments were Scottish peers, with the exception of Michael Weldon, who seems to have been an Englishman, and to have had under him several English officers, judging by the names Padmore, Lowry, Raines, Mayott, Salkeld and Barnes.

The name of James Guthrie, 'the little man that would not bow,' to use Cromwell's description of him, appears among the chaplains, and so does that of Robert Douglas, Queen Mary's grandson, according to a story now discredited, a man of such

military ability that Gustavus Adolphus, under whom he had served, said of him, 'For military skill, I would very freely entrust my whole army to his conduct.' Alexander Henderson, the framer of the Solemn League and Covenant, is not mentioned, although he was often with the Scots army. Nor do we find the honoured name of Robert Leighton, afterwards Bishop of Dunblane, and Archbishop of Glasgow, who was said to have 'drawn many into a kindness for Episcopacy by his exemplary life, rather than by debates,' or the unhonoured name of James Sharp, Archbishop of St. Andrews in later years, 'Sharp of that ilk,' in Cromwell's biting phrase.

There are several entries of payments for King Charles I. when he was with the Scots army, and two references to the Marquis of Montrose, that staunch upholder of the National Covenant—no one had been more energetic in coercing the lieges to the subscription of the National Covenant—and that equally staunch opponent of the Solemn League and Covenant. A martyr to the Divine Right of Kings, the Marquis of Montrose has been also made into an Episcopalian hero. But he was a Presbyterian to the end. Just before his execution he is reported to have said, 'Bishops—I care not for them. I never intended to advance their interest.'

The first of the allusions to Montrose is as follows: '1645, September 22nd. Payed by James Suord for a dinner to the Major and Aldermen of Newcastle appointed by the Governour upon newis of James Graham his defaultt £10 sterling.' The reference is to the extinction of Montrose's brilliant career on 13th September, 1645, at Philiphaugh, near Selkirk, where he had to encounter, for the first time, trained troops (and these in overwhelming numbers), led by an experienced commander, no other than David Leslie, Major-General of the Horse in the army of the Solemn League and Covenant.

Archibald, first and only Marquis of Argyll, Montrose's great antagonist, more than a match for him in the Council Chamber, but not on the field of battle, is often mentioned in Lord Humbie's accounts. He was said to be able to bring 5000 fighting men into the field for any cause, or, at least, any cause approved by the Macallum Mohr and which promised pay, free quarters and loot.

One chief value of these accounts is to enable us to realise how the troops looked, what weapons they carried, how they were paid, and what they ate and drank. Professor Firth has

shown that, in 1644, the English armies, Royalist and Round-head, were uniformed, the words 'redcoat' and 'soldier' being synonymous. Mr. Terry thinks that, so far as the private soldiers were concerned, 'there is no evidence that permits a similar conclusion in regard to the Armies of Scotland.' But the accounts show that the officers wore 'Demi-beaver' hats (that is low-crowned, broad-brimmed beavers), buff-coloured breeches, and a scarlet cloth coat with white facings; and the colour of the cloth worn in the ranks was generally grey.

Muskets were evidently driving out the pike. Earlier in the century pikemen were to musketeers in the proportion of two to one, whereas in January 1646 the Master of Tullibardine's Perthshire Regiment in the Covenanting army had 272 musketeers, and only 198 pikemen. The Highland troops, with the army in 1644, were armed with bows and arrows and swords. An Englishman is reported to have called them 'the nakedest fellows that ever I saw.' Mr. Terry quotes an account of those, who formed part of the army of the National Covenant in 1641: 'In the first place stood Highlanders, commonly called Redshankes, with their plaides cast over their shoulders, having every one his bowe and arrowes, with a broad slycing sword by his syde. These are so good markesmen, that they will kill a deer in his speede, it being the chiefest part of their living, selling the skins by great quantities and feeding on the flesh.'

The different grades of officers were similar to those of the present day, from the Earl of Leven, the Lord General, down to Infantry Lieutenants and Ensigns, and Lieutenants and Cornets in Cavalry and Dragoon regiments. Surgeons and chaplains were attached to each regiment and troop, in some cases surgeons being shared between two regiments. Staff chaplains were paid 7s. and staff surgeons 22s. a day, in addition to billet-money. The chaplains were not permanent members of the staff; their normal period of service seems to have been three months. No doubt many of the younger ministers, and the students of divinity, would be in the Ministers' Regiment, as junior officers and in the ranks, as the younger members of the legal profession would be in the College of Justice Regiment. The Colonel of the Ministers' Regiment was Sir Arthur Erskine of Scotsraig. The Lieut.-Colonel, James Bryson, and the Senior Major, John Leslie, had both seen service abroad. Bryson was killed at Marston Moor.

The *Articles and Ordinances of Warre*, printed by Professor

Terry, pay particular attention to religion and morality. Two Courts of Justice were constituted, a Court of first instance, and an appellate Court, both subject to the Commission of Estates, for the maintenance of camp discipline, and to decide 'all questions, debates and quarrellings' between officers and those under their command. There were severe penalties for absence, after summons by drum and trumpet, from morning and evening prayers, and Sunday morning and afternoon services. In each regiment there was a Kirk-Session, and, over all the regimental Kirk-Sessions, 'a common Ecclesiastick Judicatory,' a kind of military Presbytery, 'subject to the generall Assembly and Committee of Estates *respective.*' It was ordered, in the case of single women of bad character attending the army, that they 'shall be first married by the hangman, and thereafter by him scourged out of the Army.'

A sentence in 'The Scots Army advanced into England, etc.' reveals the indomitable spirit of the Scots troops. On a day in February, 1644, they 'took a march of 18 Scottish miles, when it was a knee-deep snow, and blowing and snowing so vehemently that the guides could with great difficulty know the way, and it was enough for the followers to discern the leaders; *notwithstanding whereof, they were very cheerful all the way*; and, after they had been a little refreshed at night, professed they were willing to march as far to-morrow.'

CHARLES J. GUTHRIE.

The 'Devil' of North Berwick

THE witch trials of the sixteenth and seventeenth centuries throw side-lights on the history of the period.

The ancient and primitive religion, which we know as the cult of the witches, underlay the State-religion of Christianity, a large part of the people being in reality 'heathen,' though outwardly conforming to Christianity. Legal enactments, both civil and ecclesiastical, failed to suppress the cult until the sixteenth century, and then the Christian Churches, both the Roman and the Reformed, were able to make head against its proselytising energy, and destroy it by the gibbet and the stake, though its strength was sufficiently great to keep it alive for more than a century of relentless persecution.

The main dogma of the cult was the worship of an incarnate God, known to the Christian recorders (as might be expected) as the Devil. This deity generally appeared to his worshippers in his natural form as a man, occasionally however he was disguised in a mask or in the skin of an animal.¹ The ritual consisted largely of fertility rites, which can be paralleled in the ritual of religions of the Lower Culture in both the ancient and modern world.

There are many proofs that the man, known to the Christian recorders as the Devil, was revered as their God by the witches. For example, in Aberdeen, 1597, part of the dittay against Marion Grant was that 'the Devil quhome thow callis thy god appeared to thee and caused thee to worship him on thy knees as thy lord.'² In the Pays de Labour, 1592, the witch vowed allegiance to the Devil in these words, 'Great Lord, whom I adore, I place myself at every point in thy power and in thy hands, recognising no other God for thou art my God.'³ At Stapenhill, in Derbyshire, 1597, Elizabeth Wright, a professed

¹ See my 'Organisations of Witches in Great Britain,' *Folklore*, 1917.

² Spalding Club *Miscellany*, i. pp. 170-2.

³ De Lancre, *Tableau de l'Inconstance*, p. 129.

witch, undertook to cure a cow 'vpon condition that she might have a peny to bestow vpon her god, and so she came to the mans house, kneeled downe before the Cow, crossed her with a stick in the forehead, and prayed to her god.'¹ The Lancashire witch, Margaret Johnson, 1633, said 'there appeared unto her a spirit or devill in the similitude or proportion of a man. And the said devill bad her call him by the name of Memillion. And she saith that in all her talke and conference shee called the said Memillion her god.'² In Essex, 1645, Rebecca West, herself a witch and the daughter of a witch, 'confessed that her mother prayed constantly (and as the world thought, very seriously), but she said it was to the devil, using these words, *Oh my God, my God*, meaning him and not the Lord.'³ At Lille, 1661, the girls under Madame Bourignon's charge were found to belong to the witch-religion; they stated 'that Persons who were engaged to the Devil by a precise Contract, will allow no other God but him.'⁴ Near Newcastle-on-Tyne, 1673, Ann Armstrong saw at a witch meeting a long black man, 'which they called their protector'; at a witch-feast she saw him again, 'their protector, which they call'd their god, sitting at the head of the table.'⁵

The feelings of the witches towards their religion are best given by de Lancre, but the same feeling can be traced among the witches of Great Britain. De Lancre says: 'In short it is a false martyrdom; and the witches are so bent on his devilish service that there is no torture or punishment that can frighten them; and they say that they go to a true martyrdom and to death, for love of him, as gaily as they go to a festival of pleasure and public rejoicing. When they are taken by Justice they neither weep nor shed a single tear, seeing that their false martyrdom, whether by torture or the gibbet, is so pleasant that many of them long to be put to death, and suffer very joyously when they face the trial, so much do they weary to be with the Devil. And are impatient of nothing so much in their prison as that they cannot testify how much they suffer and desire to suffer for him.'⁶

¹ *Else Gooderidge*, p. 10.

² Webster, *Displaying of Supposed Witchcraft*, pp. 347-9.

³ Howell, *State Trials*, vi. p. 660.

⁴ Bourignon, *La vie exterieur*, p. 222; Hale, *Collection of Modern Relations*, p. 37.

⁵ *Depositions from York Castle, Denham Tracts*, ii. pp. 301-2.

⁶ De Lancre, pp. 458, 133.

Many of the English and Scotch witches died, as the horrified Christian recorders express it, 'stubborn and impenitent,' preferring 'the Devil and hell-fire' rather than Christ and heaven. In other words, they held fast to their ancient religion, and died martyrs to a faith, perhaps mistaken but sincerely held.

The Chief or Grand-master of the witches, the so-called Devil, proves always, whenever he can be identified, to be a man of good, if not high, position; and the witches themselves, both men and women, were often members of the better classes.

The absolute subjection of the worshippers to their God must always be remembered in regard to the witches. I have already quoted the oath of fidelity and obedience taken by the witch-child on coming to years of discretion: 'I place myself at every point in thy power and in thy hands, for thou art my God, and I am thy slave.'¹ Adult converts from Christianity, both men and women, renounced their previous religion explicitly and in detail, and dedicated themselves, body and soul, to their new God.

Given an ambitious and unscrupulous man of high rank, commanding a body of followers devoted to his service and vowed by the most solemn oaths to absolute and unquestioning obedience, the political and historical importance of the witch-organisation is at once apparent. The witches' duty to their chief obliged them to protect his person and his interests at the cost even of their own lives, and to endure the most awful tortures rather than betray the divine Master. On the other hand, traitors or would-be traitors were summarily dealt with by being put to death before they could divulge the secret.² It is possible therefore to read trial after trial without finding any indication by which to identify the chief of the organisation. Yet in spite of these precautions a word here and there sometimes offers a clue, which leads to unexpected results. And this is the case with that *cause célèbre*, the trials of the witches of North Berwick in 1590 and 1591.³

The character of the accused in these trials is of great importance when considering the evidence. Nothing more unlike the conventional idea of witches can well be imagined than the man

¹ De Lancre, p. 129.

² Lea, *History of the Inquisition*, iii. p. 501; *Alse Gooderidge*; Lamont, *Diary*, p. 12; *Narrative of the Sufferings of a Young Girl*, p. xlv.

³ Pitcairn, *Criminal Trials*, I. pt. ii.

and women who were arraigned on that occasion. Agnes Sampson, the wise wife of Keith, was 'a woman not of the base and ignorant sort of Witches, but matron-like, grave and settled in her answers, which were all to some purpose.'¹ John Fian, or Cunynghame, was a schoolmaster, therefore a man of education; Effie McCalyan, the daughter of Lord Cliftonhall, was a woman of family and position; Barbara Napier was also of good family. These were clearly the moving spirits of the band, and they were all persons capable of understanding the meaning and result of their actions.

The accusation against the witches was that they had met together to plot the murder of the King and Queen by witchcraft. The trial therefore was on a double charge, witchcraft and high treason, and both charges had to be substantiated. Keeping in mind Lord Coke's definition of a witch as 'a person who has conference with the Devil to consult with him or to do some act,' it is clear that the fact of the Devil's bodily presence at the meetings had to be proved first, then the fact of the 'conference,' and finally the attempts at murder. The reports of the trial do not however differentiate these points in any way, and the religious prepossession of the recorders colours every account. It is therefore necessary to take the facts without the construction put upon them by the natural bias of the Christian judges and writers. The records give in some detail the account of several meetings where the deaths of the King and Queen were discussed, and instructions given and carried out to effect that purpose. At each meeting certain ceremonies proper to the presence of the Grand-master were performed, but the real object of the meeting was never forgotten or even obscured.

The actual evidence of the affair was given by Agnes Sampson (also called Anny Simpson), John Fian, Euphemia or Effie McCalyan, and Barbara Napier. As it was a case of high treason, the two leaders, Sampson and Fian, were tortured to force them to divulge the name of the prime mover. Both these two and Effie McCalyan were condemned and executed; Barbara Napier, equally guilty according to the evidence but more fortunate in her jurors, was released; for which action the jurors themselves were subsequently tried.

Though the means used by the witches may seem ridiculous, the murderous intention is very clear. First they performed incantations to raise a storm to wreck the Queen's ship on her way to Scotland, and the storm which actually arose very nearly

¹ Spotswood, *History of the Church of Scotland*, p. 383, ed. 1668.

effected their purpose. As it failed, however, they betook themselves to the accredited method of melting a waxen image, but they were also ready to use poisons, which were to their minds the most virulent that could be prepared.

The evidence affords a consecutive narrative of the occurrences.

John Fian, tried Dec. 26, 1590. The first items relate to his consulting with the Devil and working witchcraft. 7. Item, Fylet, for the rasing of windis att the kingis passing to Denmark, and for the sending of ane letter to Marioun Linkup in Leyth, to that effect, bidding hir to meit him and the rest, on the see, within fyve dayes; quhair Satan delyuerit ane catt out of his hand to Robert Griersoune, gevand the word to 'Cast the same in the see hola!' And thaireftir, being mountit in a schip, and drank ilk ane to otheris, quhair Satane said, 'ye sall sink the schip,' lyke as thay thocht thay did. 8. Item, Fylit, for assembling him selff with Sathane, att the Kingis returning to Denmark; quhair Satan promiseist to raise ane mist, and cast the Kingis Majestie in Inland.

Agnes Sampson, tried Jan. 27, 1591. The first part of the dittay is entirely occupied with her conferences with the devil and her healing the sick by his advice. 40. Item, fylit and convict, of the delyuerie of ane letter, quhilk John Fiene, clerk, maid in George Mutis bak[e] hous in the Pannis, accompaneit with the gudwyff of the hous, Gelie Duncan [and eight others], quha convenit thair for rasing of storme, to stay the Quene's hame cuming to Scotland; eftir consultatioun, quhether Gelie Duncan or Bessie Thomsoun was meitest to send the letter with; and concludit to send the said Gelie, quhilk letter wes send to Marioun Lenchop in Leyth. The effect quhairoff is this: 'Marioun Lenchop, ye sall warne the rest of the sisteris, to raise the wind this day, att eleavin houris, to stay the Quenis cuming in Scotland.' Lyke as they that wer convenit at the Pannis sould do their part be-eist; and to meit thame that wer in the Pannis; and att thair meting, thay sould mak the storme vniversall thro the see. [Then follows the method of doing this by casting in a cat.]

[From 'Newes from Scotland.'] The said Agnis Tompson (Sampson) confessed, that the Divell, being then at North Barrick Kirke attending their comming, in the habit or likenessse of a man . . . and having made his ungodly exhortations, wherein he did greatly inveigh against the King of Scotland, he received their oathes for their good and true service towards him, and departed;

which done, they returned to sea, and so home again. At which time, the witches demaunded of the Divell, 'Why he did beare such hatred to the King?' Who answered, 'By reason the King is the greatest enemie hee hath in the world.' All which their confessions and depositions are still extant upon record.

Barbara Napier, tried May 8, 1591. Released. Assisors tried June 7, and acquitted. The said Barbara was accusit, that scho gaif hir presens, in the maist develisch and tressonabill Conventioun, haldin be hir and hir complices in the Divellis name, vpoune Lambmes-ewin last, att the New-heavin callit Aitchesounes-heavin, betuix Musselburcht and Prestonpannis, sin his Majestie come furth of Denmark; quhair war assemblit nyne principallis, to witt, Agnes Sampsoune, Jonett Straittoun, Ewfame McCalyeane, hir selff, Johne Fiene, Robert Griersoun, George Moitis wyffe in Prestoune, Margrett Thomsoune, and Donald Robesoune; quhilkis nyne persounes, the Devill, quha wes with thame in liknes of ane blak man, thocht maist meit to do the turne for the quhilk thay wer convenit; and thairfore, he sett thame nyne nerrest to him selff, in ane cumpany; and thay, togidder with the wyffe of Saltoune myle and the rest of the inferiouris, to the nowmer of threttie persounes, standand skairse the lenth of ane buird frae the foirsaid nyne persounes in ane vthir cumpany;¹ Agnes Sampsoune proponit the distructioun of his hienes persoune, saying to the Dewill, 'We haif ane turne ado, and we would fain be att itt gif we could, and thairfore help ws to itt.' The Dewill ansuerit, he sould do quhat he could, bott it wald be lang to, because it wald be thoirterit [thwarted], and he promiseit to hir and thame ane pictour of walx, and ordenit hir and thame to hing, roist, and drop ane taid, and to lay the droppis of the taid [mixed with other supposedly virulent poisons], in his hienes way, quhair his Maiestie wald gang inowre or outowre, or in ony passage quhair itt mycht drop vpoun his hienes heid or body, for his hienes distructioun, that ane vther mycht haif rewlit in his Maiesties place, and the ward [government] mycht haif gane to the Dewill. Att the quhilk conventioun, his hienes name wes pronunceit in Latine; and Agnes Sampsoune wes appointit to mak the pictour and to gif it to the Devill to be inchantit, quhilk scho maid in deid, and gaif it to him; and he promiseit to giff it to the said Barbara

¹ Throughout England and Scotland the witches in every district were divided into *covens* or companies of thirteen. There were present on this occasion thirty-nine persons or three *covens*.

and to Effie McCalyan, att the nixt meting to be roistit. Margaret Thomsoun was appointit to dropp the taid. There wes ane appointit to seik sum of his hienes linning claithes, to do the turne with.

Agnes Sampson, continued.

Anny Sampson affirmed that sche, in company with nyn vthers witches, being convenit in the nycht besyd Prestonpannes, the Deuell ther maister being present standing in the midis of thame; ther a body of wax, schapen and maid be the said Anny Sampson, wrappit within a lynning claith, was fyrst delyverit to the Deuell; quhilk effir he had pronunceit his verde, delyverit the said pictour to Anny Sampson, and sche to her nixt marrow, and sa every ane round about, saying, 'This is King James the Sext, ordonit to be consumed at the instance of a noble man Francis Erle Bodowell!' Efterwart again, at ther meting be nycht at the kirk of North Berick, wher the Deuell, clad in a blak gown, with a blak hat vpon his head, preachit vnto a great number of them out of the pulpit, having lyk leicht candles rond about him. The effect of his language was to knaw, what skaith they had done, whow many they had won to ther opinion sen their last meting, what succes the melting of the pictour had tane, and sic vain toyes. And because ane auld sely pure plowman, callit Grey Meill, chancit to say, that 'nathing ailit the King yet, God be thankit!' the Deuell gaif him a gret blaw. Then dyuers amang them enterit in a raisonyng, maruelling that all ther deuellerie culd do na harm to the King, as it did till others dyuers. The Deuell ansuerit, 'Il est vn home de Dieu.'¹

Euphemia McCalyan, tried June 9, 1591, executed (burnt alive), June 25, 1591.

Evidence was first given as to her practising witchcraft and consorting with well-known witches. Item, indyttit and accusit, of the conventicle had att North Berwick Kirk, tuentie dayes before Michelmas, 1590; and thair inquiring for the Kings pictour, gewin by Annie Sampson to the Deuill, to be inchantit, for the tressonabill distructioun of the King. Item, indyttit and accusit, for being att ane Conventioun haldin at the New Heaven callit the Fayrie-hoillis, att Lambmes last wes, to the effect immediatlie aboue writtin. Item, Indytit and accusit, for an

¹ Bannatyne Club, *Melville Memoirs*, p. 395. The sycophantic Melville adds, 'And certainly he is a man of God, and dois na wrang wittingly, bot is inclynit to all godlynes, justice and vertu; therefor God has preserved him in the midis of many dangers.'

Conventioun halden by yow and utheris notorious Wichis, youre associattis, att the Brwme-hoillis, quhair yow and thay tuik the sea, Robert Griersoun being your admerell and Maister-manne. [Then comes the recital of the magical means used to raise a tempest], quhairby the Quene wes putt back be storme. Item, Indytit, for consulting with the said Annie Sampson, Robert Griersoun, and diuers vtheris Wichis, for the tressonabill staying of the Quene's hame-cuming, be storme and wind; and rasing of storme, to that effect; or ellis to haif drownit hir Majestie and hir cumpany, be coniuring of cattis and casting of thame in the sea, at Leith, and the bak of Robert Griersounis hous.

Barbara Napier, continued. And siclyke, the said Barbara was accusit, that sche gaif hir bodelie presens vpoun Alhallow-ewin last was, 1590 yeiris, to the frequent conuentioun haldin att the Kirk of North Berwick, quhair sche dancit endlang the Kirk-yaird, and Gelie Duncan playit on ane trump, Johnne Fiene missellit [muffled] led the ring; Agnes Sampson and hir dochteris and all the rest following the said Barbara, to the nowmer of sevin scoir of persounes. . . . And the Devill start vp in the pulpett, lyke ane mekill blak man, haifand ane blak buik in his hand, callit on ewerie ane of thame, desyryng thame all to be guid serwandis to him, and he sould be ane guid maister to thame. Robert Griersoun and Johne Fian stuid on his left hand; and the said Robert ffand grit fault with the Dewill, and cryit out, that all quhilkis wer besyd mycht heir, becaus his hienes pictour was nocht gewin thame, as wes promesit; the said Effie McCalyan remembrand and bid[d]and the said Robert Griersoun to speir for the pictour, meaning his Maiesties pictour, quhilk sould have been roistit. Robert Griersoun said thir wordis, 'Quhair is the thing ye promiseit?' meaning the pictour of walx, dewysit for roisting and vndoing his hienes persoune, quhilk Agnes Sampson gaif to him; and Robert cryit to 'haif the turne done'; yit his hienes name was nocht nameit, quhill thay that wer wemen nameit him; craifand in playne termes his hienes pictour. Bot he ansuerit, 'It sould be gottin the nixt meitting; and he wald hald the nixt assemblie for that caus the soner: It was nocht reddie at that tyme.' Robert Griersoune ansuerit, 'Ye promiseit twyis and begylit ws.' And four honest-like wemene wer very ernist and instant to haif itt. And the said Barbara and Effie McCalyane gatt than ane promeis of the Dewill, that his hienes pictour sould be gottin to thame twa, and that rycht sone: And this mater of his hienes pictour was the caus of that assemblie.

This ends the evidence of the witches of North Berwick. Who was the man whom they believed in and obeyed as God incarnate?

The man who instigated the meetings, and to whom, consequently, suspicion points, was Francis, afterwards Earl of Bothwell. He was the eldest son of John Stewart and Jane Hepburn, sister of that Earl of Bothwell whom Mary Queen of Scots married. Francis succeeded his maternal uncle in title and estates. His father, Lord John Stewart, was an illegitimate son of James V. The Pope, however, legitimised all the natural children of James V., and Mary, after her accession, granted letters of legitimation¹ to her two half brothers, John Stewart, and James, afterwards the Regent Moray. John was slightly the elder of the two, and, had he been legitimate, would have been the heir to the exclusion of Mary. The Regent Moray left only daughters, whereas John Stewart had several sons, of whom Francis was the eldest. Francis might therefore claim to be the next heir male to the throne of Scotland, and possibly of England, had James VI. died without children. James's own opinion of the matter is shown in his speech to his parliament in 1592, when he denounced Bothwell as an aspirant to the throne, although he was 'but a bastard, and could claim no title to the crown.' Bothwell, however, was himself no bastard, though his father was. But the significance of the witches' attempt, as well as the identity of the chief personage at their meeting, is given in Barbara Napier's evidence as to the reason for the attempted murder of the King, 'that another might have ruled in his Majesty's place, and the government might have gone to the Devil.' By changing the title 'the Devil,' by which he was known to the witches, to the title 'Earl of Bothwell,' by which he was known outside the community, the man and the motive seem manifest. This hypothesis is borne out by the contemporary accounts.

The trial of the witches created a great stir, and Bothwell's name was freely coupled with the witches'. He denied all complicity; this was only natural, as confession would have meant an acknowledgment of high treason. But his followers might have betrayed him. The two leaders, Agnes Sampson and John Fian, were tortured. Sampson admitted that the wax image was made at the instance of Francis Earl of Bothwell; an admission sufficiently damning, but beyond that she would say nothing. The real danger to Bothwell lay in Fian. Under

¹ *Reg. Mag. Sig. Scot.*, 1546-80, No. 565.

torture he made admissions and signed a confession in the presence of the King. He was then 'by the maister of the prison committed to ward, and appointed to a chamber by himselfe; where, foresaking his wicked wayes, acknowledging his most ungodly lyfe, shewing that he had too much folowed the allurements and enticements of Sathan, and fondly practised his conclusions, by conjuring, witchcraft, inchantment, sorcerie, and such like, hee renounced the Devill and all his wicked workes, vowed to lead the lyfe of a Christian, and seemed newly converted to God. The morrow after, upon conference had with him, he granted that the Devill had appeared unto him in the night before, appareled all in blacke, with a white wande in his hande; and that the Devill demaunded of him, 'If hee woulde continue his faithfull service, according to his first oath and promise made to that effect.' Whome (as hee then saide) he utterly renounced to his face, and said unto him in this manner, 'Avoide! Sathan, avoide! for I have listned too much unto thee, and by the same thou hast undone me; in respect whereof I utterly forsake thee.' To whome the Devill answered, that 'once ere thou die thou shalt bee mine.' And with that (as he sayd) the Devill brake the white wand, and immediately vanished foorth of his sight. Thus, all the daie, this Doctor Fian continued verie solitarie, and seemed to have a care of his owne soule, and would call uppon God, shewing himselfe penitent for his wicked life; neverthesse, the same night, hee found such meanes that he stole the key of the prison doore and chamber in which he was, which in the night hee opened and fled awaie to the Saltpans, where hee was alwayes resident, and first apprehended. Of whose sodaine departure, when the Kings Majestie had intelligence, hee presently commanded diligent inquirie to bee made for his apprehension; and for the better effecting thereof hee sent publike proclamations into all partes of his lande to the same effect. By means of whose hot and harde pursuite he was agayn taken, and brought to prison; and then, being called before the Kings Highnes, hee was re-examined, as well touching his departure, as also touching all that had before happened. But this Doctor, notwithstanding that his owne confession appeareth, remaining in recorde under his owne hande writting, and the same thereunto fixed in the presence of the Kings Majestie and sundrie of his Councill, yet did hee utterly denie the same. Whereupon the Kings Majestie, perceiving his stubborne wilfulnesse, conceived and imagined, that in the time of his absence, hee had entered into newe

conference and league with the Devill his maister.' [Fian was then subjected to the most horrible tortures that could be devised.] 'And notwithstanding all these grievous paines and cruel torments, hee would not confesse anie thinges; so deeply had the Devill entered into his heart, that hee utterly denied all that which he before avouched; and would saie nothing thereunto, but this, that what hee had done and sayde before, was onely done and sayde, for fear of paynes which he had endured.'¹ He continued steadfast and was executed at the Castle Hill.

The character of Fian is perfectly consistent. Under torture he signed a confession, which confession might have implicated Bothwell. That night Bothwell himself, or one of his emissaries, obtained access to the prisoner and arranged for his escape. The wretched Fian was faced with death either way; if he retracted his confession, he would die as a criminal by the hands of the law; if he held to it, he would die as a traitor by the hands of his comrades. There was no alternative. All that day he 'continued verie solitarie,' calling upon God, but by night he had made his choice and fled. He apparently escaped without difficulty. The story of his stealing the keys of his own cell and of the prison door is absurd; the escape was obviously effected by connivance, just as later on Bothwell's own escape was effected. Fian went back to his own home, where, according to James's surmise, he had an interview with the Devil (*i.e.* Bothwell), and there he tamely waited till the officers of the law came and recaptured him. This tameness is not in keeping with the rest of his character. A man with sufficient courage and resource to get out of a strongly guarded prison would easily have made good his escape. Fian then must have been re-taken because he wished to be re-taken. For fear of torture, and in hope of pardon, he signed the first confession, implicating Bothwell,² yet later he endured agonies of torture with the certainty of death rather than acknowledge one word which might lead to the discovery that James was bent upon. James's surmise was perhaps more than a mere guess; it was prompted by his knowledge of the facts. Fian had had an interview with his Master, whom he believed to be God Incarnate, and like many a Christian martyr he atoned for the first betrayal by steadfast courage through cruel torment even to death.

¹ *News from Scotland*, quoted in Pitcairn's *Criminal Trials*, I. pt. ii. pp. 213-23.

² It is perhaps significant that the confession of John Fian and the trials of both Barbara Napier and of Bothwell himself for witchcraft, have disappeared from the Justiciary Records.

Reading the accounts in the light of this supposition, it is seen that everyone, including James, suspected Bothwell. Even if they did not acknowledge his divinity, they feared the magical powers which, as Chief of the Witches, he was supposed to wield. It is impossible to study the details of this period without realising the extraordinary fear which James had of his cousin; it was fear with an underlying horror, totally different from his feeling towards his other turbulent subjects. When Bothwell, seeking pardon, was introduced into Holyrood Palace by Lady Athol in the early morning of July 24, 1593, he entered the King's chamber. James, always undignified, was caught in the middle of his morning toilet; he tried to run into the Queen's room, but the way was barred by Bothwell's friends and the door was locked. 'The King, seeing no other refuge, asked what they meant. Came they to seek his life? let them take it—they would not get his soul.'¹ This remark, made in the urgency and excitement of the moment, is highly significant. Had Bothwell been, like many of James's other enemies, merely an assassin, James would not have spoken of his soul. But Bothwell as the Devil of the witches had the right to demand the yielding of the soul, and James was aware of the fact.

The birth of James's children removed Bothwell's hopes of succession; the power of the witch organisation, of which he was the chief, was broken by the death of its leaders. He had made a strong bid for power, he failed, fled the country, and finally died in poverty at Naples. There George Sandys, the traveller, heard of him. 'Here a certaine Calabrian, hearing that I was an *English* man, came to me, and would perswade me that I had insight in magicke, for that Erl *Bothel* was my countryman, who lives at *Naples*, and is in those parts famous for suspected negro-mancie.'²

M. A. MURRAY.

¹ Burton, *History of Scotland*, v. p. 283.

² Sandys, *Relation of a Journey*.

John Lennox and the *Greenock Newsclout*: A Fight against the Taxes on Knowledge

‘A TAX upon paper is a tax upon knowledge,’ was the frequent exclamation of that Dr. Adam,¹ under whose rectorship Walter Scott, Francis Jeffrey, and others of Scotland’s famous men of letters attended the Royal High School of Edinburgh. Whether or not Dr. Adam invented the phrase that was for so many years constantly in the mouths of reformers, he interpreted correctly the incidence of the paper duty, which was, by the way, the least oppressive of the imposts that, collectively, were known as the Taxes on Knowledge—imposts that retarded the political growth of the country for nearly a century and a half.

Against these taxes, John Lennox, first at Dumbarton and then at Greenock, for a period covering roughly a score of years, waged deliberate and uncompromising war. It was not only the Government that he had to convince of the vexatious character and anti-social effects of these taxes, but many even of the newspaper owners. It is strange now to think that on the eve of emancipation a body of newspaper proprietors, publicly hugging their chains, should have drafted a memorial to members of Parliament in which the opinion was expressed that the remission of the taxes was calculated to lower the character and injure the usefulness of the Press; that the term Taxes on Knowledge was delusive and untrue; and that the continuance of the system was desired by the great mass of the community. But even this vagary can be explained if we reflect that, taking it in the large, the human mind is always and everywhere intensely conservative. It resents new ideas: it devises bitter penalties for their promulgators.

The Church, in the days of its temporal predominance, kept a firm hand upon would-be innovators: more than the State, it was the exponent of arbitrary methods; but its action in the

¹ *Edinburgh Review*, October, 1835, ‘Taxes on Knowledge.’

concerns of literature before the invention of printing need not detain us here. In controlling the Press three successive methods were employed by the State: First, arbitrary suppression, or, as the constitutionalists would say, the exercise of the royal prerogative; second, licensing; and third, taxing. Bulls against unlicensed printing were accompanied by edicts emanating from monarchs who owned allegiance to the Pope—Francis I. actually prohibiting the printing of books in France. Even after the Reformation in England ecclesiastical censorship was still asserted, but only as collateral with the censorial rights of the Crown, claimed by virtue of general prerogative; and in course of time the censorship passed to the Crown, which at the same time assumed the power of granting by letters patent the right of printing or selling books as a monopoly. The litigiously marked history of early Scottish printing is largely concerned with suits arising out of the grants of printing monopolies.

We are concerned in this paper with the restrictions which the civil authorities sought to impose upon the printing press in England, and which subsequently developed into the printing laws of the United Kingdom. The earlier custom of burning obnoxious books—or, as was the custom of the apostles of efficiency, of burning the authors—gave way in time to preventive measures. These first took the form of licensing—‘that is, of compelling everything that was printed to be first of all approved by an official or officials deputed for the purpose.’¹ This custom still persists among faithful Roman Catholics, who require the episcopal imprimatur before printing their books, which, wanting this sanction, might be put upon the *Index Librorum Prohibitorum*.

The legislation regarding Licensing is by the student of Literature remembered almost solely by Milton’s *Areopagitica: a Speech for the Liberty of Unlicensed Printing*, whose sonorous periods and splendid imagery delight the lover of literature, as if in compensation for its failure to modify the action of that ‘high court of Parliament’ to which it was addressed in the form of a defence.²

¹ *History of English Journalism*, by J. B. Williams, 1908, p. 2.

² ‘In truth the influence of Milton’s English prose writings seems to have been very slight. . . . When he pleaded for liberty of divorce, or . . . launched pamphlets against monarchy on the very vigil of the Restoration, he produced absolutely no effect whatever. Nor can we perceive that his ‘*Areopagitica*’ hastened the liberty of the press by a day, though, when this had come about by wholly different agencies, it was rightly adopted as the gospel of the new dispensation.’—Dr Richard Garnett, Introduction to *Prose of Milton*, 1894, p. viii.

(This great tract was, like Milton's tracts on Divorce, issued in violation of the Licensing Law.¹)

The enactments begin, for practical purposes, with a codifying decree of the Star Chamber, June 23, 1586. This measure restricted the places of printing and the number of printers, and set up as perusers of the manuscripts the Archbishop of Canterbury and the Bishop of London, who of course acted by deputies. Infringements of the regulations entailed penalties of six months' imprisonment for the printers and of three months' for the vendors. The restrictions imposed upon newspapers and their progenitors the newsbooks and newsletters at a later time were more severe than upon books. Arbitrary methods were again employed. The publication of news without royal permission was held to be an infringement of the royal prerogative; and Henry VIII. issued a royal proclamation ordering 'certain books printed of newes of the prosperous successes of the King's Ma'ties arms in Scotland' to be burned within twenty-four hours after proclamation made, on pain of imprisonment. It was the Judges of King Charles the Second who in 1680, when the Licensing Act had expired and there was no regulation affecting the licensing of books, declared that 'His Majesty may by law prohibit the printing and publishing of all newsbooks and pamphlets of news whatsoever not licensed by His Majesty's authority as manifestly tending to the breach of the peace and disturbance of the kingdom.' A proclamation based on this declaration was immediately issued. A desire to stop the publication of newspapers competing with the *London Gazette* is assigned as a reason for the decision being sought. The still existing *London Gazette* is, as is well known, a continuation of the *Oxford Gazette*, which dates from September, 1665, when Charles lived at Oxford to avoid the Plague; and it is from its appearance that the word newspaper dates.² Consisting, according to Anthony Wood, of 'half a sheet in folio,' it was neither a pamphlet nor a book, and so it was at once dubbed a 'paper.'

It was under the Licensing Act of 1662³ and its successive

¹ 'As the Licensers could not be expected to approve a tract aiming at their own abolition, 'Areopagitica' made its appearance without a licence, and this new transgression excited another little storm, shortly allayed as the first had been.'—*Ibid.* xv.

² Williams, *op cit.* p. 8.

³ This Licensing of the Press Act was not repealed till 1863; it was included in the Statute Law Repeal Act of that year.

renewals up to 1679 that Sir Roger L'Estrange was appointed licenser; and so effective was his supervision that the newspaper press for a time consisted for all practical purposes of the *London Gazette*. The lapsing of the Act in 1678 was succeeded by a period when restrictions on the Press took the form of prosecutions for libel. Apparently, however, the licensing method was regarded as more effective for the purpose desired, and the Act was, in 1685, renewed for seven years.¹ Thus it was carried into the reign of William and Mary, and at its expiration in 1692 was renewed till the end of the existing session of Parliament.² In 1695 the Commons refused to re-enact the licensing legislation; and the ultimate effect of this decision was the passing of the first Copyright Act³ in 1709, for literary piracy became so flagrant that authors were defrauded on every side by the booksellers and their satellites. The power of the Secretary of State to issue a warrant, whether general or special, to search for and seize the author of a libel or the libellous papers themselves—a power which, exercised by the Star Chamber, was confirmed by the Licensing Act—continued to be asserted, and was not finally declared illegal until the case of *Entick v. Carrington* in 1765. The proceedings of the licensers, the hunt for hidden presses, the clever evasions of the printers as well as their cruel punishments when caught, the scurrility of the publications, make an interesting, if often sordid, story; but the time was rapidly approaching when authority was to try a new method of keeping the Press in control. It cannot be asserted that there was no need of control: each party in the State felt the urgent necessity of silencing the writers of the other faction: the scurrility was as flagrant on the one side as the other.

At the opening of Parliament in 1712 Queen Anne's message said: 'Her Majesty finds it necessary to observe how great license is taken in publishing false and scandalous libels such as are a reproach to any Government. This evil seems to be grown too strong for the laws now in force. It is therefore recommended to you to find a remedy equal to the mischief.'

¹ 1 Jac. II. c. 8, sec. 13.

² It should be mentioned, as showing how little this important factor in civil liberty entered in the statecraft ideals of the time, and how truly Thomas Paine spoke when he said that the rights of man were imperfectly understood at the Revolution, that no reference to the liberty of the Press appears in the Bill of Rights.—*Rights of Man* (Everyman edition), p. 14.

³ 8 Anne, c. 19.

Under date April 11, 1712, with the heading 'Resolutions relating to the Licentiousness of the Press,' we read :

'Some members were so exasperated at the Dutch memorials being published in a newspaper that on the 12th the House, being resolved into a Grand Committee to consider of that part of the Queen's message to the House of the 17th January last, which relates to the great licence being taken in publishing false and scandalous libels, Sir Douglas Dolben being the Chairman, they came to these two resolutions : 1. That the liberty taken in printing and publishing scandalous and impious libels creates divisions among Her Majesty's subjects, tends to the disturbance of the public peace, is highly prejudicial to Her Majesty's Government, and is occasioned for want of due regulating of the Press. 2. That all printing presses be registered, with the names of the owners and the places of abode, and that the author, printer, and publisher of every book set his name and place of abode thereto.

'These resolutions were ordered to be reported the Tuesday following ; but the said report was then put off till that day se'nnight, and afterwards further adjourned from time to time : some members having in the Grand Committee of Ways and Means suggested a more effectual way for suppressing libels, viz., the laying a great duty on all newspapers and pamphlets.'

On June 2 Sir D. Dolben reported these resolutions (in an amplified form) to the House, and 'the Commons ordered a bill to be brought in upon the said resolutions.'

We hear no more from the Parliamentary History of the action of the House till we find on the Statute Book the momentous Act that began the shackling of the Press, which lasted for nearly a century and a half. This measure not only retarded the growth of free institutions by putting newspapers under financial disabilities that prevented their reaching the great mass of the people at home : it was also one of the first factors that aroused our American colonists to protest against taxation for the purposes of the home Government. The Boston Tea Party may have been the immediate occasion of the revolt : the Revolution really began when in 1765 the home Government sent the stamps for newspaper duty to the American colonies.¹

In 1712 the War of the Spanish Succession was still dragging on, and the Treasury, like Queen Anne's privy purse, was empty.

¹ 'This was the beginning of national American Union.'—*American Debate*, by M. Mills Miller, Litt.D., vol. i. p. 20.

These facts gave the Commons of Great Britain the idea of killing two birds with one stone: so the libels and blasphemies of the Press were to be suppressed by a tax which would at the same time keep the newspapers in hand and help in the necessary purpose of raising 'large supplies of money to carry on the present war until your Majesty be enabled to establish a good and lasting peace, and for defraying your Majesty's other extraordinary expenses.' The measure which was designed to effect these purposes is 10 Anne, cap. 19 (1712), and it is entitled 'An Act for levying several duties upon all sope and papers made in Great Britain or imported into the same . . . and upon several kinds of stamp vellum, parchment, and paper, and upon certain printed papers, pamphlets, and advertisements; for raising the sum of eighteen thousand pounds by way of lottery,' etc.

This Act hit the printer and publisher of a newspaper a triple blow: it imposed a duty on paper to be levied for thirty-two years (it was made perpetual five years later); it placed another duty, to be collected by means of stamps, upon pamphlets, and upon 'all newspapers or papers containing public news, intelligence, or occurrences,' printed in Great Britain to be dispersed and made public; and it laid a charge by way of duty upon every advertisement to be contained in the *London Gazette* or any other printed paper, such paper being dispersed or made public weekly or oftener. Addison, in the *Spectator* of 31st July, 1712, the day before the Act came into operation, was oppressed by dismal forebodings. Swift, both before the passing of the Act and after a year's experience of its operation, was decidedly hostile.¹

Through the century following its enactment, printers sought constantly to evade the working of this measure, whose structure was changed from time to time, in order to meet evasions and to tighten still more closely the bonds in which the authorities held the pestiferous Press. One way in which this object was sought was by the revision of the definition of a newspaper. The original definition of the Act of Anne was amended by 60 George III. (1820), cap. 9, to read: 'Pamphlets or papers containing public news, intelligence, or occurrences, or any remarks or observations thereon, or upon any matter in Church or State.' Finally, by 6 and 7 William IV. (1836), the duty was imposed upon every paper printed in Great Britain weekly or oftener, or at intervals not exceeding 26 days, containing only or principally

¹ *The History of the Last Four Years of Queen Anne*. Prose Works (ed. Temple Scott), x. pp. 124-8.

advertisements, and containing any public news, intelligence, or occurrences. Such details as the area of the printed matter were taken into consideration in fixing the rate of duty, which was as high as 4½d. per copy at one time, while the advertisement duty for long stood at the almost prohibitive figure of 3s. 6d. for each advertisement. But the most galling restriction of all was that imposed by section 89 of the Act of 1820, enacting that no person should 'print or publish for sale any newspaper or any pamphlet or other paper containing any public news . . . which shall not exceed two sheets, or which shall be published for sale at a less price than sixpence until he shall have entered into a recognisance . . . himself in £300 if the paper be published in or within twenty miles of London, and £200 if published elsewhere in the United Kingdom, with two sureties in a like sum . . . to meet the fine,' or penalty in case the publisher should be convicted of printing or publishing 'any blasphemous or seditious libel,'—that being recognised as the main occupation of news-mongers in those days. This came to be described by the reformers as the burden of Security.

These were the onerous burdens and some of the oppressive circumscriptions¹ under which the Press in Great Britain laboured in the middle of the nineteenth century, when there was issued the calico periodical, *Greenock Newsclout*. Needless to say, remedy was being sought both by evasion and by open resistance. Agitation for repeal of the taxes was ripening for the formation of associations with that end in view, and a quarter of a century later the last of the obnoxious imposts had been repealed.

Among individual reformers none can have worked more strenuously for this consummation than John Lennox. Yet even his name is scarcely known to-day either in Dumbarton or in Greenock, the towns in which he spent in fairly equal portions the whole of his working life. Remembering that almost all

¹ There were also minor annoyances. By statute the Government supplied paper as well as stamps; and newspaper publishers in remote regions must often have been worried by the non-arrival of the periodical consignment. Notwithstanding their sarcastic setting, reminiscent of Eatanswill journalistic amenities, the facts in the following extracts from *John o' Groat Journal* are no doubt reliable:

'THE ROSS-SHIRE ADVERTISER DRAWING A LONG BREATH.—This consistent (?) newspaper, a few weeks ago, appeared in the shape of a quarto circular, stating that by some mishap the usual supply of stamps had not reached, and the publication was consequently deferred for a week. Last week for the *third* time it appeared on a few bits of paper pasted together, without any stamp, stating the old story, that stamps had not reached, but that a true and faithful account would be given to the Stamp Office of the 'shreds and patches.'

surnames, save those born of personal traits, are either occupational or territorial in their origin, one would expect John Lennox to be a member of a Dumbartonshire family; for though the ancient district of Lennox extended far beyond the confines of the shire, Dumbartonshire was and is looked upon as The Lennox. Naturally, therefore, Lennoxes abound in the capital burgh, and there are records of at least three persons of this name acquiring property in the town. In 1741 Walter Lennox, merchant, Greenock, purchased the Castle Green at Dumbarton, which was afterwards owned by his son Walter Lennox, and was sold by the latter in 1799 to John Denny. In 1816 Walter Lennox, jun., spirit dealer, acquired the property latterly known as Greenfield, which remained in the family until about 1840. In 1813 Donald Lennox, grocer, Dumbarton, bought a property in High Street, and in his family it remained until 1857. This last is said to be the family of the John Lennox with whom this paper is concerned. But of few men of recent date—it is little more than sixty years since his death—who have accomplished important work in the public cause is so little known personally. Except for a reference, sympathetic if perfunctory, in Donald MacLeod's *Dumbarton, Vale of Leven, and Loch Lomond* (p. 38), and an unwarrantably depreciatory criticism of the *Argus*, without mention of its editor, in Joseph Irving's *History of Dumbartonshire* (p. 428), I have found no scrap of printed matter outside Lennox's own periodicals, or advertisements written by him, to aid in the compilation of a biographical notice. By piecing together odd references it is possible to present a sketch, meagre in detail but chronological in sequence, of his business career. The records of Greenock Cemetery prove that he died on November 13, 1853, aged 59, and was buried in an unmarked grave four days later, so that he must have been born about 1794.¹ About 1822 he appears to have been in business as a newsagent in

¹I have been unable to trace any record of Lennox's birth or of his marriage. The Dumbarton register, however, contains entries of the births of five children born to John Lennox and Anne Sinclair, his spouse. These are: John, 27th April, 1825; Andrew, 15th January, 1828; Mary Anne, 28th May, 1830; Jane, 23rd March, 1833, died 13th June, 1855; and Jessie, 3rd June, 1835. The method of entering the names seems to suggest that the revolutionary printer was for a long term of years at variance with the Kirk—his political activities make such a relationship understandable—but that subsequently there was a reconciliation. The names do not enter, except on the margins (where a careful session-clerk has given a series of cross references), into the chronology of the register; but are all entered together at the end of the year 1836.

Dumbarton. In an advertisement written about the middle of 1849 he says that 'for 27 years he has conducted to a large extent newsagency; and the 12th year is now passing since he commenced the earliest establishment of the kind in town'—that is, in Greenock. In 1832 he started the *Dumbarton Argus*, which ran for nearly two years. From the *Argus* can be gathered some self-revealing records of Lennox's social and political reforming activities; and they present to us the picture of a man who held strong opinions and suffered for them without becoming embittered.

In December, 1832, he headed the list of subscribers to a petition setting forth that as the signatories were 'dissatisfied with both candidates now offering their services to represent this District of Burghs (Kilmarnock District) in the first Reformed Parliament,' they asked the Provost to call a public meeting of the electors and others 'for the purpose of taking measures to secure a real representative of the opinions, principles, and desires of the community—an honest reformer.' The meeting was duly convened, and passed a long series of resolutions, but failed to secure its main purpose of bringing forward a candidate acceptable to its promoters.

The first election for Dumbartonshire under the Reform Act, which took place about this time, resulted in the return of Campbell Colquhoun of Killermont, by a majority of 47 over Sir James Colquhoun of Luss. Lennox attended the election dinner, and proposed as the 26th toast on the list 'The Liberty of the Press,' using his opportunity to inveigh against the law respecting periodical publications by which he was later on to be so seriously harassed. Even when the 34th toast was reached—that which was drunk to the health of Captain Dunlop, the member for the Kilmarnock district—Lennox, who had abstained from voting in the election, was still composed enough, notwithstanding the convivialities of such occasions, to explain why he had tried to get a candidate to oppose both contestants. He generously declared, however, that he should be most happy to discover all his unfavourable anticipations concerning the new member to be unfounded, 'and not less that our party spirit and divisions terminate with the cause from which they have been ostensibly produced.'

Next summer we find Lennox at the Duntocher Temperance Society's soiree, telling his hearers that though a lover of temperance, he had not been, was not then, and perhaps never would be,

a total abstainer. Nevertheless, he expressed the hope that their cause might flourish more and more.

An advertisement in one of the numbers of the *Argus* shows that J. Lennox and Co. traded as stationers, printers, bookbinders, booksellers, and newsagents, and also had a library of upwards of 1000 volumes, which were lent on easy terms.

Finally, the *Argus* shows Lennox congenially occupied in trying to direct into the right path the municipal electors of Dumbarton, to purify municipal finance, and to remedy ecclesiastical abuses.

It will be seen then, that the seven years' war which he was to wage against the Revenue officials in Greenock, although it embraced the publication of the unique *Newsclout*, was not John Lennox's first adventure in unstamped newspapers. Even before the issue of the *Argus* he had long contemplated taking a hand in the struggle against the Taxes on Knowledge. In 1827, as he tells his readers in the first number of the *Argus*, a prospectus of a weekly journal was withdrawn from the press in consequence of the suppression of the Irvine two-pence-halfpenny unstamped weekly newspaper, which had obtained a most extensive circulation, and which was adopted as a model for the Dumbarton periodical. In a prospectus, dated 8th May, 1830, of which a copy is still extant, the announcement is made that 'when a sufficient number of Subscribers is obtained—at Dumbarton, by J. Lennox & Co., Stationers and Printers, there will be published No. I. [Price Ninepence] of a monthly periodical to be entitled *The Dumbarton Magazine*, a General Register of Contemporary Events and Speculations affecting the Condition, Progress, and Prospects of Society. A Number shall contain forty pages demy octavo—to be printed with brier type, and externally to resemble that most popular Edinburgh magazine, Blackwood's.'

Although about 200 subscribers were obtained, this projected periodical never came to life. Lennox and the City of the Rock were to begin press ventures with *The Dumbarton Argus*; or, *Lennox Magazine*,¹ the first number of which, price 2d., appeared on 2nd June, 1832. In the 'Introduction' to No. I it is stated: 'An apology for this Work will scarcely be expected by an intelligent public, and therefore the projector offers none. It is not exactly what might have been desirable; but from a variety

¹ Of this publication there are extant three sets, so far as is known—one mentioned by MacLeod as having belonged to Provost MacAusland; another, now the property of a Glasgow gentleman, both of which I have been permitted to examine; and a third, of which I have particulars from its owner.

of causes which it is superfluous to enumerate, improvement could only be obtained by delay, against which it had been determined. The plan, however, it is hoped, will give satisfaction, and possibly in its future numbers its execution may attain to a higher standard of excellence.'

Further on, the Editor says: 'The *Argus*, like a stage coach, is accessible to persons of all parties and principles who may desire to submit their thoughts to public scrutiny. It is a machine set agoing upon the highway of social improvement, useful knowledge, truth, justice, public rights and privileges, depending for its usefulness and continuance on the approbation and support of a public who ought to be the judges best qualified to decide if it deserves encouragement. It is started as a medium, where none previously existed, through which may be conveyed to publicity the opinions, grievances, and claims of all: hence consistency in speculation is not to be anticipated, the really liberal and truly consistent journal being one which allows principle and the absence of it both to exercise their full scope and reach a due level and influence, by showing their strength and beauty or exposing their weakness and deformity to the judgment of every inquirer.'

Lennox had less difficulty about the principles that should guide his little paper than about the periodicity of its appearance. In No. 2 it is stated that 'The *Argus* shall appear every alternate Saturday. From being too late in adopting this determination, four weeks have elapsed between the publication of Nos. 1 and 2. In the interval a second edition of No. 1 has been printed.' No. 3, nevertheless, did not appear till 30th July; No. 4 has no date, but was issued after 28th August. No. 5 (29th September, 1832) contains a

'NOTICE.—Resolved to adhere to the enactments of the law respecting periodicals, though disliking their operation, we shall publish only once a month, on one of the five days prescribed, as the strange manner in which they are occasionally enforced . . . gives no security that vexatious proceedings might not be adopted.'

A month later there is avowed another change of mind which is announced thus:

'More frequent publication of the *Argus*.—Our intention respecting the more frequent publication of the *Argus* has vacillated. . . . We propose to publish No. 7 on Wednesday, 14th November, and No. 8 on Thursday 29th, and regularly thereafter twice a month.'

This plan was carried out in November; but No. 9 did not appear till the 29th December—it was of eight pages only, and was sold at a penny—Nos. 10 and 11 both came out in January, the former without mention of the day of the month; there were two issues in February and in March; but in April and May there was only one issue for each month.

Fourteen months saw the issue of 20 numbers of the *Argus*, containing, as a notice points out, 300 closely printed pages. Sold at 3s. 6d., the set included two penny issues, the others being priced at 2d. each. The pagination of the *Argus* is continuous; but, rather curiously, all the sets mentioned want No. 27, there being here a hiatus between pages 394 and 405, an unfortunate coincidence upon the causes of which it is useless to speculate. On page 405 begins No. 28 (February, 1834), which concludes with the legend, End of Volume First. In this last number of Vol. I. it is announced that the paper 'will in future be ornamented and illustrated by wood engravings and lithographic designs.' Only one illustration appeared—a woodcut of Duntocher Bridge, which found a place in No. 32, June, 1834. The thrifty editor used it again, with the descriptive text, in one of his Greenock periodicals.

Seven more issues of the *Argus* appeared between March and November, 1834. The MacAusland set, bound in a well-preserved calf-covered volume, includes a copy of the prospectus of the *Dumbarton Magazine*. Its present owner is not disposed to accept as the cause of Lennox's removal from Dumbarton the closing of the glass works, as suggested by MacLeod, particularly as the 'stagnation as of death' had passed over the burgh before the *Argus* was started, and Lennox must have continued in business in the City of the Rock for at least two years longer.

This view is strengthened by the fact, for which Lennox himself is the authority, that he did not begin business in Greenock till 1837.

For the story of his life and work in Greenock Lennox is the sole authority in print. No historian records his career or names any of his variously designated journalistic enterprises. Even Williamson, who in his *Old Greenock from the Earliest Times to the Middle of the Nineteenth Century* has a speciously complete-looking chapter on the local press, does not mention even Lennox's most noteworthy and distinctive venture. The Town Council minutes of 1845 show that John Lennox, bookseller, submitted a list of candidates for the Police Board, and afterwards with his supporters demanded a poll. There is no further record of the matter.

About the same time a John Lennox took an active part in the affairs of the Mechanics' Institution. These activities are so much in character that there need be little doubt about the identification of the personage concerned in both with the printer-editor of the Greenock periodicals. It is to these we must go for the history of John Lennox. Happily the printer's accounts of himself bear the impress of truth : they may be unhesitatingly accepted. Their defect is their meagreness, or one should rather say the haphazard way in which they have been preserved.

In an early issue of one of the Greenock periodicals by which Lennox precluded his greatest undertaking there is a little note headed 'Old Newspapers,' which says : 'Many people take newspapers, but few preserve them ; yet the most interesting reading imaginable is a file of old newspapers. It brings up the very age, with all its bustle and everyday affairs, and marks its genius and its spirit more than the most laboured description of the historian. Who can take up a paper dated half-a-century ago without thoughts akin to those with which Hamlet examined the skull of Yorick—remembering that almost every name there printed is now cut upon a tombstone at the head of an epitaph ?' What a pity some of the readers did not take this message to heart. Had they done so the task of the biographer would have been greatly lightened. There is no complete set of any of Lennox's publications in existence: some of them are known only by references in examples of the publications that have been preserved. Thus, all we know of his first ventures in Greenock is derived from one of his periodicals named 'Nothing.' An introductory note in No. 1 (Tuesday, 22nd September, 1846), referring to 'our own exertions,' says : 'In 1839 feeble, ill-directed, and badly-managed attempts were made to bring out two periodicals, 'The Truth Teller' and 'The Story Teller,' and both were abandoned after some loss had been attained. The earlier terminated with No. 3 ; the subsequent one reached eight numbers ; but neither of them aimed at originality, and though the selections were generally good, and sometimes racy, yet having no peculiar attraction, no distinguishing character to secure a preference over other long-established and cheaper rivals, they necessarily had but moderate support. We blame ourselves only for the unfortunate result, for experience proves that the public are not indifferent to merit, and do not grudgingly refuse recompense to literary labour properly directed.' The failure thus candidly confessed left Lennox 'somewhat dispirited, but

not quite subdued.' Nevertheless it was half-a-dozen years later ere he mustered up courage to put forth another unstamped periodical.

Collet, in his *History of the Taxes on Knowledge: Their Origin and Repeal*, asserts that one of the schemes of the Repeal Association had for its object the evasion of the provision of the Act of 1820, which enacted that a monthly paper, to be free of tax, must be published at an interval of not less than twenty-six days—on one of the first three or last two days of the month. Had the Inland Revenue authorities not persistently winked at all evasions and defiances of the newspaper stamp duties, unless and until these were forced upon them by informations, the method proposed could not be characterised as other than stupid and impracticable.¹ It was to issue the same paper with a different title on each of the four weeks of the month, so that while in reality the four constituted a weekly newspaper, the same title recurred only once a month. In 1852, Collet states, the *Dunfermline News* combined with its local contemporaries to break the law in this fashion²; but John Lennox had put the same plan in practice at Greenock seven years earlier.

The scheme, of course, was illegal, as Lennox came to recognise later on, though he tried it for some months. He was not its inventor; that credit belonged to Maxwell Dick,³ who, as

¹ If the Exchequer lost but little through the non-payment of the Stamp Duty, it allowed immense sums to go by default in the form of fines. The possession of unstamped newspapers involved a fine of £20 per copy; and G. J. Holyoake states, in his introduction to Collet's book, that the Inland Revenue authorities bought six copies of every issue of two of his papers, so that he incurred fines of £120 before breakfast, and when the last warrant was issued against him he was indebted to the Crown to the extent of £600,000. On another of his papers, *The Reasoner*, he incurred for twelve years fines of £40,000 per week.

² Dr. Erskine Beveridge does not seem to have seen the purpose of the arrangement, which he chronicles as follows: 'In 1853 four newspapers were regularly published in Dunfermline. The following 'notice' appears in the *Dunfermline Journal*, 28th October of that year: 'The Proprietors of the *Dunfermline Newspapers* have agreed to publish as follows in future—The *Chronicle* on the first, the *Advertiser* on the second, and the *Journal* on the fourth or last Friday of each month. The third Friday has been offered to the *News*. By this arrangement *Dunfermline* will have a paper weekly for one penny, with the exception of four weeks in the year; and the public will be able to ascertain, without any trouble, what paper will be published every week.'—*A Bibliography of Works relating to Dunfermline and the West of Fife*. By Erskine Beveridge, 1901, p. 110.

³ Maxwell Dick, of Irvine, is known to Burns students as the publisher of facsimiles of manuscripts of the poet in the possession of the Irvine Burns Club, the Zeitter engraving of Alexander Nasmyth's bust portrait of Burns, and of other

Lennox states in his *News-Clout* of 24th April, 1850, made the first of various experiments to establish weekly newspapers under the guise of being monthly. Dick, he asserts, 'obtained more credit for his contrivance than he deserved, for unquestionably, though with obscure and clumsy phraseology, the enactment was quite sufficient to effect its object, the suppression of any article whatever which the authorities chose to annihilate.' Lennox must have believed in the practicability of the scheme in 1845, for it was in that year he began publication of periodicals in accordance with its plans. *Young Greenock* (a small folio printed in double column) came first: No. 1 appeared on 3rd March, 1845, and till June it appeared once a month. In a collection of Lennox's publications that I have been permitted to examine—the collection is too incomplete to be termed a file—No. 1 of *Young Greenock* is followed by mutilated parts of pages 3 and 4 of another paper uniform in size and style with *Young Greenock*, but without any clue to its title. No. 2 of *Young Greenock* appeared on Thursday, 3rd April, 1845, and on Saturday, 12th April, was followed by *The Second Precursor*; on Friday, 25th April, by *Sam Slick*. No. 3 of *Young Greenock* (Saturday, 3rd May, 1845) has a letter addressed to the Editor of *Quilp's Album* (another of the weekly issues which in the collection we do not meet till a later date) and another addressed to Mr. Slick. Further evidence of the identity and continuity of the publications is found in *The Ventilator*, which is the issue of the following week, for here again is a letter addressed to the Editor of *Young Greenock*. It is unnecessary to multiply the proofs of identity: they abound in almost every number, however it may be designated. No. 4 of *Young Greenock* is followed in this collection by No. 2 of *Sam Slick*, and then we come upon No. 3 of *Quilp's Album* (28th June), 'published on the penultimate day of every month.' In it is this notice: 'We understand that on Thursday first, 3rd July, *Young Greenock* No. 5 will be published. It has

engravings of local interest. Lennox here credits him with being the originator of the weekly-monthly form of evasion; but no copy of any of the issues seems to have survived till to-day. What looks like corroboration of Dick's having published a weekly newspaper with a variable title is furnished by the records of the Irvine Burns Club, of which in 1826 he was one of the founders. On January 18, 1827, the club resolved to advertise its first anniversary celebration in the first Irvine newspaper issued previous to the 25th of that month. The name of the paper in which the advertisement appeared was the *Irvine Journal*; but the club's resolution seems to suggest that the title of next week's local newspaper was a matter of conjecture in the Irvine of 1827.

been told us also that its contents are to be of such a spicy character as will render Lazenby's pickles a supererogatory beverage at some of the daintiest tables about town.' The next complete copy is No. 7 (Saturday, 12th July); but it can safely be assumed that the spiciness was political or personal, as in every number of the publications. Personalities were freely bandied, and almost every number reeked of libel. The outstanding feature of the publications was their reports of the police court proceedings, written with a crude raciness that spared not the demeanour, the physical appearance, or the apparel of the culprits. There seems reason to believe that this was a part of the owner's deliberate policy of reform—particularly temperance reform—the prisoners at the bar being held up as terrible examples of the effects of the drinking customs of the day. Municipal politics also provided a good deal of 'spice.'

The first hint of trouble from the Revenue authorities comes in the form of an 'editorial address' in the issue for Saturday, 9th August, of *Young Greenock*, which was now being issued weekly. This is its burden: 'It is a disagreeable circumstance connected with the publication of *Young Greenock* that by ceasing to be issued only upon any of the last two or first three days of the month, it has become illegal; thus affording an illustration similar to which the legislative system furnishes too many, that what may be highly moral and praiseworthy is by Act of Parliament turned into criminality. The 60th George III. cap. 9 enacts that 'all pamphlets and papers containing any public news, intelligence, or occurrences, or any remarks or observations thereon, or upon any matters in Church or State, printed for sale, and published periodically, or in parts or numbers at intervals not exceeding 26 days,' and sold for less than 6d., and not exceeding two sheets of printed paper, each sheet being 21 inches in length and 17 in breadth, shall be liable to stamp duty, and treated in all respects as newspapers.

'It is known to every person at all acquainted with the politics of 1819 that this Act, one of the famous measures commonly called the 'Six Acts,' was passed immediately subsequently to the Manchester Massacre by the tyrannical Castlereagh administration, though opposed by Earl Grey, the leading Whigs, and all men of enlightened opinions—the object of these Acts unquestionably being to aid in the suppression of liberal principles. It is a remarkable fact that when in power the Whigs resisted their repeal; and though these Acts have not recently been

enforced, yet the most noted examples of their severe application occurred under a Whig Government.¹

'*Punch* violates the law with impunity. *Young Greenock*, more sober and less influential, hopes equally to escape the fangs of the Stamp Office. It has been a matter of serious consideration whether to avoid all risks *Young Greenock*, having now reached a purely local circulation of upwards of 500, should not be issued gratuitously, so as to become perfectly independent of official caprice, trusting to public support in another way. Meanwhile *Young Greenock* surely indulges in no unreasonable hope that so long as *Punch*, *Joe Miller*, etc., are permitted to enlighten the great world, an extinguisher will not be placed upon their less ambitious local contemporary.'

The suggestion of gratuitous distribution does not seem, on further consideration, to have commended itself to the proprietor of *Young Greenock*, for the next complete number in the file (August 30, 1845), as well as all its successors in the First Series, is marked 'Price One Penny.' This issue has a quizzical article headed 'Who is *Young Greenock*?' in which, after enumerating a series of typical citizens as representing the paper, it is stated: 'In short, our name is Legion, yet are we—Nobody.' The energies of the Editor, or of his contributors, began to be so assiduously employed that even a weekly issue did not suffice to hold their writings, so on Wednesday, 12th November, a special mid-weekly number was issued. But trouble was again at hand. What would have been the ordinary issue for Saturday, 13th December, 1845, begins its first page thus:

'IMPORTANT NOTICE.—The Publisher has received, a few minutes ago, instructions through the Court of Exchequer that *Young Greenock* is ILLEGAL. He humbly bows to the Law, and discontinues it. Let not our friends and supporters be uneasy, however. THE SPIRIT IS NOT DEAD. Arrangements are to be

¹Lennox is frequently bitterly sarcastic about the difference between the professions of the Whigs in opposition and the practice of the Whigs in power, as thus: 'Such a periodical as *Young Greenock*, issued on the last two or first three days of every calendar month, was perfectly legal under the Castlereagh Liverpool Peterloo Government, the rampant Toryism of 1820, but fifteen years later a Reforming Whig Ministry, a Reformed House of Commons exempt from the corrupt influences of Schedule A and B, with a 'Friend of the People,' Earl Grey, at the helm, repealed the small Tory fragment of the Liberty of the Press; and every PIECE OF PRINTED PAPER containing News, Intelligence, Events, or occurrences, or any remarks or observations thereon, or any matters in Church or State, WHETHER A PERIODICAL OR NOT, became illegal.'—*News-Clout*, No. 29.

instantaneously entered into, to secure a regular Publication, in strict accordance with the Letter of the Law. Particulars will be Published EARLY NEXT WEEK.'

Then follows the heading 'Young Greenock's Ghost!' supported by all the reading matter that had been prepared for the journal that was now in a state of trance. The Editor managed, probably a week later, to get out another number, on the first page of which we read :

'YOUNG GREENOCK

having been suppressed by the Stamp Office, acting upon an information, its Editor, Jacob Faithful, now issues this address to the sensible and honest patrons of the Defunct Publication. When I undertook the management of *Young Greenock*, the object, as stated to me by the Publisher, was 'to hold the mirror up to Nature and show the very age and body o' the time his form and pressure'—to make the dissemination of Truth, fearlessly and freely, without stint or partiality, on all subjects and in relation to all parties and individuals, the standard rule of conduct. How far and with what degree of ability this has been effected, you of course are the best judges. . . . Jacob Faithful is re-engaged to superintend the new Periodical, which will appear on Tuesday, 30th December, and which will, in strict accordance with the letter of the Act of Parliament, be devoted to 'Public News, Intelligence, and Occurrences, matters in Church and State, Remarks and Observations thereon,' Police and Civil Affairs, Local Events, Advertisements and Correspondence. On Saturday, the 27th, he is also engaged to supply another Periodical, in which no 'Public News, Intelligence, or Occurrences, or any Remarks or observations thereon' can BY LAW be published. To establish a Journal containing no Intelligence may appear rather a difficulty; but we shall manage to get over it, and pledge ourselves that sufficient pungency and general interest will characterise our efforts as will make our periodical what those preceding it were—A *sine qua non* to every true Greenockian. . . .'

How far 'Jacob Faithful' kept his promise to continue to issue periodicals the collection does not enable us to say, for, though an extract from *Quilp's Budget* of October, 1846, is quoted in *The Elector*, No. 6, October, 1847, the next paper in the collection is No. 9 of a new series, headed *Young Greenock, or the Local Charivari*; and it is dated 3rd August, 1847. There are other odd numbers of publications variously named,

and then on Wednesday, 7th February, 1849, some further light on the various Lennox publications comes to us from the first number of the *Greenock News-Clout*, which introduces itself in this way :

The Greenock News-Clout.

An unstamped periodical, designed as a legal successor to Young Greenock, Aurora, and Quilp's Budget, all declared by the Solicitor of Stamps to be illegal, and against the first an Information is now pending in the Court of Exchequer.

Printed and Published at No. 35 Vennel (corner of Upper Charles Street), also Published at No. 19 Hamilton Street, Greenock, by John Lennox, residing there.

No. 1. *Wednesday, 7th February, 1849.* PRICE TWO PENCE.

Following two quotations designed to indicate the editor's method of dealing with public matters comes an address, headed

'The Greenock News-Clout.

'In this country (it says) notwithstanding the popular boast, the Liberty of the Press is a sham. It exists only on sufferance. It is tolerated by Government, but has not so sure a foundation as even that Act which gives Toleration to religious dissenters. The existence of a certain amount of freedom is merely permissive. It is allowed as a privilege, but is contrary to express statute law.

'Previous to 1820, a greater latitude was given to printing and publishing. Though there were in force between twenty and thirty Acts of Parliament relating and regulating the Press, these chiefly applied to newspapers, and had an especial regard to revenue. In that year, on the assembling of Parliament, shortly after the Manchester Massacre, Lord Castlereagh, in order to get rid of Cobbett, and a host of other political writers, who issued an immense quantity of cheap publications, all hostile to the Government, introduced a Bill, which was rapidly passed into law, and became popularly known as the Gagging Act. It was one of the Six Acts infamous as the most direct infraction of public liberty that had occurred for upwards of a century.

'This Act created a monopoly in favour of the Stamped Press, for which its proprietors have generally shown their gratitude by preserving a degree of silence little in accordance with those

pretensions in favour of popular rights, of Parliamentary and financial reform, so much the staple of their leaders. It limited the right of publishing pamphlets or papers containing 'news, events, occurrences, or intelligence, or any Remarks or Observations thereon, or any matter in Church or State,' to once in a period of less than 26 days, and circumscribed further the days of issue to the first day of the month, or within two days before or after. The effect of this careful speciality was that, if a number appeared upon the 3rd day of February the subsequent number could not be issued till the 2nd March, because 26 days must always have intervened, so that the choice of the last two days and first three of a month was liable to considerable limitation. Still there was an acknowledged legal right to publish any political pamphlet or newspaper once a month; and, as the words 'for sale' were specially enacted, gratis issues might be made every day.

'Lord Chief Justice Denham, who was then a member of the House of Commons, expressed very strongly his sentiment upon the Act, commonly called the Trash Act. His words were 'that if this bill passed into law, the liberty of England would no longer exist.' Several others in forcible language deprecated the measure; and the Whig party generally opposed it as an intolerable outrage upon the Constitution.

'The immediate result was the almost entire suppression of every political paper except that of Cobbett, which was raised to 6d. in price, and enlarged to 36 pages 8vo., the size prescribed by the new law, which still permitted papers of that value, if containing more than 714 inches superficial measure, to be issued weekly, or even daily.

'Subsequently, however, many publishers, both in London and the country, attempted boldly to defy the law, so that the unstamped press in its extent became truly formidable to the stamped. The Government seized the presses and papers, and brought to trial by jury several parties who had been foremost in their opposition. The cases of Cleave, Hetherington, etc., must be fresh in the recollection of all who know ought upon the subject. A general cry for the Repeal of the Newspaper Tax—the Tax upon Knowledge—then was raised; and the Reform Government was induced to promise a great and comprehensive measure, which ended in the enactment of 6 and 7 William IV., cap 76—the present law. This Act was proposed by Spring Rice, then Chancellor of the Exchequer, now Lord

Monteagle, in the Premiership of Lord Melbourne, who in his reply to a deputation of members of the House of Commons, declared 'that he should be committing an injustice against his own judgment and feelings if he did not distinctly acknowledge that the financial part of the question was the least important part of the subject.' Hence the duty of 4d. was reduced to one penny, and the securities, which gave to the capitalists the control over the press, remained as under the heavier duties.

'In 1845, when the first series of *Young Greenock* was commenced, we were aware of the legal prohibition of other than monthly publications, and of the restrictions to particular days; but observing that the Stamp Office had ceased to enforce the Act, we, in imitation of Chambers, Punch, Penny Satirist, etc., started a more frequent, and latterly a weekly issue. In December we were summoned before the Court of Exchequer, upon information, and fined in £100, which fine was ultimately remitted by the Treasury upon our paying the expenses of both parties, Victoria and Lennox.

'Observing no movement on the part of authorities to check, curb, restrain, or annihilate the unstamped, and meantime a Whig Ministry having supplanted Sir Robert Peel,¹ we were under the impression that their professed liberality, their hatred of Gagging Bills, was not feigned—not a trick employed to court popularity—resolved to publish again; but not being over confident of the reality of Whig professions, and not doubting that we were acting upon safe conceptions of the law, *Young Greenock* never appeared except on the beginning of a month, and often after the lapse of two or more months. The last issue of the Second Series, that which contained the article, 'Should John Thomson be put to death?' was a second month issue, and yet immediately thereafter we were ordered to appear on the 15th January in the Court of Exchequer, under penalty of £100, to answer for its publication.

'The Whig Act of 1836 re-enacts in the Schedule to the first clause those obnoxious regulations which that party opposed in 1820, while, by omitting the words 'for sale,' and by adding what we shall immediately quote, anything like an unshackled press is extinguished. These words are descriptive of what is

¹ Sir Robert Peel's Government resigned on 28th June, 1846, and was succeeded by the Whig Administration of Lord John Russell, which held office till 1852.

legally a newspaper, chargeable with duty, and liable to all the restraints and obligations of Bonds, Securities, etc., as imposed by 24 different Acts of Parliament. These words declare a newspaper to be 'any paper containing public news, intelligence, or occurrences, printed in any part of the United Kingdom to be dispersed and made public.' This we were aware was in the schedule, but being immediately followed by three long descriptive paragraphs we believe these limited the meaning, for upon the supposition that they do not they are plainly supererogatory, and the words above quoted are sufficient not only to suppress every existing small periodical, but even the larger magazines, and, unquestionably, every common handbill or circular, provided a 'respectable informer' can be had and a liberty-loving Whig Government ready to act upon the information.

'We doubt, however, if an intelligent Edinburgh jury will find that the Liberty of the Press is mere humbug, and that the 22 words added to Castlereagh's infamous Gagging Act are to be used whenever local parties can influence an official to prosecute for the publication of truths which are to them disagreeable. To try the question we have had offers of pecuniary aid and professional talent, and it is therefore probable that the Greenock worthy who has thus displayed such zeal in the suppression of truth may yet be placed in the witness-box 'to tell the truth, the whole truth, and nothing but the truth,' so far as it may be asked.

'What may have been the intention of the proposer of this obnoxious law we know not, but the continued reference to paper, papers, and sheets of paper implies that news printed on any other substance is legal, and hence from and after this date, we propose to issue the *Greenock News-Clout*.

'Some of our contemporaries may laugh at our efforts to promote British Cotton Manufactures and Greenock intelligence, and ridicule our clout as a mere 'Dishclout,' but we hope by its instrumentality to bring the Question of Taxes upon Knowledge to an issue; and prove that the meetings held here in 1836 against the Whig Stamp Act were wise and sensible proceedings.'

From the heading of this calico journal—whose definitely avowed purpose was 'to bring the question of Taxes upon Knowledge to an issue'—we learn that *Young Greenock* had been repeatedly in trouble with the Revenue authorities, and that the *Aurora*, which appears to have entirely vanished, and *Quilp's*

Budget had also been declared illegal—probably with a monetary penalty attached to each declaration. As for the *News-Clout* itself, its hope for immunity was avowedly based on the enduring material on which the journal was printed. No Act provided for the taxation of news printed on cotton: such a method of evasion had not entered into the calculations of any of those who set themselves to forge fetters for the press; and events show that the hope of immunity entertained by the publisher was sufficiently well grounded to prevent trouble. There are in the bound collection nine numbers of the *News-Clout*, the first being No. 1, and the latest (misplaced) No. 35. Other six numbers are known to exist in various hands. In No. 33 the heading is set in a new form and couched in new diction. Instead of being described as ‘an unstamped periodical, designed as a legal successor’ to the publications already named, the *News-Clout* is now definitely ‘an unstamped periodical, legal successor’ to these journals.

Perhaps the issues intervening between Nos. 29 and 33, if they were found, might show whether this bold declaration arose from long immunity or from an action in the law courts in which a verdict was given in favour of the journal in respect of the material on which it was printed. There is no evidence that the second of these alternatives was put to the test. There is no record in the law reports of any of the fairly numerous actions in which John Lennox was involved. In the prosecutions of *Young Greenock* and its other paper congeners this is merely in accordance with the principles on which the law reports have been prepared. Unless some interesting legal point arose no notice was taken of the case; and in prosecutions under the Stamp Duties Acts the laws of evidence as to the identity of printer and publisher permitted of little opportunity for raising matters of legal interest or importance. But such a proceeding as the printing of a periodical upon cotton cloth instead of upon paper raised in a vital form the legality or illegality of the *News-Clout's* existence; and if the question had gone to a decision must have demanded the attention of the law reporters. No trace of an action against the *News-Clout* has been found in the reports; and neither the representatives of the Exchequer nor those of the Inland Revenue in Edinburgh have come upon any record of such a case. A presumption therefore might be that long immunity had emboldened John Lennox to claim that its issue was legal.

But another explanation is possible, and it might be established

if we could find the issues of the *News-Clout* between Nos. 29 and 33. It concerns MacLeod's reference to the mention of the periodical in Parliament. On Thursday, April 16, 1850, Mr. Milner Gibson, the member for Manchester, brought forward in the House of Commons a motion calling for such financial arrangements as would enable Parliament to repeal the Excise duty on paper. In the course of his speech Mr. Gibson indicated that he had in view also the repeal of the Newspaper Stamp Duty and the Duty on Newspaper Advertisements. In citing instances of the harsh operation of the Stamp Duty, he said :

'There was another man prosecuted at Greenock, who had found a very ingenious way of evading the claims of the Stamp Office. This person had written a letter to him, dated the 13th of March, 1850 :—

'Greenock, Wednesday, March 13th, 1850.

'Sir,—I sent you per post yesterday, one each, periodicals on paper and cloth. The former was abandoned in consequence of an Exchequer process ; the latter is still continued, and No. 27 will appear to-night. The prosecution was for breach of the last Act, restraining liberty of the press. In it every paper is held to be a newspaper which contains 'news, events, intelligence, or occurrences, or any remarks or observations thereon, or on any matters in Church or State.' On the proposal of this measure Mr. Wakley sounded a proper alarm to no purpose, as the public were ignorant and lukewarm, and 'the best possible instructors,' the stamped press, from interested motives favourable to the destructive Bill. Chambers' Journal, Hogg's Instructor; in truth, every publication less in size than 2½ sheets demy, or sold for less in size [price] than 6d., is illegal. The law is rarely enforced, yet some articles of mine gave offence to 'a little brief authority' here, I was served with a 'Victoria greeting,' &c., and fined for five numbers £20 each. In January, 1849, a second attempt was made to put my brochure down; but having studied this oppressive Act, I observed that as cloth was not proscribed, I might adopt it instead of paper, save the penny stamp, and escape the bonds, &c., to which newspapers are liable. I, therefore, in conformity with law, use an inferior and more expensive medium for the diffusion of knowledge; but I hope you will see the utility of exposing the anomaly, that while others all over the kingdom, or queendom, safely despise or set at naught the

law, I am compelled to respect it in an absurdity.—I am, Sir, your obedient servant,

‘JOHN LENNOX, printer, newsagent, &c.’

‘In another letter, which he (Mr. Gibson) had only received by that day’s post, the writer mentioned, what it was quite right should be known, that after an appeal to the Treasury the fine had been remitted ; but he was still in the position of not being permitted to publish on paper without a stamp certain general observations on public events apart from any systematic record of facts. He is not even permitted to ‘savour’ with intelligence, which is graciously conceded to the *Norwich Reformer*. He should mention that in harmony with his altered material he had altered the name of his journal, and now called it the *Greenock News-Clout*.’

Mr. Milner Gibson’s motion was defeated by 190 votes to 89. Disraeli voted in the minority.¹

It was in the nature of things that Lennox should make the discussion in Parliament the occasion of a long article in his next number. Like others that had gone before, the article rehearses the history of the taxes during the nineteenth century and his own enterprises in opposition to them. In bringing the story down to date it tells of Lennox’s second appearance before the Court of Exchequer, this time on account of the article headed ‘Should John Thomson be put to Death?’ This article, ‘in December, 1848, brought from Edinburgh to Greenock a second ‘Victoria greeting,’ etc. The publisher appeared in January [1849] at the Exchequer Court, entered his name in the Remembrancer’s Book, came home after finding that only by arousing public opinion by a jury trial could there be any hope of getting the obnoxious law amended or, by obtaining an acquittal, be enabled to continue the publication. The law was then again carefully studied, and as the fabric cloth seemed not forbidden by the thirty or forty Acts, which furnish about a week’s reading not of an amusing though of a peculiarly instructive character, the *Clout* instantly made its appearance, and has attracted some considerable notice in Scotland, nay even in Calcutta, Buffalo, U.S., and in the last been exhibited in the British Parliament, and duly noticed in the report of the very effective speech of the member for Manchester.’

¹ Hansard’s *Parliamentary Debates*. Third Series. 13 Victoria, vol. cx, from April 8th to May 13th, 1850, cols. 361-422.

The article, which extends to seven columns of the *Clout*, concludes with the statement that laudatory letters have reached the editor from several places in England, including London, and that 'from these we ascertain that it is not unlikely that *Clouts* will forthwith appear even where the stamped press never had an existence. We wish them every success, and hope that they may become a means of directing public opinion to the injustice of the present law regarding the education of the people in its most important phases.' So far, however, I have not been able to trace any record of another calico periodical either in Scotland or in England; nor to find any reason why Lennox changed the title of his publication from 'designed as legal successor' to the forthright 'legal successor' to the paper publications.

How long John Lennox continued to print the *News-Clout* there is no evidence, nor do we know what cause—financial embarrassment, physical depression, weariness of spirit: it may have been any or all of these—led to its discontinuance after the confident note of success struck in the later form of the heading of the periodical. No. 35, the latest issue in our file, is dated 30th November, 1850. But the propaganda of which Lennox was the instrument in Greenock still persisted if in less imposing form. There are included in the collection copies of *Young Greenock*, Fourth Series, No. 12 (1st October, 1851), sold at one halfpenny, and No. 16 (18th October, 1851), sold at a penny. They are single sheets, 15 inches in length by 6 inches in breadth, printed in double column on both sides of the paper, and still bearing the imprint of John Lennox. In the first of these there is a little homily on 'Cheap Newspapers' apropos of the receipt of a recent number of the *Baltimore Clipper*, of 24 columns, with 24,000 of a daily circulation at one halfpenny. So far as our collection is concerned, the rest is silence.

But at this time the hardly won and slowly achieved emancipation was at hand. Twenty-one months after the date of his last recorded periodical, and three months before Lennox's death, the Advertisement Duty was repealed in 1853. The Stamp Duty on Newspapers was removed on June 15th, 1855. The Paper Duty died a lingering death on October 1st, 1861. The last and most exasperating of all the 'intellectual toll-bars,' as one of Lennox's correspondents preferred to call the Taxes on Knowledge—that which required security for good behaviour from all publishers of newspapers—was abolished on 12th July, 1869.

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Many men and many causes combined to bring about the emancipation of the Press by the abolition of the Taxes on Knowledge. In the fight for the removal of these taxes John Lennox bore a sturdy part: he showed courage, perseverance, and invention, for his calico periodical stands without its counterpart in the history of the struggle against the Taxes on Knowledge. The pity of it is that we know so little of the man and his work: that even his name is forgotten in the two communities in which he so nobly battled for the political rights of his countrymen.

WILLIAM STEWART.