

# Ladies of the Covenant

## Mrs. John Livingstone. &c.

MRS. LIVINGSTONE, whose maiden name was Janet Fleming was the eldest daughter of Bartholomew Fleming, merchant in Edinburgh, by his wife Marion Hamilton. She was married, June 23, 1635, to the famous Mr. John Livingstone, afterwards minister of Ancrum, by his father, in the West church of Edinburgh. [*Livingstone's Life Written by Himself.*] In the following notices respecting this lady, it is not our intention to trace the whole of her history, but merely to select a single chapter from her life, relating to matters which fell out in the year 1674, when she was considerably advanced in years. Previous to this period, she had experienced many vicissitudes and trials, having shared in the hardships endured by Mr. Livingstone, in the cause of nonconformity, both in Ireland and in Scotland; and when, on his being banished his Majesty's dominions, by the privy council, for his fidelity to the same cause, he had embarked for Holland, in the beginning of April, 1663, she followed him in December that year, taking with her two of her children, and leaving the other five in Scotland. She remained in Holland till the death of Mr. Livingstone, which took place in August, 1672, when she returned to Scotland. Mr. Robert M'Ward, writing from Rotterdam to Lady Kenmure, says, "Madam, it's like you will look for some account of the death of that great man of God, non-such Mr. Livingstone, which I would have given you, but your ladyship will have it more perfectly from his worthy relict, by whom you will be waited upon." [*Wodrow MSS., vol. lviii., folio, no. 55.*] On her return to Scotland, she took up her residence in Edinburgh, where two of her sons were resident. It was within less than two years after her return that she, and several other Presbyterian ladies were concerned in those transactions which we now purpose to rehearse. Our narrative relates to a petition which she and these ladies drew up and presented to the lords of his majesty's privy council, praying for liberty to enjoy undisturbed the preaching of the gospel by the nonconforming ministers; and to the proceedings of the privy council against these ladies on that account. This will furnish a good illustration of the patriotic interest taken by the ladies of that period in the cause of suffering nonconformity, as well as of the determination of the government to ride rough-shod over every attempt to obtain a mitigation or redress of grievances.

The state of matters in which this petition originated, may be briefly described. For about three months in the early part of the year 1674, an almost entire cessation from persecution took place. During this respite, which was called "the Blink," the proscribed ministers, fearing that it would be of short duration, preached both in private houses, and in the fields, with unremitting and ardent zeal. In the west, field meetings were not of very frequent occurrence, the indulgence of 1672, which extended chiefly to that part of the country, rendering such meetings unnecessary; but in Fifeshire, Perthshire, Stirlingshire, Dumbartonshire, Lothian, Merse, Teviotdale, Annandale, Nithsdale, and other places, to which the indulgence did not extend, or where it was more limited in its operation, they were very frequently held in mountains, mosses and moors, and attended by immense multitudes. This liberty was owing not to any change in the spirit or policy of the government, but solely to political causes, among which the chief cause was the animosities then existing between the different parties of statesmen. Lauderdale, who had now for a considerable time been a privy counsellor in England, and the chief manager of affairs in Scotland, had, by his intolerable arrogance, and more especially by his violent and tyrannical administration, created, a powerful opposition against him, both in England and in Scotland. So strong was the faction against him in Scotland, which was headed by the Duke of Hamilton, that when he came down as his majesty's commissioner to hold the Scottish parliament, which was to meet in March, 1674, finding it would be difficult or impossible for him to maintain his ground in it, he adjourned it to October, but never after ventured upon another Scottish Parliament. To this state of political parties in Scotland, we are mainly to trace the tranquillity enjoyed during "the Blink." Lauderdale secretly encouraged conventicles, promising the persecuted ministers ample and unrestrained liberty; that he might blame his opponents to the

king, as encouragers of these “seminaries of rebellion;” and on the other hand his opponents connived at such meetings, that they might impute the prevalence of them to him. But matters changed upon a sudden; the tempest of persecution again rose into fury. On his return to London, after the adjournment of the Scottish parliament, Lauderdale, who, notwithstanding the opposition made to him both in England and in Scotland, retained the royal favour, laid the blame of the conventicles held in Scotland upon his opponents. The Scottish privy council was remodelled according to his wishes, the most of his enemies being kept out, and others friendly to him put in their places; and by his advice, letters from the king to the council, followed each other in succession requiring them to adopt every means for suppressing conventicles. On the 4th of June, 1674, when the new council met for the first time, a letter from his majesty, dated May 19th, was read, complaining that not only private, but also field conventicles were held, and that the pulpits of the regular ministers were invaded in some places; and requiring the council to use their utmost endeavors for apprehending and trying field preachers, invaders of pulpits, and such heritors as were ringleaders at field conventicles, and in pulpit invasions, calling in the standing forces and militia to their aid.

Such were the circumstances which gave rise to this petition. Mrs. Livingstone, and a considerable number of other Presbyterian ladies in Edinburgh, especially the wives and widows of ejected nonconforming ministers, and some ladies of rank, were in no small degree distressed at the threatened prospect of renewed and aggravated persecution. Little could they do to prevent the impending calamity. Prayer to God was almost their only remaining resource. But necessity is prolific in suggesting expedients, and it occurred to some of them that, as it was dangerous for ministers to petition the privy council for the redress of their grievances, imprisonment being the only answer likely to be made, they themselves might petition the council for the undisturbed enjoyment of the gospel preached by the nonconforming ministers. Mrs. Livingstone, it is not improbable, was the person by whom this expedient was suggested. Precedents for such a course, of which she was not ignorant, were not wanting in the history of the Church of Scotland in former days. She well knew that such a method had been adopted in similar circumstances, and with perfect success, by a worthy relative of her own, her aunt, Barbara Hamilton, [*Barbara Hamilton was Mrs. Livingstone's mother's sister, and the wife of Mr. John Mein, merchant burghess, Edinburgh. Two of Samuel Rutherford's letters are addressed to this lady. She died in September, 1654; and her husband, Mr. Mein, on the 30th of July that same year. Among the debts owing to them at their decease is, "By my Lady Lorne, xxii lb. By my Lady Kenmure, xii lb. 2 shillings."* Register of Confirmed Testaments in her Majesty's Register House, Edinburgh.] and other religious matrons of Edinburgh. When Robert Blair, and other nonconforming ministers, who had been deposed by the bishops of Ireland for nonconformity, had come over to Scotland in 1637, and when Mr. Blair was threatened with still harsher treatment from the Scottish prelates, these ladies presented to the privy council a petition, praying that he and other ministers similarly situated might have liberty to preach the gospel publicly wherever they were called or had opportunity to do so; and they at once obtained their request.\*

\* “That worthy wife B. H. [Barbara Hamilton] brings to Mr. Blair paper, pen, and ink, saying, ‘Write a supplication to the secret council, and humbly petition them in your own name, and in the name and behalf of others in your condition, for liberty to preach the gospel publicly, wherever ye get a call from honest ministers or people, and we that are wives shall put it in the treasurer’s hand as he goes in to the council.’ Whereunto Mr. Blair condescended, and delivers his supplication, written with his own hand, to her. The first council day immediately following, there convenes a great number of the religious matrons in Edinburgh, drawn up as a guard, from the council house door to the street. They agreed to put the supplication in the hand of the oldest matron, Alison Cockburn, relict of Mr. Archibald Row. When the treasurer, Traquair, perceived the old woman presenting to him a paper, suspecting that it was something that would not relish with the council, he did put her by, and goes quickly from her towards the council house door; which being perceived by Barbara Hamilton, she appears and pulls the paper out of the old weak woman’s hand, and coming up to Traquair, did with her strong arm and big hand fast grip his gardie [i.e. arm] saying, ‘Stand, my Lord, in Christ’s name, I charge you, till I speak to you.’ He, looking back, replies, ‘Good woman, what would you say to me?’ ‘There is,’ said she, ‘a humble supplication of Mr. Blair’s. All that he petitions for is, that he may have liberty to preach the gospel, &c. I charge you to befriend the matter, as you would expect God to befriend you in your distress, and at your death!’ He replied, ‘I shall do my endeavour, and what I can in it.’ Mr. Blair’s supplication was granted by the secret council; and so he had liberty, not only to stay in Scotland, but to preach the gospel to any congregation where he got an orderly call.” (Row’s Life of Robert Blair, pp. 153, 154.) Row adds, “By this narration you may perceive how the Lord, in this time, stirred up and animated the spirits, not only of men, especially of the nobles, who were *magnates et primores regni*, and of the ministers of the gospel, but even of holy and religious women, who, as they first opposed the reading of that black service book, July 23, 1637, so the Lord made them instrumental in many good affairs for the promoting of blessed Reformation.”

Guided by such a laudable example, she and the rest of these ladies made up their mind to make the attempt whatever might be its success; and accordingly, without the aid of any of their ministers, or of any man, they themselves drew up a petition to be presented to the privy council. The manner in which they were to transmit it was somewhat similar to the manner in which Barbara Hamilton and her associates presented their petition to the privy council in behalf of Robert Blair and the other nonconforming ministers of their time. On the morning of the 4th of June, the day on which the first meeting of the new council was to be held, all the ladies friendly to the petition were to assemble in the Parliament Close, some time before the members of council came up to the meeting. Mrs. Livingstone, in consideration either of her advanced years, or of her superior address, or of both, was appointed to present the petition to the Lord Chancellor, the Earl of Rothes, and to request him to transmit it to the council; while fourteen other ladies, mostly ministers' widows, were engaged each to present a copy to some one of the principal counsellors, as they came up to the council house.

According to this arrangement, a large number of ladies [*The number, according to Row, was 109 (Life of Robert Blair, p. 539;)* but, as according to Kirkton, they "filled the whole Parliament Close," the number must have been much greater. *History of the Kirk of Scotland, p. 345.*] convened in the Parliament Close on the morning of the 4th of June, waiting the arrival of the counsellors. At length the chancellor's coach comes up first; and when he and Archbishop Sharp, who had been riding with him in the coach, alighted, Mrs. Livingstone was ready to accost him, and the crowd, eager to witness the scene, gathered to the spot. Sharp, who seems to have known nothing of the matter beforehand, seized with a guilty terror, kept close to the chancellor's back, [*"When the counsellors came out of their coaches, Sharp (who was as flyed as a fox) clave close to the chancellor's back."* - *Row's Life of Robert Blair, p. 539.*] imagining, as was not unnatural for a man to do who had now spent many years in persecuting his old friends, the Presbyterians, and who had incurred very general odium, that the object of these ladies, whom he had often maligned as fanatics, and even by still worse names, \*\* was to murder him. \*\* Female Presbyterians were the objects of Sharp's peculiar hatred. When, in 1664, the privy council confined William Gordon of Earlston to the town of Edinburgh for keeping conventicles and, not attending his own parish church, Sharp, who had been at St. Andrews, on hearing of this on his arrival in Edinburgh, "did challenge the chancellor for remissness, and not executing the laws against delinquents, and, in particular, for confining of Earlston to Edinburgh, alleging it had been better to send him to his own house in Galloway than to detain him among the fanatic wives of Edinburgh." The consequence was that Earlston was banished, out of Scotland. (*Row's Life of Robert Blair, p. 464.*) Even in his public sermons Sharp could not refrain from giving expression to his malignant hatred of Presbyterian women. In his opening discourse, at one of his diocesan synods at St. Andrews, he indulged in a strain of vehement invective "against the unconform honest people, especially against women, whom he called 'she zealots,' 'Satanesses.'" *Ibid., p. 523.*



Mrs. Livingstone presenting the Petition to Lord-Chancellor Rothes.

But his alarm was groundless; for though some of them, becoming excited at the very sight of the man with whom was associated, in their minds, all the infamy of the traitor and the persecutor, called him Judas and traitor; and one of them, still bolder than the rest, laid her hand upon his neck, and told him that ere all was done that neck would pay for it; there was no intention or attempt to do him any bodily harm. [*Kirkton's History*, pp. 344-346.] While these things are going on, Mrs. Livingstone addressed herself to the Chancellor, informing him of the object of so many females in assembling together, and presenting to him the petition, which she entreated him to lay before the honourable members of his majesty's privy council. The petition is as follows:-

“Unto the Right Honourable the Lords of his Majesty's Privy Council - The Humble Supplication of several Women of the city of Edinburgh, in their own name, and in the name of many who adhere thereto,

“HUMBLY SHOWETH,

“That whereas your petitioners being long deprived of the blessing of a faithful public ministry, and of the purity of worship and ordinances that God hath commanded, and after much sad suffering for attendance thereupon in private; yet for some short while bygone, and in the time when his majesty's commissioner was amongst us, your lordships' petitioners have, without molestation, enjoyed some small liberty by his Majesty's gracious connivance: yet now we are sadly alarmed, that through the malicious and false information given in by some of those who side with and serve the bishops, your lordships may be induced, to the grief of the hearts of many thousands in this land, to trouble the quiet meetings of the Lord's people at his worship.

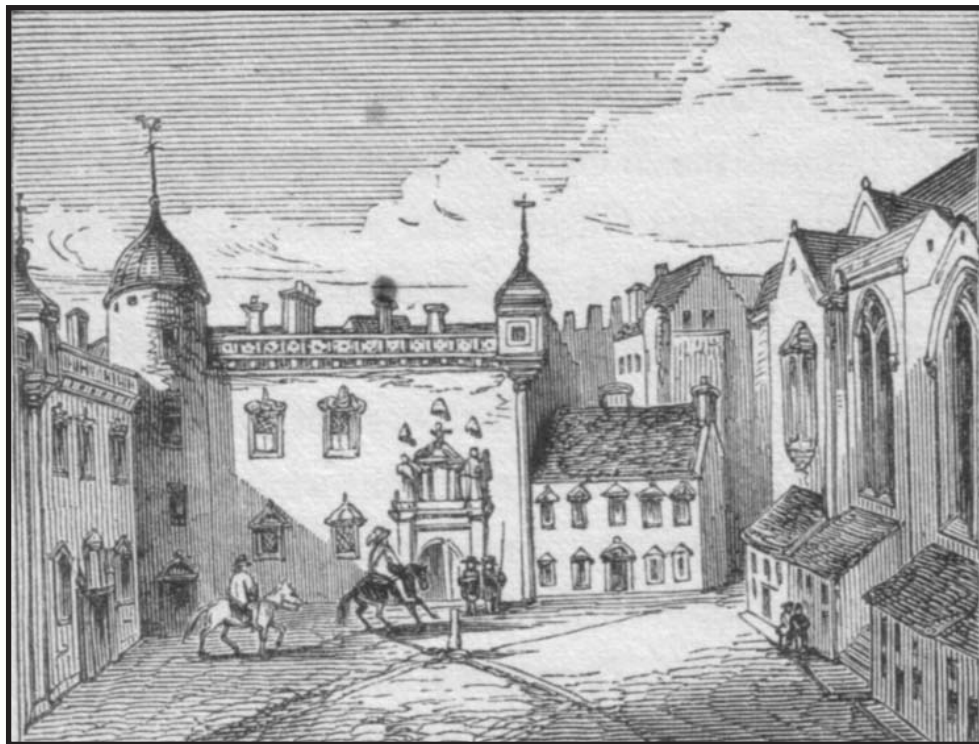
“May it therefore please your lordships to grant such liberty to our honest ministers, that are through the land and in this city, that they may lawfully, and without molestation, exercise their holy function, as the people shall in an orderly way call them; that we may; to the comfort of our souls, enjoy the rich blessing of faithful pastors, and that our pastors may be delivered from any sinful compliance with what is contrary to the known judgment of honest Presbyterians. In doing whereof, your lordships will do good service to God and the king's majesty, and deeply oblige all honest people in the land. And your petitioners shall ever pray,” &c. [*Wodrow's History*, vol. ii., p. 269.]

The Chancellor, respectfully taking off his hat, graciously received the petition from Mrs. Livingstone, and read it on the spot. After he had read it, and had talked a short time with some of the other ladies, jesting with them according to his facetious manner, and apparently pleased with the fright into which Sharp was thrown, Mrs. Livingstone proceeded to address him in support of the petition, “and took hold of his sleeve. He bowed down his head, and listened to hear, (because she spoke well,) even till he came to the council chamber door.” [*Kirkton's History*, pp. 344-346. See also *Wodrow's History*, vol ii., p. 269. Row, in his *Life of Robert Blair*, gives a different account of the chancellor's reception of the ladies' petition. He says that “a grave matron,” namely Mrs. Livingstone, “presented their supplication” to the chancellor; “entreating that he would present it to the council, but the chancellor slighting her, and refusing the supplication, was forced to take it from some others who thrust themselves in betwixt him and the trembling prelate, promising it should be read and considered.” - *Row's Life of Robert Blair*, p. 539.]

The other fourteen ladies, in like manner, presented copies of the petition to other members of the privy council, as they passed to the council chamber. The lady who presented her copy to Lord Stairs, one of the senators of the college of justice - a man who was formerly a zealous Covenanter, but who became in the end a bitter persecutor - found no such kind reception as Mrs. Livingstone met with from the chancellor; for he rudely threw it upon the ground, which made one remind him of his having belonged at one time to the Remonstrators, the strictest sect of the Presbyterians during the commonwealth, and of his having penned the Western Remonstrance, a paper, for adherence to which, Mr. James Guthrie and others suffered to the death. [*Kirkton's History*, pp. 344-346. *Wodrow's History*, vol. ii., p. 269. *Row's Life of Robert Blair*, p. 469.]

In the proceedings of Mrs. Livingstone and her female associates, which we have now narrated, a liberal government would have found little to blame, and no cause whatever for adopting against these ladies legal proceedings. Their intentions were perfectly loyal; their petition in its object was highly reasonable, and though

containing a plain declaration of their principles, was couched in very moderate and respectful language. They assembled in the Parliament Close in the most peaceable manner; and to none of the members of the council, with the exception of Archbishop Sharp, did they offer the slightest disrespect. But their lordships, resolute on putting down all petitioning and representation of grievances, which they well knew to be one of the most effectual safeguards against misgovernment and oppression, arbitrarily pronounced both the meeting and the petition seditious, and proceeded against those concerned in them as guilty of sedition. The counsellors having got into the council house through the crowd, the petition was read. Meanwhile the women were waiting in the Parliament Close for an answer. But there was no intention to grant them their request; and the Lord Provost,



Old Parliament Close, Edinburgh.

with two bailies, were sent out to entreat them peaceably to disperse and retire to their homes; which if they did, he promised to befriend them and their cause, and that their supplication should receive an answer tomorrow. They did as the provost, who spoke to them very discreetly, desired them; the Parliament Close was quickly cleared, and all was again quiet, as if no crowd had assembled. At that meeting of council, all the members were desired to name such ladies as they knew to be among the crowd. A few were named, and they were summoned to compare before the council at their next meeting which was to be held on the 11th of June. A committee was also appointed, to make inquiry into all the circumstances connected with the petition, by whom it was drawn up, and who had presented the different copies to the members of council.\*

\*We have here followed Row, in his *Life of Robert Blair*, p. 539. Wodrow, whose account is different from that of Row, mistakes the proceedings of the privy council on the 11th of June, when a second crowd assembled in the Parliament Close, for their proceedings on the 4th of June, the day on which the first crowd assembled. His narrative relates not, as he supposed, to their proceedings on the 4th of that month, but to their proceedings on the 11th; and we have so introduced it in the following paragraph. (Wodrow's *History*, vol. ii. p. 269.) Wodrow says that the petition was subscribed; but this seems to be incorrect. The privy council, as we shall afterwards see, affirmed that no signatures were appended to it; and there is no reason to call in question the truth of their statement.

On the 11th of June, the ladies summoned, who were about a dozen, made their appearance at the bar of the council. They were desired, previous to their examination, to take the oath usually administered; but this they all refused to do, not judging that they were bound to tell "the whole truth," in reference to the petition. They however declared in answer to questions put to them, that no man had any hand in suggesting it or drawing it up, and that they were moved to the course they had taken by a sense of their starving and perishing condition,

through the want of the gospel, having none to preach to them but ignorant and profane men, whom they could not conscientiously hear. After being examined, they were required to subscribe their depositions; but this also the most of them refused to do. They were then dismissed, and required again to compear before the council in the afternoon; which they did, attended in the Parliament Close by a great multitude, consisting not only of women, but also of men, all resolved to stand by them, and to prevent their being imprisoned. Having been again examined, they were put together into a room; and the provost of Edinburgh was sent out to disperse the crowd. But the crowd peremptorily refused to withdraw till their friends were dismissed, and declared their willingness to share with them in whatever they might suffer. On learning the bold resolution of the multitude without, the council dismissed the ladies who had been at their bar; entreating them to repair peaceably to their homes. [*Row's Life of Robert Blair, p. 539. Wodrow's History, vol. ii., p. 269.*]

But, as if determined by all means, fair or foul, to be avenged on these ladies, who had presumed to arraign the policy of the government, the council dismissed them, not honestly, but with the fraudulent intention of surprising them that night, and carrying them from their beds to prison. This intention, however, being whispered by some counsellors, the honest women left their own houses; so that they all escaped being made prisoners at this time, with the exception of one poor woman, who apprehended no danger. [*Row's Life of Robert Blair, p. 539.*]

This second crowd in the Parliament Close had the effect of still more irritating the privy council, and in their proceedings against the ladies, it formed an additional article in the libel, charging them with sedition. It strengthened their previous purpose, to inflict some exemplary punishment on these female petitioners; a purpose formed with the design of frightening any, whether male or female, from in future making a similar attempt to lay their grievances before the government, and to seek redress. To have granted the prayer of the petition, as they reasoned, would have been to open the sluice to an inundation, which would have overflowed every barrier, putting it beyond their power to hem it in, or to say, Hitherto shalt thou come and no farther.

The proceedings of the privy council against these ladies continued till near the close of the year; and their case formed an article in most of the letters which came from the king to the council during the summer. From the register of the proceedings of the council we learn that, on the 25th of June, several ladies who had refused to depone before the council, or committee of council, respecting the meeting of the 4th of June and the petition, were lying in prison; for, at their meeting of that day, "The lords of his majesty's privy council do recommend to the Earls Marischall, Linlithgow, Caithness, Wigton, and the Lord Register, to meet tomorrow, and to consider any address which shall be made to them by Margaret Johnston, [*Margaret Johnston was a daughter of the celebrated Archibald Johnston, Lord Warriston.*] Lilius Campbell, or any others, who are prisoners in the Tolbooth of Edinburgh, for not deponing before the council, or committee of council; [*That is, for refusing to make their depositions upon oath. In a letter to the Duke of Lauderdale on the 2d of July, the council say, "Inquiry has also been made concerning the petition offered in a tumultuary way by some women, of whom diverse being cited, these appearing, and refusing to give their oaths as to the points interrogated upon, are imprisoned, and certification is granted against such as were absent;" Wodrow's History, vol. ii., p. 241.*] as also to consider any address which shall be made for any persons against whom certification is granted upon that account, with power to them to set the said persons at liberty, or to continue further execution of the certification against them, upon their giving their oaths; and appoint any two of them to be a quorum." [*Register of Acts of Privy.Council.*]

The privy council, who were sufficiently disposed of themselves to deal harshly with the female petitioners, were urged on by the court at London, which was still guided, in the management of Scottish affairs, almost exclusively by the counsel of Lauderdale, the Ahithophel of the court of Charles II, as he was designated by some of the Scottish martyrs. On the 30th of June, the council received a letter from his majesty, dated the 23d of that month, stating that he had received information of "that seditious petition of many women, and of their tumultuous carriage at the delivering of it;" and requiring the council to use their "utmost rigour in finding out and bringing to just judgment the ringleaders of such seditious and insolent practices, and for quelling that

mad spirit.” [Wodrow’s History, vol. ii., p. 238.] To the prosecution against these women, which was severe enough before, this letter gave a new impulse. Their houses were searched night and day; the magistrates of Edinburgh had recourse to every means in order to discover such as were present in the Parliament Close; and some of those who had been present, on being brought before the privy council, and refusing to depone upon oath, were at length denounced. [Row’s Life of Robert Blair, p. 545.]

The case of these ladies again came under the consideration of the council, at their meeting on the 16th of July, when the council “nominate and appoint the Earls Marischall, Caithness, Linlithgow, Wigton, and the Lord Register to meet upon Saturday next, at 3 o’clock, and to consider the condition of these persons imprisoned for being at that tumultuary meeting in the Parliament Close, and to report their opinion concerning them to the council; as also, to examine such of the women as were called and compeared, and were not dismissed by the council, and such others as shall appear before the committee, with power to the committee to imprison such persons as they shall find cause, and to report.” At the same meeting, the “council having considered the petition of Margaret Johnston, prisoner in the Tolbooth of Edinburgh, do ordain the magistrates of Edinburgh to set her at liberty, she first finding sufficient caution to confine herself to a chamber in the town of Edinburgh, and not to remove forth thereof, until the council shall give order anent her, under the pain of five hundred merks.” [Register of Acts of Privy Council.]

Again taking up this case, at their meeting on the 21st of July, the council “ordain and command the committee formerly appointed to examine that tumult of the women in the Parliament Close, to call before them all such persons as have been given up in list already, or against whom they shall have information, or who have been already summoned, as accessory to that tumult, except such as appeared and were dismissed by the council, and to examine them upon their own accession and guiltiness; as also, to examine them upon oath, whom they knew to have accession to the contriving, drawing, or writing of that seditious petition they had amongst them, what persons they saw and knew to be in the Parliament Close upon that account with them, who had the petition in their hands, or offered copies to any of the council, - and if they refuse to depone thereupon, that they forthwith commit the refusers to prison, until the council shall give further order, and Margaret Johnston to be begun with tomorrow; and to report to the council from time to time.” [Register of Acts of Privy Council.]

From this act it appears that the council had not yet discovered that Mrs. Livingstone was the person who presented the petition to the chancellor. But by zealous and unremitting inquiries, they at length succeeded in discovering the names of a considerable number of ladies, who had been present at the “tumultuous convocation;” and no time was lost in acting upon this discovery. Letters were raised against them, at the instance of Sir John Nisbet of Dirleton, his majesty’s advocate, charging them with “seditious and unlawful practices,” for which they “ought to be exemplarily punished, to the terror and example of others to commit and do the like in time coming,” and summoning them to appear before the council personally, on the 30th of July, and answer to the complaint contained in the letters, and hear and see such order taken thereanent, as appertained under the pain of rebellion. The ladies against whom these letters were raised, were the following: - Mrs. Elizabeth Rutherford; Rachel Aird, spouse to William Lorimer, merchant, and Sarah Lorimer her daughter; Catherine Montgomery, relict of Mr. Robert Blair; Barbara Home, spouse to Mr. Robert Lockhart; Isabel Kennedy, spouse to James Clelland; Elizabeth Dalziel, spouse to David Gray; Agnes Henderson, spouse to Robert Simpson; Margaret Dury, spouse to George Dundas, brother to the laird of Dundas; . . . . . [Blank in MS.] sister to Lord Melville; Grissel Durham, relict of Captain Drummond; Mr. George Johnston’s wife; Mrs. Arnot; . . . . . [Blank in MS.] relict of Mr. John Nevay; Sarah Brand, spouse to Alexander Gurshone, merchant in Edinburgh;. . . . . [Blank in MS.] Kerr, Lady Mersington, younger; and Rachel Johnston; Lady Cramond.

It may be interesting to quote at some length, from the letters raised against these ladies, both because they contain the privy council’s account of the meeting in the Parliament Close, and their version of the petition, as well as a statement of the grounds upon which they found both to be seditious. The letters commence with an

enumeration of the acts of parliament, of which the meeting and petition are said to be a violation: - “Making mention that by the laws and acts of this kingdom, it is prohibit and statute, that no man come to any court but in quiet and sober manner, and, all tumultuary convocations, commotions, uproars and gatherings, especially within royal burghs, are prohibit under great and high pains; and by diverse laws and acts of parliament, it is statute, that if any person or persons presume, or take upon hand, privately or publicly to utter by word or write any slanderous speeches to the contempt and reproach of his majesty’s proceedings, or to meddle with the affairs of his highness, and his estate and proceedings, they are to be repute as seditious and wicked persons, enemies to his majesty, and the common weal of the realm and shall be punished with the pains therein contained; and by the second act of the second session of his majesty’s first parliament, it is declared and statute, that if any person or persons shall by writing, libelling or remonstrating, express, publish or declare, any words or sentences to stir up the people to hatred or dislike of his majesty’s royal prerogative, or the government of the church by archbishops and bishops, as it is now settled by law, that every such person or persons so offending, shall be punished in manner and with the pains therein contained, and shall be liable to such farther pains as are due by the law in such; and by the first act of the first session of his majesty’s first parliament, entitled, ‘Anent Separation and Disobedience to Ecclesiastic Authority,’ his majesty did declare, that he expected from all his good and dutiful subjects, a due acknowledgment of, and hearty compliance with, his highness’s government ecclesiastical and civil, as it is now established by law, within this kingdom, and that, in order thereunto, they will give their cheerful concurrence and assistance to such ministers as by public authority are admitted in their several parishes, and that his majesty will and doth account a withdrawing from, and not keeping and joining in, the ordinary meetings for divine worship in the ordinary parishes, to be seditious and of dangerous consequence, and by the said act, the same is punishable with the pains therein contained, and such other corporal punishment as the lords of privy council shall think fit; as also by diverse acts against conventicles, it is statute, that no outed minister not licensed by the council, and no other person not authorized by the bishop of the diocese, shall preach, expound scripture or pray, in any meeting, except in their own houses, and to those of their own family, and that none be present at such meetings, which by the said act are declared to be the ordinary seminaries of rebellion, under the pains therein expressed.” [*Decrees of Privy Council, July 30, 1674.*]

The letters next proceed to give an account of the meeting, and of the petition presented by the ladies. After naming the persons against whom they were raised, [*See their names, above*] they go on to say, that these persons “have, in manifest contempt of his majesty’s authority, presumed to contravene the foresaid laws, and to commit and do the deeds, crimes, and seditious practices above mentioned, in so far as the said persons and their associates and complices, upon the [4th] day of June last, did in a most insolent, seditious, and tumultuary manner gather, convocate, and convene together in the court of his majesty’s parliament house, in such a number and multitude of persons, that the said whole court was filled with women and a disorderly rabble, and the said convocation, commotion, and uproar was not only within the town of Edinburgh, the chief and capital city of the kingdom, and ordinary seat and place of judicature, and specially his highness’s council sitting there for doing of justice and preserving the quiet and peace of the kingdom, and punishing and preventing of tumults; but the said tumultuous convocation was of purpose and of design, because the council was to sit, upon the council day, and immediately before, and at the time of the sitting of his majesty’s said council, and in court and at the very doors of the house where the council did sit, and upon pretence that they came to the council to present a petition. And shaking off all respect to his majesty’s authority, and to the council’s and counsellors’, the said persons and their complices did proceed to so great a height of insolence, that many of the said women did go into, and place themselves on the stair of the council house, and others did stand in the court the way to the said council house; and when the lords of council were coming to the said court, the multitude did so crowd and throng in upon them, that with great difficulty they could go up to the council house; and while they were going through the close and up the stairs of the council house, some of the said women did take hold of some of them, and did give them the double of the petition, which they said they had given in to be presented to the council, and others, amidst the great noise and uproar, did revile and utter injurious speeches against some of his majesty’s counsellors. And the said pretended petitioning, remonstrating, and applica-



tion to his highness's privy council was most disorderly and seditious, and of dangerous example and consequence, as to the manner thereof, so it was also most seditious and scandalous as to the matter, and does contain and import reproaches and reflections upon his majesty's government, and meddling in the affairs of his majesty and his estate, and depraving his highness's laws and misconstruing his proceedings, and libelling and remonstrating seditious words and sentences, to stir up the people to the hatred and dislike of the government of the church by archbishops and bishops as it is now settled by law, in so far as the said petition is in name of several women without naming them, and without their subscriptions, and it is in their own name and in the name of all who will adhere to them, inviting others, and insinuating that they expect they will join with them; and the said petition bears most falsely and most scandalously, that the petitioners had been long deprived of the inestimable blessing of the public worship and ordinances of God, whereas it is notour that his majesty's subjects do enjoy the blessing of the public worship and ordinances of God in great purity and peace, and that there is an orderly ministry, authorized and countenanced and established by law; and the said persons by the petition foresaid do not only acknowledge their unlawful withdrawing from, and not joining with, the ordinary public meetings for divine worship, and their keeping of conventicles, and attendance upon worship in private, contrary to so many laws, but do presume to desire liberty to keep the said private meetings and conventicles prohibited by so many laws, and that outed ministers, whom they call their 'honest ministers,' may be allowed to exercise their function, as the people shall call them thereto, so that they might enjoy the rich blessing of faithful pastors, and that their pastors may be delivered from the sinful compliance of those who are contrary to the known judgment of honest Presbyterians; by all which desires, expressions, and others, in the said petition, the petitioners do scandalously asperse and reflect upon his majesty's government, and in special upon the church, by archbishops and bishops, as it is settled by law, as if outed and disorderly ministers were the only honest ministers, and the people were deprived of the blessing of faithful pastors, because the said outed ministers are not allowed to preach, and as if obedience to the laws and compliance of ministers with his majesty's government ecclesiastical established by law were sinful."

The letters next adduce their assembling a second time, on the 11th of June, as a high aggravation of their alleged seditious conduct: - "And the said persons, not content to have made the said seditious convocation, tumult, and uproar, at the time and in the manner above related, did again relapse and adventure upon the said seditious practices, and upon the [11th] day of [June], being the next council day thereafter, when the council was about to sit, and the time of the sitting thereof, they did, again convene, in the said place, and did make a disorderly convocation, commotion, and uproar, in manner, and, with the same, if not worse, circumstances than is above libelled, and had the boldness and confidence to pretend that they came for an answer to the said petition."

The letters next charge several of these ladies, as Catherine Montgomery and Isabel Kennedy, with having, when convened before the privy council, (although they confessed their being present at the said tumults,) altogether and obstinately refused, "to declare upon oath their knowledge concerning the persons present and accessory to the said tumult, and other circumstances relating to the same," whereby it is declared they had incurred the penalties contained in the "second act of the second session of his majesty's second parliament, entitled Act against Delinquents who should refuse to depone," by which "it is statute that all and every subject of this kingdom, of what degree, sex, or quality soever, who shall be called by his majesty's privy council, or any others having authority from his majesty, to declare upon oath their knowledge of any crimes against his majesty's laws, and the peace of the kingdom, and particularly of any conventicles or other unlawful meetings, and shall refuse or delay to declare or depone thereanent, they shall be punished in manner therein contained."

Such is the amount of the charges brought against these female petitioners; and to answer to which they were summoned to appear at the bar of the privy council. But none of them made their appearance, believing that had they appeared, and refused to make any acknowledgments, which, having committed no crime, they were not prepared to make, they would probably have been thrown into prison. Accordingly; after "being oftentimes

called and not compearing, the lords of his majesty's privy council, July 30, do ordain letters to be directed to messengers at arms to pass to the market-cross of Edinburgh, . . . . [*Blank in MS.*] and thereat, in his majesty's name and authority, duly, lawfully, and orderly to denounce the said Mrs. Elizabeth Rutherford, &c., [*Decrees of Privy Council, July 30, 1674.*] his majesty's rebels, and put them to the horn, and escheit and inbring all their movable goods and gear to his highness's use for their contempt and disobedience."

On the 29th of September the privy council again convened, but little was done. "Only they were very hot upon the chase against the women that offered their petition." [*Row's Life of Robert Blair, p. 552.*]

As the name of Mrs. Livingstone does not occur among the ladies who were summoned to appear before the privy council on the 30th of July, and who, not appearing, were declared his majesty's rebels and put to the horn, it may be concluded that the council had not yet discovered that she was at the head of the movement, and was the person who presented the petition to the chancellor. But by subsequent inquiries they appear to have made this discovery, or to have found, at least, that at the "tumultuous convocation" she had presented a copy of the petition to some one or other of the counsellors. Accordingly, she and several other ladies [*The names of the ladies, as given in the act of council, 12th November, are Mrs. Elizabeth Rutherford; Margaret Johnston; Lilius Campbell; Lady Mersington, elder; Bethia Murray, spouse to Hugh Mossman, couppar in Leith; Janet Fleming, relict of Mr. John Livingstone; Catherine Montgomery, relict of Mr. Robert Blair; Margaret Lundy, spouse to John Hamilton, merchant at the foot of the West Bow; Margaret Dury, spouse to George Dundas, brother to the Laird of Dundas; Isabel Kennedy, spouse to James Clelland, chirurgion; Rachel Aird, spouse to William Lorimer, merchant; Sarah Lorimer, his daughter; Barbara Home, spouse to Mr. Robert Lockhart; Elizabeth Dalziel, spouse to David Gray, hat maker; Grissel Durham, relict of Captain Drummond; and Agnes Henderson, spouse to Robert Simpson in Edinburgh.*] were summoned to appear before the council on the 12th of November that year, "as being guilty of a tumultuary convocation, commotion, and uproar, within the Parliament Close, in the month of June last, the time of the meeting and sitting of the council, and of presenting a most insolent and seditious petition to some of the council." Mrs. Livingstone, and the others who were summoned, compeared before the council on the 12th of November, and, on being examined, confessed that they were "present in the said tumult." The result was that the lords of council banished them from the city of Edinburgh, Leith, and suburbs thereof, and ordained them against the 1st of December next to depart from the said bounds, discharging them to return thereto in future, as they would be answerable at their highest peril. [*Register of Acts of Privy Council.*]

Mrs. Livingstone, and all the rest, with two exceptions, were obliged immediately to act in conformity with this sentence. The two exceptions were Margaret Johnston and Lilius Campbell, the execution of whose sentence was delayed for fourteen days by the council, at their meeting on the 3d of December, in answer to a petition presented by these ladies.

After a short absence, some of the banished women privately returned to their own houses in Edinburgh. Receiving information of this, the authorities of the city caused search to be made for them. [*Row's Life of Robert Blair, p. 255.*] But the storm appears gradually to have blown over, though the number of nonconforming ladies, and especially of nonconforming ministers' wives and widows, in Edinburgh, continued to be a source of offence and uneasiness to the government. [*On the 12th of March, 1679, "the council emitted sundry proclamations, and commanded all nonconformed ministers' relicts, or wives, to void the town."* *Fountainhall's Historical Notices of Scottish Affairs, vol. i., p. 225.*]

Thus terminated the proceedings against Mrs. Livingstone and her fellow-petitioners, simply for their exercising a right of which no power on earth could justly deprive them. Their treatment by the council was, throughout, tyrannical and oppressive. Had they, like a regiment of Amazons, assembled with pikes and muskets to do personal violence to their great enemy, Archbishop Sharp, as he at first dreaded, guilt would have lain upon them, great as his demerits were, and some pretext would have been afforded for the severity with which they were proceeded against. But they came together in no such warlike attitude, nor with any such intention. One writer of that period, Sir George Mackenzie, commonly called "the bloody Mackenzie," would indeed, either

with the view of covering the tyranny of the government, or of stigmatizing these religious women, have it to be believed that they had meditated Sharp's destruction. "Petitions for able ministers," says he, "were given in to the council by many hundreds of women, who, filling the Parliament Close, threatened the Archbishop of St. Andrews, who passed along with the chancellor, for whose coming he had waited in his own chamber; and some of them had conspired to set upon him, when a woman, [*He no doubt means Mrs. Livingstone.*] whom I shun to name, should raise her hand on high as a signal: to prevent which, the chancellor entertained the woman with insinuating speeches all the time as he passed to the council, and so did divert that bloody design." [*Sir George Mackenzie's Memoirs of the Affairs of Scotland, &c., p. 273.*] A more gratuitous assertion it is impossible to make. Neither Kirkton nor Row, both contemporary writers, nor Wodrow, who all narrate the history of this affair, give the smallest countenance to such a statement. And should their evidence be suspected of partiality, we may appeal to the Records of the Proceedings of the Privy Council, in which is registered the result of the long and patient inquiries of the committee of council into all the circumstances connected with the Supplication; but in which a profound silence is preserved as to any such murderous intention; a circumstance not likely to have occurred had there been any ground whatever for such a charge. It is indeed manifest, beyond controversy, from all these authorities compared, that the sole object of these ladies was the one ostensibly avowed in their petition. And yet Mackenzie's calumny has been taken up and given forth as historical truth by a writer of the present day. "These viragos," says the editor of Law's Memorials, "headed by the Rev. Mr. Livingstone's widow, and a daughter of Lord Warriston, had laid a plan of murdering Archbishop Sharp, it being agreed that Mrs. Livingstone was to hold up her hand as a signal for the pious sisterhood to rend the prelate in pieces; but Lord Rothes contrived to engage her in conversation till the opportunity was lost." [*Editor's Foot Note in Law's Memorials, p. 67. The editor refers to Kirkton and Wodrow as his authorities. But neither of these writers give him the slightest support. Mackenzie, though not referred to, is his sole authority.*]

Mrs. Livingstone subsequently went over to Holland. Repeated allusions are made to her as residing there in the letters of Mr. John Carstairs to Mr. Robert M'Ward, Rotterdam, in the years 1677, 1678, and 1679; and whenever her name is mentioned, it is always with some epithet expressive of the high esteem in which she was held by the writer. In a letter to M'Ward, dated July 26, 1677, Carstairs says, "I salute much in the Lord that mother in Israel, choice Mrs. Livingstone, and her sweet daughter." [*Wodrow MSS., vol. lix., folio, no. 65.*] In another letter to him, dated February 3, 1678, he sends his salutations to her. [*Wodrow MSS., vol. lix., folio, no. 77.*] In a third letter to him, dated December 3, 1678, he says, "I am troubled for our loss of worthy Wallace, and am glad that that mother in Israel, Mrs. Livingstone, is spared awhile, that we might not have sorrow upon sorrow." [*Wodrow MSS., vol. lix., folio, no. 95.*] In a fourth letter to him, dated February 17, 1679, he says, "I dearly salute your worthy wife, worthy Mr. Gordon, my kind and obliging friend, choice Mrs. Livingstone, a mother indeed in Israel." [*Wodrow MSS., vol. lix., folio, no. 109.*] And in a fifth letter to him, dated Edinburgh, October, 1679, he again sends his salutations to her. [*Wodrow MSS., vol. lix., folio, no. 122.*] This is the last notice we have met with concerning her. How long she lived after this is uncertain, nor is it known whether she again returned to Scotland. The probability is, that she spent the remainder of her days in Holland, and that her ashes, like those of her distinguished husband, repose in that hospitable retreat of our persecuted forefathers. [*There is a portrait of Mrs. Livingstone in Gosford House, belonging to the Earl of Wemyss, as we learn from a foot note, in Kirkton's History, by the editor, p. 345.*]

Some of Mrs. Livingstone's children emigrated from Scotland to America, to the state of New York, where their descendants have, in the course of time, become people of the first distinction and weight in society. The late Dr. John H. Livingstone, minister of the Reformed Dutch Church in New York, Professor of Divinity to that body, and President of Queen's College, New Jersey, - one of the first men of his age and country, and whose memoirs have been written by Mr. Alexander Gunn, was the great-great-grandson of the subject of this memoir. [*Chambers' Biographical Dictionary of Eminent Scotsmen, art. John Livingstone.*]

