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The Diocese and Presbytery  
of Dunkeld 1660-1689





The Diocese and  
Presbytery of Dunkeld  
1660-1689



The Diocese and  
Presbytery of Dunkeld

1660-1689

BY THE LATE

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# THE DIOCESE AND PRESBYTERY OF DUNKELD, 1660-1689

## CHAPTER V

### NOTES ON THE EXTRACTS FROM THE REGISTERS OF THE PRESBYTERIES OF DUNKELD AND COWPAR-ANGUS

- § 1. PRESBYTERIAL MEETINGS.
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- § 23. THE PIER OF ANSTRUTHER.
- § 24. ACT IN FAVOUR OF JOHN REID.

#### § I. PRESBYTERIAL MEETINGS

DURING a lengthy period after their erection Presbyteries met weekly.<sup>1</sup> They were specifically enjoined to do so by the General Assembly of 1598.<sup>2</sup>

<sup>1</sup> Row's *History*, Wodrow Society, 53. The statement is general.

<sup>2</sup> Peterkin's *The Booke of the Universall Kirk of Scotland* (1839), 475.

The extant records of the Presbytery of Perth, beginning in 1618, show that, during the greater portion of the Episcopal period, 1610<sup>1</sup>-1638, the weekly meeting was the rule, at least in that Presbytery. The General Assembly of 1638, at the period of the Second Reformation, enacted that Presbyteries should meet once a week both in Summer and Winter, "except in places farre distant, who during the Winter season, (that is, between the first of October and the first of April) shall be dispensed with for meeting once in the fourteen dayes."<sup>2</sup> The *Register of the Presbytery of Perth* shows that, for long, that Act was obeyed by them. On one occasion, however, it was proposed that in Winter the meetings should be held at a greater interval than a week. On October 19, 1642, "A motion was made by Mr James Campbell, that seeing many brethren were far distant, and some, notwithstanding they were not far distant, had evil way, and great waters to cross, therefore he craved the judgment of the Presbytery whether it were expedient to meet but only every fifteen days during the Winter months." At the next meeting, on October 26, the motion was rejected, the Presbytery finding it expedient to meet weekly according to the Act of the General Assembly. At the close of the period 1638-1661, the Presbyteries of Perth and Meikle met ordinarily once a fortnight.

During the period with which the foregoing Registers deal, the Presbytery of Dunkeld met ordinarily on the first Wednesday, that of Cowpar Angus on the first Tuesday, of the month.<sup>3</sup> The hour of meeting is not stated. On September 25, 1683, the Presbytery of Meikle "appointed that hereafter the brethren of the Exercise shall meett precislie at ten hours in the Summer and eleven in the Winter season."<sup>4</sup>

The Visitors of Presbytery books reported to the Synod of Perth and Stirling, in April 1641, that the Presbytery met only once a month. It was replied that they did so in Winter, because of the distance of many members from the Presbytery seat, some living 18, others 10 or 12, miles away, their roads winding among the mountains. Killin, which was then vacant, is 39 miles from Dunkeld.

<sup>1</sup> General Assembly, 1610. Calderwood's *History*, vii. 100.

<sup>2</sup> Peterkin's *Records of the Kirk of Scotland*, 34.

<sup>3</sup> The Archbishop and Synod of St Andrews, in April 1668, in their rules for the guidance of the examiners of Presbytery books, required them to note whether more than fourteen days elapsed between the meetings of the Presbytery (*MS. Register of the Presbytery of Perth*, June 10, 1668).

<sup>4</sup> The minute of that Presbytery on February 17, 1663, runs :—

"In regard that Presbeteriall meetings are not now well observed by reasone of the storminess of the wether, therefor the Presbetrie does renew their former Act hereanent, which is, that in case the ordinarie day of meeting cannot well and convenientlie (be) kept for the cause forsaid, then, and in that case, the same day 8 dayes following shall be observed by all without any advertisement."

On the same occasion, it was noted that the Presbytery of Dunblane met but "once in the twentie dayes." The Moderator gave a similar explanation.

### § 2. "INCALLING UPON THE NAME OF GOD"

"After incalling upon the name of God" was a common phrase for the act of constituting a meeting of an Ecclesiastical court. Similar forms are:—After incalling upon the Lord's Name; After solem calling upon the Name of God by prayer; After solemne incalling the Name of God; God's Name being incalled<sup>1</sup>; After the incalling upon the Name of God; The minister called on the Name of the Lord; The minister called on God<sup>2</sup>; After invocacion of the Name of God by the Bishope; *Post invocationem Dei Nominis*; *Post invocationem Nominis Divini*<sup>3</sup>; Efter invocatione of Godis Holy Name<sup>4</sup>; The name of God being solemnlie called upon by the Lord Archbishop for His graciouse presence and directione.<sup>5</sup>

### § 3. THE CONSTANT MODERATOR

This official was ordinarily appointed by the Bishop.<sup>6</sup> Thus the minute of the first Archdiocesan Synod of St Andrews of the period, in October 1662, runs:—"The Moderators of the several Presbyteries chosen by the Archbishop"<sup>7</sup>; and the minute of the Synod of the same Archdiocese in April 1667 proceeds:—"By the appointment of the Lord Archbishop read in the Synod, Mr Mungo Law was ordained Moderator of the Exercise in Perth; and Mr John Raite, Moderator of the Exercise of Arbroath, the former being vacant by death of the last Moderator, and the other vacant by transportation of Mr John Guthrie."<sup>8</sup> The minute of that Synod in April 1677 runs:—"The Archbishop appointed Mr Gilbert Lyon to be Moderator of the Presbytery of Kirkcaldy, Mr

<sup>1</sup> *MS. Register of the Presbytery of Meikle*, passim.

<sup>2</sup> *MS. Register of Rattray Kirk-Session*, passim.

<sup>3</sup> *Register of the Diocesan Synod of Dunblane*, passim.

<sup>4</sup> *Selections from the Minutes of the Synod of Fife*, I, &c.

<sup>5</sup> *MS. Register of the Presbytery of Dundee*, November 4, 1685 (*Acts of the Diocesan Synod*).

<sup>6</sup> ". . . they had their Presbyteries, where some experienced minister of the Bishop's nomination was moderator" (Skinner's *Ecclesiastical History*, ii. 468). It is also stated that the members of Presbytery, "with the consent of the Bishop, chose their own Moderator or President" (*The Case of the Present Afflicted Clergy*, Preface, iv).

<sup>7</sup> *MS. Register of the Presbytery of Perth*, January 14, 1663.

<sup>8</sup> *Ibid.*, August 14, 1667. The previous Moderator of the Presbytery of Perth was Mr Henrie Auchinleck (Hearie Authinleck) (*MS. Register of the Presbytery of Meikle*, September 24, 1667).

John Shaw to continue still Moderator of Dunfermline, and Mr John Nicolstone to be Moderator of Perth"; and in October 1678:—"The Lord Archbishop doth appoint Mr David Lauder to moderate in the Presbytery of Dunfermling, and Mr Robert Honyman in the Presbytery of Cupar."<sup>1</sup> In the *Records of the Exercise of Alford* it is sometimes stated, in precise terms, that the Bishop of Aberdeen nominated the Moderators of the Presbyteries within the Diocese.<sup>2</sup>

The *Register of the Presbytery of Dunkeld*, in its one notice of the subject, refers to the "Ordinarie Moderator who was establisht by the Bishop and Synod."<sup>3</sup> The *Register of the Presbytery of Cowpar-Angus*, apart from the first minute, states once that the Moderator was appointed by the Bishop, and twice that he was continued in office by the Bishop and Synod.<sup>4</sup> Until October 1664, the Moderator of the Presbytery of Meigle was chosen by the Archbishop of St Andrews and the Bishop of Dunkeld. Thenceforth, till May 1669, he received his authority from the Bishop of Dunkeld, and after that date till October 1686 either the Bishop or the Bishop and Synod conferred the office.<sup>5</sup> Those references to the Synod have usually no significance. They mean that the Bishop intimated, at a meeting of his Synod, that he had chosen a specified clergyman for the office of Moderator, and that the Synod expressed their approbation of his selection.

In the Diocese of Dunblane, however, the clergy were very frequently consulted in the appointment of a Moderator. Thus the first Moderators were nominated "with joynt consent," that is, of the Bishop and the respective Presbyteries<sup>6</sup>; but, in April 1664, the Moderators were named by the Bishop, and "willingly accepted by their brethren." Thereafter,

<sup>1</sup> *MS. Register of the Presbytery of Perth*, June 6, 1677; March 12, 1679.

<sup>2</sup> *Records of the Exercise of Alford*, e.g. October 24, 1662; October 11, 1682; p. 343; October 10, 1683.

<sup>3</sup> *MS. Register of the Presbytery of Dunkeld*, June 1, 1687.

<sup>4</sup> *MS. Register of the Presbytery of Cowpar-Angus*, November 1, 1687; June 5 and November 6, 1688.

<sup>5</sup> The Presbytery of Meigle, composed of ministers within three Dioceses, met on November 18, 1662, at the appointment of the Archbishop of St Andrews and the Bishop of Dunkeld, "Mr George Pittillo being constitute Moderator." In the following April, Mr George Pattillo, minister at Newtyle, was appointed by both Prelates.

The minute of the meeting of Presbytery on November 10, 1663, runs:—

"God's Name incalled by Mr Johne Ratray, elder, [minister at Alyth] constitute Moderator by My Lords St Andrews and Dunkeld." On May 17, 1664, it was reported that Ratray had been continued Moderator by those Prelates. On October 18, 1664, however, he presided by the authority of the Bishop of Dunkeld alone. On October 6, 1686, during the vacancy in the See of Dunkeld, the Archbishop and Synod of St Andrews appointed Mr Sylvester Lambie, minister at Essie, Moderator (*MS. Register of the Presbytery of Dundee*). In the following April, the Presbytery of Meigle ceased to exist (*v.* Chapter II., Bishop Hamilton; Chapter III., § 9).

<sup>6</sup> *Register of the Diocesan Synod of Dunblane*, 4.

as the minutes of the Synod bear, they were appointed either by the Bishop, "by vote of the Bishop and Synod," "by consent of the Bishop," or "with consent," "by advyce and consent," "by mutual consent," "by vote," or "by the voice" of the brethren of the Presbytery.

The Moderator was ordinarily appointed at the half-yearly meeting of the Synod, and held office till the next meeting. In virtue of his office, the Moderator was a member of the National Synod.<sup>1</sup>

In the event of his absence from a meeting of Presbytery, his place was taken by a substitute, either appointed by the Bishop<sup>2</sup> or the Bishop and Synod,<sup>3</sup> or nominated by himself for the occasion,<sup>4</sup> or chosen by the Presbytery.<sup>5</sup> The brethren of the Presbytery of Perth did not meet presbyterially on February 28, 1663, "because none of the Moderators was present." No meeting of the Presbytery of Meigle was held between March 28 and May 30, 1665, because of the illness of the Moderator, and, the Bishop being dead, no substitute had been appointed. On the latter date, a communication from the Archbishop to the Moderator was submitted to the Presbytery to the effect "that, in absenc off Mr Jhon

<sup>1</sup> *Acts of Parliament*, vii. 465.

<sup>2</sup> "Reported by the Brethren from Dunkell that Mr George Halyburtoone, minister of Cupar, is appointed by the Bishope to moderate in the absence of Mr John Ratray" (*MS. Register of the Presbytery of Meigle*, April 30, 1667).

"This day, Mr David Patone [Kettins] did moderate by ane ordinance from the Bishop" (*Ibid.*, April 11, 1682).

"The Moderator continued by the Bishope. Because of Mr Henrie Malcom's necessarie absence this day, represented to the Bishope, Mr David Patone is appointed by him to moderate" (*Ibid.*, May 9, 1682).

Mr William Bell, minister at Errol, was appointed by the Archbishop to moderate in the Presbytery of Perth in the absence of Mr Harry (Hairie) Guthrie (*MS. Register of the Presbytery of Perth*, October 29, 1662).

"Mr Robert Honiman is appointed by the Archbishop to moderate in the absence of Mr Alexander Balfoure" (*Ibid.*, August 8, 1669).

The Archbishop of St Andrews, at his Synod in October 1673, appointed Mr William Wilson to moderate in the Presbytery of Cupar in the absence of Mr John Alexander, minister of Creich, whom he had appointed Moderator in place of the minister of Abdie (*Ibid.*, November 5, 1673).

<sup>3</sup> In the Diocese of Aberdeen, Vice Moderators were appointed by the Bishop and Synod (*Records of the Exercise of Alford*, 81, &c.).

<sup>4</sup> "This day, report was made by the Brethren of Dunkeld that Doctor Halyburton was continued Moderator for the ensuing half year, who bieng absent Mr Henrie Malcom att his desire did moderat for him" (*MS. Register of the Presbytery of Meigle*, October 14, 1673).

"This day, the minister of Alight did moderate by vertue of a commissione from the Moderator" (*Ibid.*, March 14, 1682). v. *MS. Register of the Presbytery of Dunkeld*, January 2, 1684.

<sup>5</sup> ". . . the minister of Essie was chosen Moderator" (*MS. Register of the Presbytery of Meigle*, May 5, 1685). v. *MS. Register of the Presbytery of Cowpar-Angus*, September 6, 1687; *MS. Register of the Presbytery of Dunkeld*, March 7, 1683. The Bishop and Synod of Aberdeen, in October 1676, authorised the Presbyteries of the Diocese to choose a Moderator *pro tempore* in the absence of the Constant Moderator and the Vice-Moderator (*Records of the Exercise of Alford*, 268).

Ratray, Moderator, Mr David Paton should supply his plac till there were another Bishop off Dunkeld."

When a Bishop held a parochial cure, he naturally took precedence of the constant Moderator at the meeting of the Presbytery. Thus, though Mr Henry Guthrie was the ordinary Moderator of the Presbytery of Perth, appointed by the Archbishop of St Andrews, the Bishop of Dunkeld, who was minister of Perth, presided when present. The Bishop of Brechin moderated in the Presbytery of Meikle on two occasions<sup>1</sup>; on a third he was present at a meeting and requested the Presbytery to assist him in visitations of Glenisla and Kingoldrum, but it is not stated that he moderated.<sup>2</sup> A dignity of lower rank was not necessarily Moderator of his Presbytery.<sup>3</sup>

The Moderators of the Presbytery of Dunkeld during the period covered by the Register were:—

1681. Mr William Nairn, minister of Kinclaven, and afterwards Dean of Dunkeld.

1687. Mr William Smith, minister of Moneydie.

The Moderators of the Presbytery of Cowpar-Angus were:—

1687 (April). Dean Nairn.

1687 (November). Mr George Hay, minister of Cowpar-Angus.

#### § 4. PROCEEDINGS TOWARD LICENCE AND ORDINATION

Having graduated Master of Arts, the "young man" aiming at the ministry pursued his Theological Studies for a period varying with the requirements of the Diocese. In the Diocese of Aberdeen, that period was defined, in 1664, in general terms, as "some yeers after" he "be graduatt," save in the case of a student of "extraordinary pregnancie in learning" approven by the Bishop: in 1671, it was declared to be four years, part of which was to be spent "in waiting upon the pro-

<sup>1</sup> February 8 and June 7, 1681.

<sup>2</sup> March 2, 1680.

<sup>3</sup> Messrs Thomas Lindsay and Gaspar Kellie held in succession the office of Dean of Dunblane, but others than they frequently moderated in the Presbytery of Dunblane.

Mr Alexander Balneavis was Chanter of Dunkeld, and a senior member of the Presbytery of Perth, but was not appointed Moderator of that Presbytery.

The Treasurer was a dignity of the Cathedral, but the Treasurer of Dunkeld Cathedral did not become Moderator in 1687.

The Archdeacon of Dunkeld, a canon of the Cathedral, though not one of the four dignitaries, did not become Moderator of the Presbytery of Meikle until the retirement of Mr John Ratray. Archdeacon Lyon did not succeed Dean Nairn as Moderator of the Presbytery of Cowpar-Angus. The Precentor, the Chancellor, the Succentor, and the Prebendary of Alyth, as well as the Archdeacon, were members of the Presbytery of Cowpar-Angus, but Mr George Hay, minister of Cowpar-Angus, was appointed Moderator.

fessione of Theologie." In 1673, it was stated that the rule was not observed, and Presbyteries were enjoined to admit none to trials who had not completed that period of study.<sup>1</sup>

The Archbishop and Synod of St Andrews, in order to remove the prejudice that "doth redound to the Church by the ignorance and insufficiency of severall young men that enter upon their tryals in order to their being licentiat to be preachers, and thereupon seeking to obtaine a setlement in the ministry," enacted, in April 1677, that no student should be entered on trials in order to licence, until he had produced a certificate from the Professors of Divinity in one of the Universities, bearing that he had studied there, and had given some evidence of his proficiency.<sup>2</sup> The period of study required is not stated: Mr David Ranken was entered on trials, before the Presbytery of Perth, in September 1679, only two years after graduation. The minute seems to imply that attendance on the theological classes of a University had not been previously a condition of licence in that Diocese.<sup>3</sup>

The student was then examined by a Presbytery.

The trials prescribed by the Bishop of Dunkeld, with consent of the Synod, in 1663, were:—A private Exercise or two before the Presbytery, to be followed, if one or both were sustained, by a Commonhead, and the public Addition and Exercise.<sup>4</sup> According to the practice in vogue in the Presbytery of Dunkeld, 1681-89, the trials consisted of 1°, a private trial (the Homily); 2°, a Commonhead in Latin; 3°, an Exercise and Addition; 4°, a popular sermon; 5°, an examination in Greek and Hebrew; and 6°, catechetical questions. In the Presbytery of Meigle, the popular sermon was not always required.<sup>5</sup>

The Commonheads prescribed by the Presbytery of Dunkeld during the period were these:—De Sacramento Pœnitentiæ, De numero Sacramentorum, De libero Arbitrio, De Transubstantione,

<sup>1</sup> *Records of the Exercise of Alford*, 58, 176, 200.

<sup>2</sup> *MS. Register of Perth Presbytery*, June 6, 1677.

<sup>3</sup> It was not necessary in 1624 in that Diocese (*Selections from the Minutes of the Synod of Fife*, 101-2).

<sup>4</sup> *Acts and Constitutions*, § 3, vol. i., p. 127.

<sup>5</sup> *The Register of the Presbytery of Meigle* contains this minute under date November 8, 1664:—

"The brethren considering that it hath been ane ancient custome in the Presbetrie to prescribe, to young men passing ther tryals, a popular sermon, considering also that few were present at his former tryals, therfor the Presbetrie appoints Mr Silvester Lammy to have a popular sermon this day twenty dayes. . . ."

The sermon was prescribed to Messrs James Lyon (November 28, 1665), and Thomas Wilstone (December 11, 1666), but not to Messrs William Malcolme, Robert Malcome, John Rattray, George Ogilvie, Alexander Nicolson, James Paton, David Ogilvie, and William Blair, students of Divinity. It was prescribed to the last candidate for licence in the period, Mr James Guthrie, schoolmaster at Eassie, whose trials were sustained on August 3, 1686.

De efficacia Sacramentorum, De infallibilitate Ecclesiæ, De Jure Controversiarum.<sup>1</sup>

The *Register of the Presbytery of Dunkeld* does not record the Theses of the Candidates. In the *Register of the Presbytery of Meigle*, however, they are given at length. The Thesis of Mr James Paton, defended as a portion of his trials for Ordination, is given as a specimen:—

“De objectiva extensione meriti mortis Christi.

“Jesum Christum ex Sua et Patris speciali intentione mortuum esse pro omnibus et solis ad vitam æternam ab æterno electis, ut eos actu Deo reconciliaret iisdemque omnia beneficia pretiosa Sua morte parta et acquisita revera conferret et efficaciter applicaret asserimus.

“Dogma itaque illud Arminianum quo statuunt Christum pro omnibus et singulis indiscriminatim hominibus mortuum esse ita ut iis per mortem Crucis reconciliationem et remissionem peccatorum impetraret iisdem vero omnibus minime applicaret, tanquam falsum, impium et ecclesia Dei eliminandum detestamur.”<sup>2</sup>

The trials extended over several months. If they were sustained, the candidate was recommended to the Ordinary by a Testimonial for a licence to preach the Gospel as an expectant.<sup>3</sup>

<sup>1</sup> A list of Commonheads is printed in Stevenson's *The Presbytrie Booke of Kirkcaldie*, 2-5.

The Presbytery of Perth, on July 16, 1679, enacted, “whenever any common-head is to be disputed, that three ministers, according to the order of the catalogue, shall dispute the theses *per vices* that every one of the Presbytery may have a proportional burden.”

<sup>2</sup> MS. *Register of the Presbytery of Meigle*, June 29, 1680.

<sup>3</sup> The Bishop of Aberdeen (1663) permitted the Moderators to license during his absence from the kingdom; but his successor required such licentiates to obtain from him confirmation and renewal of their licence (*Records of the Exercise of Alford*, 33, 58).

“But how can the *Scottish* Clergy be so very ignorant? No Man (since I remember) was ever admitted to the Ministry, till he had first pass'd his Course at some University, and commenc'd Master of Arts; and generally none are admitted to Tryal for being Probationers till after that Commencement they have been four or five Years Students in Divinity. The Method of that Tryal is commonly this: The Candidate gets first a Text prescrib'd him, on which he makes a Homily before some Presbytery; then he has an Exegesis in Latin, on some common Head (ordinarily some Popish Controversie) and sustains Disputes upon it: After this he is tryed as to his Skill in the Languages and Chronology; he is likewise obliged to answer (*ex tempore*) any Question in Divinity that shall be proposed to him by any Member of the Presbytery. This is called the Questionary Tryal: then he has that which we call the Exercise and Addition; that is, (as it is in most Presbyteries) one day he must Analyze and Comment upon a Text, for half an hour or so, to shew his Skill in Textual, Critical, and Casuistick Theology; and another day for another half hour he discourses again by drawing practical Inferences, &c., to shew his Abilities that way too: And then lastly, he must make a popular Sermon; (I believe you have scarcely so severe Tryals in *England*): all this done, the Presbytery considers whether it be fit to recommend him to the Bishop for a Licence to Preach, (and many have I known remitted to their Studies): if they find him qualified, and

The following specimen of the Testimonial in order to licence is extracted from the *MS. Register of the United Presbyteries within the Province of Angus and Merns*<sup>1</sup>:—

“ To the Right Reverend Father in God, My Lord Bishop of Edinburgh.

“ May it please Your Lordship,

“ These are Testifying that the Bearer hereof, Mr James Forsythe, younger, hath passed the course of all those tryals before the Brethren in the Presbyterie of Stirling that are ordinary for a Probationer to the Ministry, and was by them Approven in all the parts thereof; And is hereby Recommended to your Lordship for a Licence to the Exercise of the Ministrie as he shall be called thereto. In testimony whereof, These are written by William M'gie, Clerk to the Presbyterie, at Stirling, this tenth day of August, jm vi<sup>c</sup> eightie and eight years, and attested by the Moderator and Remanent Brethren of the Presbyterie.

*Sic subscribitur,* Jo. Monro, *Moderator.*

Ja. Hunter, *Minister at Stirling.*

J. Forsythe, *Minister at St Ninians.*

— Wrquhart, *Minister at Clackmanan.*

M. John Edmondston, *Minister at Garganack.*”

WM. M'GHIE, *Cl. pr.*

A knowledge of Hebrew was not a necessary condition of obtaining licence, at least from Bishop Bruce of Dunkeld, as is shown by the case of Mr John Peirson, who was altogether unacquainted with the language.<sup>2</sup>

recommend him, he gets his Licence, he commences Probationer for the Ministry, and commonly continues such for two, three, four, or more Years thereafter, till he is presented to some Benefice; then he passes over again through all the foresaid steps of Tryal, and more accurately, before he is Ordained. What greater Scrutiny would you desire, as to point of Knowledge? (*An Account of the Present Persecution of the Church in Scotland*, London, 1690, 43-4).

<sup>1</sup> November 9, 1698.

<sup>2</sup> *MS. Register of the Presbytery of Dunkeld*, September 2, 1685.

In 1666, Mr John Leslie, who “ was ignorant of the Hebrew,” was recommended by the Presbytery of Alford to the Bishop of Aberdeen for licence (*Records*, 78). In 1667 and 1671, the Bishop and Synod required a knowledge of Greek and Hebrew from candidates for licence (*Ibid.*, 103, 177).

That students of Divinity might be forced to study Hebrew, the Presbytery of St Andrews, on July 9, 1665, resolved to sustain the trials of none who should be unable to expound Psalms 1-10 in Hebrew; and, on May 2, 1666, enacted that if any failed to pass a satisfactory examination on the Hebrew of Psalms 1-30, the fact should be noted in his Testimonial (*Selections from the Minutes*, 83-84).

The Presbytery of Perth and Dunkeld, on February 16, 1693, sustained the trials for Ordination of Mr John M' Kercher, called to Comrie, “ with this declaration, that he not understanding the Hebrew Language, they dispense therewith for the tyme, butt resolves not to doe so hierafter, recommending it to him to studie the Hebrew tongue carefulle.”

The students of Divinity whose trials were sustained during the period covered by the Registers were :—

- Mr Alexander M'Lagan (December 7, 1681).
- Mr Robert Stewart (February 7, 1683).
- Mr Alexander Robertson (August 1, 1683).
- Mr John Peirson (September 2, 1685).
- Mr Alexander Campbell (February 2, 1687).<sup>1</sup>
- Mr William Campbell (August 3, 1687).

On July 3, 1689, when the *Register of the Presbytery of Dunkeld* for the period closes, Mr Alexander Chrystie, Professor of Humanity in Dunkeld, and Clerk to the Presbytery, had not completed his trials.

In 1663, the Bishop of Dunkeld enacted, with consent of the Synod, that the Trials for Ordination should consist of: 1°, an Exercise and Addition; 2°, a Common head and disputes; 3°, a trial in the languages, *i.e.* Greek and Hebrew; 4°, the handling of a question of Chronology<sup>2</sup>; 5°, Catechetical questions and Casuistical Theology; and 6°, a popular sermon before the parishioners of the parish to which the expectant had been presented, and either the Presbytery or a committee of their number.

According to the *Register of the Presbytery of Meigle*, the usual trials for Ordination were but a repetition of the trials for licence, the private exercise being omitted, however, and a popular sermon prescribed,<sup>3</sup> to be delivered before the Presbytery. As in the case of Licence, the trials might extend over several months, but they were frequently hastened. Parts of them were sometimes dispensed with, as is seen in the cases of Messrs James Crockat and David Ranken in the previous chapter.<sup>4</sup>

<sup>1</sup> *v.* Chapter IV., June 7 and July 5, 1682.

<sup>2</sup> The chronological questions prescribed in the Presbytery of Perth before the Restoration were such as these :—

“The seventy weeks of Daniel, when they began and ended” (August 29, 1655). “The explaining of the second fourteen generations contained in the first chapter of Matthew” (July 9, 1656). The third of the 14 generations contained in the first chapter of Matthew (November 6, 1656). “What year of the world Abraham was born, and what year of his father Terah” (July 1, 1657). “The time of the people of Israel's abode in Egypt; the beginning and the ending of the promise; and to reconcile the 400 years contained in the fifteen of the Genesis and the 430 years contained in the — together” (July 15, 1657). The time betwixt the people of Israel's going out of Egypt and the building of the Temple of Jerusalem (July 20; 1659). From the building of the Temple of Jerusalem by Solomon till the first year of the beginning of the Captivity (June 13, 1660).

<sup>3</sup> *v. supra*, note 5, p. 7.

The Presbytery of Meigle did not require a popular sermon from Mr Sylvester Lammie, presentee to Essie and Nevay,—“he having immediatly passd his tryalls heir befor, and then having on; as also considering the desolat condition of two parishes, and the uncertainty of the Archbishop's being at hom that he might bein ordained” (*MS. Register of the Presbytery of Meigle*, August 1, 1665).

No popular sermon was prescribed to Mr William Malcolme, presentee to Meigle in 1672.

<sup>4</sup> *MS. Register of the Presbytery of Dunkeld*, November 9, 1683; *MS. Register*

Licentiates employed as Regents of Philosophy in the Universities were exceptionally treated, their trials consisting of an Exercise and Addition, or a popular sermon. Thus, with reference to Mr Patrick Strachan, presentee to St Martins, the Bishop of Dunkeld wrote to the Presbytery of Perth, requesting that, "in regard the said Mr Patrick had been a Professor of Philosophy for several years, he might have both Exercise and Addition in one day, and be put to no farther trials."<sup>1</sup>

The minute of that Presbytery on June 4, 1679, runs:—"This day, received a letter from the Bishop of Edinburgh in favour of Mr Alexander Skeen, Professor of Philosophy in the University of St Andrews, desiring the Presbytery to appoint him to preach before them in Perth, upon Thursday next, a popular sermon, being the usual trial given to persons of his merit and character, and that in order to his admission to the function of the Holy Ministry at Perth." At the same meeting, the Bishop of Edinburgh by letter requested the Presbytery to proceed to the ordinary trials of Mr David Anderson, Professor of Humanity in St Leonard's College, the presentee to Dumbarrie.<sup>2</sup> Anderson delivered an Exercise and Addition on June 25. On August 20, a letter from the Bishop of Edinburgh was submitted to the Presbytery desiring them to admit him without further trial.

The minute of the Presbytery of Dundee on November 19, 1679, proceeds:—

"Which day, the Moderatour reported in the Presbetrie that he hade received a letter from My Lord Bishop of Brechin, of the dait October 28 last, brought to him by Mr Robert Rait, regent in the Old Colledge of St Andreus, desyring that he might be entered upon his trials with all conveniency in order to the function of the ministrie att Dundie: in

*of the Presbytery of Cowpar-Angus, August 2, 1687. The following illustration is taken from the MS. Register of the Presbytery of Meigle:—*

"*Megill, October 6, 1663.*—This day, received a letter from My Lord St Andrews, shewing that seeing his Lordship has transplanted Mr George Pittillo from Newtyle to Kingsbarns, and the King's Majesty has presented Mr Androw Bruce, expectant, to the church of Newtyle, desyring the Presbetrie, for speedie plantatione of the said church, to enter the said Mr Androw Bruce upon the publick Exercise, ore upon a popular onlie . . ."

Bruce was formally presented on February 17, 1664 (*Register of the Privy Seal, English, i. 303*).

<sup>1</sup> *MS. Register of the Presbytery of Perth, October 16, 1672.* Some years before the Restoration, Mr Alexander Pitcairne, Regent in the Old College of St Andrews, received a call to the ministry at Dron. He underwent the usual trials, save in Greek. The Presbytery thought "it not needful to try the said Mr Alexander in his Greek, in regard he has been a Professor of that language for 10 or 12 years bygone" (*Ibid.*, December 18, 1656).

<sup>2</sup> Mr John Omey, minister there, was admitted to Methven on July 30, 1679 (*Ibid.*). His successor was settled in Dumbarrie on September 4, 1679 (*Ibid.*). The Bishop of Edinburgh acted as Vicar-General of the See of St Andrews.

obedience to which letter, he was appointed to exercise and add upon the ordinarie place of our Exercise the next Presbetrie day, being the 19 of November ; the which day, he delivered his discourse, which was approven by the Presbetrie ; who considering the Bishop of Brechin's inclination in his forsaid letter to keep the same method with him which is used to be kept with professors of Philosophie, and the toun of Dundie's pressing need, and in reguard that he passed his trials in order to preaching a few years since with them, in which he gave the Presbetrie good satisfaction, the Presbetrie for their part wer satisfied, and desyred the Moderatour to wreat a return to the Bishop of Brechin's letter according to all the forsaid, yet with all due submission to his Lordship in this affair, which was accordinglie done, and sent be Mr Robert Rait."

Having passed his trials, the presentee received Ordination from the Bishop of the Diocese, or from another Bishop authorised by him.<sup>1</sup> The Bishop usually associated some ministers with himself in that Act.<sup>2</sup> Ordinations were held in the Cathedral,<sup>3</sup> or in a church near the Bishop's residence,<sup>4</sup> but seldom in the Church to which the ordinand was presented.

<sup>1</sup> v. Chapter II., Haliburton, Presbytery of Perth, March 29, 1665 ; Presbytery of Meigle, January 26, 1664. During a vacancy the Archbishop became administrator of the Diocese.

<sup>2</sup> " Further if in yo<sup>r</sup> Ordinations ye followed St Cyprians rule, yow would ordain *plebe præsente et diligente*, and go to the churches where they are to serve and there marry y<sup>m</sup> to their people. This would be infinitely more grave and solemn than to transact it w<sup>t</sup> three or four Ministers in the church next yo<sup>r</sup> residence. I confess yo<sup>r</sup> way is more easie for yo<sup>r</sup>selves : but sure not so expedient for the Church " (Burnet's " Memorial "—*Miscellany of the Scottish History Society*, ii. 352).

The Presbytery of Perth were associated with Bishop Lindsay in an Ordination (*Register*, October 23, 1678).

<sup>3</sup> " He (Leighton) also thought, it was a much decenter thing, for Bishops to go upon the place where the Minister was to serve, and to ordain after solemn fasting and prayer, than to huddle it up at their Cathedrals, with no solemnity, and scarce with common decency " (Burnet's *History*, i. 465). It is not explicitly stated, but probable, that the minute of the Presbytery of Meigle on May 5, 1666, refers to Ordination in the Cathedral of Dunkeld in presence of the Synod (v. Chapter VI., Ruthven).

<sup>4</sup> v. *supra*, note 2.

Dr George Haliburton, Bishop of Aberdeen, ordained several clergymen in the church of Kettins (Diocese of St Andrews), viz. :—

Mr Alexander Clerk (Old Aberdeen), September 2, 1683.

Mr William Keth (" Montigo in the North " ), September 16, 1683.

Mr David Ogilvie (Birse), January 4, 1685.

Mr George Dalgarn(e) (Fyvie), March 1, 1685.

Mr William Edgill (Coull), April 18, 1686.

The dates given are those on which the minister delivered to the Kirk-Session the Collection made at the Ordination Service. The dates of Ordinations are not recorded in the *Register of the Kirk-Session of Kettins*.

Bishop Haliburton held an Ordination Service in the church of Newtyle (*MS. Register of the Kirk-Session of Kettins*, November 27, 1687).

In one instance, it is expressly recorded that he associated one clergyman with himself in that Act :—In the *MS. Register of the Kirk-Session of Cowpar-Angus*, under date September 9, 1683, the entry occurs :—" No Session : the minister

## § 5. THE EXERCISE

“The Exercise of Prophesieing,” or “The Exercise of Prophecie,”<sup>1</sup> or briefly, the Exercise, was the act of interpreting a passage of Scripture, and the name was transferred to the meetings for the Exercise which began almost contemporaneously with the Scottish Reformation. *The First Book of Discipline* states the ultimate object of such meetings:—“To the end that the Kirk of God may have a tryall of men’s knowledge, judgements, graces, and utterances; as also, such that have somewhat profited in God’s Word, may from time to time grow in more full perfection to serve the Kirk as necessity shall require; it is most expedient that in every towne where schooles and repaire of learned men are, there be [a time] in one certain day every week appointed to that exercise which S. Paul calls prophesying.” A warrant for such meetings was found in the practice of the Apostolic church of Corinth, and the procedure in them was based on these injunctions of St Paul:—“Let the prophets speak two or three, and let the other judge. If any thing be revealed to another that sitteth by, let the first hold his peace. For ye may all prophesy one by one, that all may learn, and all may be comforted.”<sup>2</sup> “By which words of the Apostle,” *The Book of Discipline* continues, “it is evident that in the kirk of Corinth, when they did assemble for that purpose, some place of Scripture was read, upon the which, one first gave his judgement to the instruction and consolation of the auditors; after whom did another either confirme what the former had said, or added what he had omitted, or did gently correct or explaine more properly where the whole verity was not revealed to the former; and in case things were hid from the one and from the other, liberty was given for a third to speak his judgement to the edification of the kirk; above which number of three, as appears, they passed not, for avoiding of confusion.” The Reformers laid down regulations for the speakers. The manner in which they discharged their task was to be criticised by “the whole ministers [with] a number of them that are of the assembly”; and, if “any notable” fault were found, they were to be “gently admonished.”<sup>3</sup>

The parish ministers and exhorters resident within six miles of each chief town were to be required to attend the Exercise there, that either being sent for to assist at an Ordination in the Church off Kettins.” The ministers of Kettins would doubtless assist also.

Archbishop Sharp ordained Mr Robert Lundin, presentee to Dysart (Second Charge), “att the Ferry, near Dundie” (*Chronicle of Fife*, 266).

<sup>1</sup> Row’s *The History of the Kirk of Scotland*, 53. Grindal writes of “Exercises . . . that are commonly called prophecies” (*Remains of Archbishop Grindal*, Parker Society, 392).

<sup>2</sup> 1 Corinthians xiv. 29-31.

<sup>3</sup> Dunlop’s *Collection*, ii. 587-90.

they themselves might learn, or others learn by them. Persons supposed to possess gifts which might edify the Church were to be charged to attend that it might be ascertained whether they were likely to become useful ministers, and, in case of their refusal after sufficient admonition, were to be processed as offenders if the civil magistrate consented: "for no man may be permitted as best pleaseth him to live within the Kirk of God, but every man must be constrained by fraternall admonition and correction, to bestow his labours, when of the Kirk he is required, to the edification of others."<sup>1</sup>

Ministers and exhorters, however, were remiss in their attendance at the Exercise. The 33rd General Assembly, in 1576, passed the following stringent Act:—"Forasmuche as the dishaunting and intermissioun of the exercise, almost everie where, is greatlie lamented, and the cheef occasioun is laike of punishment of suche as ather sould prophecie themselves, or occupie the secund place of additioun; therefore, the Assemblie present hath thought meet, and ordeanned, that all ministers and readers within eight myles, or otherwise at the discrecioun of the visiter, sall resort to the place of exercise eache day of exercise, and namelie, the ministers that sould prophecie and adde; wherin, if either of the two faile, that for the first fault they sall confesse their offence upon their knees, in presence of the brethrein of the exercise; for the secund, that they make the like submissioun before the synodall assemblie; for the thrid, that they be summouned before the Generall Assemblie, and receive discipline for their offence; for the fourth, that they be deprived of their offices and functions in the ministrie."<sup>2</sup>

It is worthy of note that, about this time, either by the appointment or with the sanction of the Bishops, "exercises or prophesyings" were held in several English Dioceses.<sup>3</sup> In the year in which the General Assembly passed an Act in support of those meetings, 1576, Queen Elizabeth ordered Archbishop Grindal to issue instructions for the suppression of them throughout her realm.<sup>4</sup> He declined to do so. "I am forced," wrote the Archbishop to Her Majesty, "with all humility, and yet plainly, to profess, that I cannot with safe conscience, and without the offence of the majesty of God, give my assent to the suppressing of the said exercises: much less can I send out any injunction for the utter and universal subversion of the same."<sup>5</sup> His conscientious refusal to obey

<sup>1</sup> Dunlop's *Collection*, ii. 590-1. James Melvill exercised publicly at Glasgow at the age of 18. In the Exercise of Montrose (1570) one of the speakers usually discoursed for an hour (*Autobiography and Diary of Mr James Melvill*, Wodrow Society, 50, 22).

<sup>2</sup> Calderwood's *History of the Kirk of Scotland*, iii. 375-6.

<sup>3</sup> *Remains of Archbishop Grindal*, 372, 383.

<sup>4</sup> *Ibid.*, 375.

<sup>5</sup> *Ibid.*, 387.

the royal command was followed by the restraint of his liberty and the sequestration of his jurisdiction.<sup>1</sup>

There is evidence that, from an early period, the attention of the Exercise was not confined to the exposition of Scripture. Thus Calderwood notes, under date 1563, that the Superintendents and the Commissioners of Provinces were assisted by the "meetings of ministers for the exercise of prophetic."<sup>2</sup> In 1573, the 26th General Assembly ordained that, for the guidance of ministers, a copy of the Acts of Assembly should be transmitted to every Exercise; and that, in order to expedite business, such matters as emerged between the meetings of the Synods and the General Assembly should be reported to every Exercise for consideration, twenty days before the meeting of the Supreme Court.<sup>3</sup> It was only natural, therefore, that the 39th General Assembly (July 1579), in answer to a crave of the Synod of Lothian that, until the *Second Book of Discipline* received legal sanction, Presbyteries should be erected in places where public exercise was held, should declare that the Exercise might be judged a Presbytery.<sup>4</sup>

Before the erection of Presbyteries by the General Assembly with the sanction of the King, therefore, the Scottish Church possessed, in the existing exercises, a Presbyterial system. The Presbyteries afterwards erected were, in general, based upon the exercises.

The Exercise of prophecy was continued after the erection of the Presbyteries. In April 1582, the General Assembly thought meet that the day of the Exercise should be the day of ecclesiastical processes in the Presbytery<sup>5</sup>; and, in 1597, ordained that "in the exercises, when the ministers are convenit at their Presbyteries, no applicatione be used," an Act renewed in 1601.<sup>6</sup> The General Assembly of 1598 enjoined, under pain of censure, that all members of Presbytery resident within eight miles of the Presbytery seat should meet once every week; that every member should study the text on which the Exercise was to be made; and that once a month the Presbytery should discuss a Commonhead.<sup>7</sup>

Under Episcopacy (1610-38) the weekly exercise of doctrine continued.

Among "The Heads and Articles concernyng the discipline of the Kirk," appointed by the Assembly of 1610 to be observed in all time coming, was this:—"Exercise of doctrine to be continowit weekly amangst

<sup>1</sup> The phrases are the Archbishop's (*Remains of Archbishop Grindal*, 393).

The Exercises were suppressed by a letter under the Queen's signet, signed on May 7, 1577 (*Ibid.*, 469).

<sup>2</sup> Calderwood's *History of the Kirk of Scotland*, ii. 224.

<sup>3</sup> *Ibid.*, iii. 279.

<sup>4</sup> *Ibid.*, iii. 450.

<sup>5</sup> Peterkin's *Booke of the Universall Kirk of Scotland*, 249.

<sup>6</sup> *Ibid.*, 459, 496.

<sup>7</sup> *Ibid.*, 475.

the ministers at the tymes of their accustomed meetings, and to be moderatit be the Bischope, if he be present, or then be ane uther quhom he sall appoynt at the tyme of the Synod.”<sup>1</sup>

At the Synod held by Archbishop Gladstones at St Andrews in April 1611, certain brethren were appointed “to condiscend vpon certane penalties, to be exacted of . . . such as failzie to mak the Exerceis, Additioune, or intreat the Commoune-Head of doctrine, according as thei ar injoynd in thair courses.”<sup>2</sup>

The extant *Records of the Presbytery of Perth* show that the rule of holding exercise was observed by that Presbytery to the close of the period. Their practice may be accepted as typical.

The General Assembly of 1638 renewed the Act of the Assembly of 1582, with reference to absence from the Exercise and Presbytery, and that of the Assembly of 1598 above quoted.<sup>3</sup>

The Synod of Perth and Stirling, in April 1643, ordered the Presbytery of Perth to hold Exercise, if the exerciser were ready to discharge it, even though few ministers were present. In such a burgh as Perth, it was affirmed, there could not fail to be “a sufficient auditorie.” In April 1650, it was reported to that Synod that the Presbytery of Stirling, to whom members of other Presbyteries had been adjoined because of the paucity of their number, had ceased to hold exercise at the request of those members, because in winter, when the day was short, time was not available both for exercise and discipline. The Synod ordered the Presbytery to hold exercise constantly. It was reported to the same Synod, in April 1657, that the Presbytery of Dunkeld seldom discussed an Exercise and Addition at their meetings. It was explained that the distance of many of the members from the Presbytery seat was so great that it was late before they assembled; and that, therefore, they were unable both to hold exercise and transact their business in one day, at least during the winter season. The Synod enjoined them to have exercise at every meeting, and, if necessary, to meet on the following day for business. At the following meeting of the Synod—October 1657—it was stated that the Presbytery had failed to have Exercise and Addition for a long time. It was replied that some of the brethren appointed to the duty lived at so great a distance from Dunkeld that they were unable always to attend the meeting of the Presbytery, especially in bad weather. The Synod ordered them so to arrange that exercise might be held at every meeting. The Synod, on the same occasion, enjoined the Presbytery of Ochterarder, who had held no exercise at three successive meetings, on account of business and the absence of the exercisers, to have exercise

<sup>1</sup> Peterkin's *Booke of the Universall Kirk of Scotland*, 587-8.

<sup>2</sup> *Selections from the Minutes of the Synod of Fife*, 5-6.

<sup>3</sup> Peterkin's *Records of the Kirk of Scotland*, 34.

at all their meetings, and to censure those who were frequently absent without reasonable excuse.

Their Registers show that the Presbyteries of Perth and Meigle continued to hold Exercise and Addition, the former till March 27, 1661,<sup>1</sup> the latter until the suspension of their meetings by Act of the Privy Council.

The Presbyteries established by Episcopal authority in 1662 continued the practice. The Archbishop and Synod of St Andrews, in October 1662, appointed "That there shall be, within the same several precincts within the Diocese that formerly were, meetings of the ministers of their respective bounds for exercise of their gifts as formerly."<sup>2</sup> The minute of the Presbytery of Meigle on November 18, 1662, runs:—"According to the appoyntment of our severall Ordinaries, the Archbishop of St Andrews, the Bishops of Dunkeld and Brechin, this Presbetry is desyred to continue ther Ordinarie in exercising."

On a report by visitors of the Presbytery books "that several ministers are slack in observing and keeping the ordinary course of exercise at the meeting of the Presbytery," the Archbishop and Synod of St Andrews, in April 1681, enjoined that "the ancient custom of the Kirk" should be observed throughout the Diocese.<sup>3</sup>

The Registers of the Presbyteries of Dunkeld and Cowpar-Angus show that the Exercise and Addition formed part of the business of those Presbyteries to the close of the period.<sup>4</sup> On September 7, 1687, the

<sup>1</sup> The Register of the period closes on that date. Exercise and Addition were prescribed for the next meeting.

<sup>2</sup> *MS. Register of the Presbytery of Perth*, January 14, 1663.

<sup>3</sup> *Ibid.*, June 23, 1681.

<sup>4</sup> The *Register of the Presbytery of Perth* for the period closes on September 21, 1681; that of Meigle on March 15, 1687.

All who desired might attend the Exercise (*supra*, Synod of Perth and Stirling, April 1643). It was styled "public doctrine": *e.g.* The minutes of the Presbytery of Meigle state on February 10 and 17, 1663, "This day, ther was noe publict doctrine": and on June 12, 1666, "No publicke doctrine in respect of Mr Johne Rattray, who should have beene the first speaker, his unweelnes and indispositione of bodie: the publicke exercise continowed till the nixt day *ut supra*."

The church bells were rung for the Exercise, at least in Perth and Dunkeld, after the Revolution.

For Perth, *v. infra*.

The minute of the Presbytery of Dunkeld on July 10, 1716, runs:—"No Exercise nor Addition, in regard Mr Ferguson and Mr Ross did not cause ring the bells in due time . . ."; on March 12, 1723: "No Exercise nor Addition, in regard although Mr James Stewart was in readiness, and came up timeously, yet the bells were not rung by a mistake"; on November 9, 1725: "The Presbytery delayed to take Mr Fisher's Exercise and Addition till to-morrow after the Privy Censures, the bells not having been rung in due time . . ."; and on November 10, 1725: "Then the congregation being convened, Mr James Fisher delivered the Exercise and Addition upon Philippians, 3rd Chapter, 6th verse. . . ."

In the Presbyteries of Perth and Dundee, and probably elsewhere, the Exercise was delivered from the pulpit, the speaker being robed (*v. infra*, Presbytery of

Presbytery of Dunkeld appointed that, in future, one clergyman instead of two should Exercise and Add at each meeting; but the Archbishop and Synod of St Andrews, in October 1687, "did think fit that the ancient practice of keeping the Exercise and Additione by two different persons be continued, unless the brethren of the severall Presbyterys shall find it needfull they be performed by one persone in some cases."

From November 8, 1659, until July 26, 1670, the Presbytery of Meigle expounded the Gospel according to St Matthew, beginning at the 18th Chapter, verse 1. On August 16, they began the Epistle to the Romans; and on March 15, 1687, on the eve of their dissolution, had finished the exposition of the third verse of the 8th Chapter. Before November 2, 1681, the Presbytery of Dunkeld had discussed the Gospel according to St Matthew as far as the 18th verse of the 13th Chapter; and, on July 3, 1689, held Exercise for the last time as a court under Episcopacy, so far as is recorded, on Matthew xiv. 31, in connection with the trials of a student of Divinity for licence. On July 5, 1687, the Presbytery of Cowpar-Angus held Exercise and Addition for the first time on Romans viii. 1, and on April 2, 1689, had interpreted 7 verses.

The Exercise continued under post-Revolution Presbytery.

At their first meeting, on July 30, 1690, the Presbytery of Perth and Dunkeld appointed Exercise and Addition to be held at their meetings, "and for that end pitched upon the 3d Epistle of John for the subject, and appointed Mr John Andersone, minister of the Gospell at Perth, to Exercise, and Mr William Ried, minister of the Gospell at Ratray, to Add, on the 1 of the foresaid Epistle their next meeting." Pressure of business frequently prevented the Presbytery from holding Exercise; and, on November 28, 1694, they resolved that public Exercise should be held at every meeting in future, and that the bell should be rung for it at ten o'clock. The minute of November 16, 1698, runs:—

"Anent Exercise and Additione, the Presbitrie, resolving during winter tyme to meett but once a moneth, appoints the brethren to stay in Towne all night, that they may have Exercise in the foirnoon, and Presbitrie all afternoon, if nied be, appointing . . . the bell to ring precisely again 10 in the foirnoon on the Presbitrie day.

Perth, July 17, 1622). It is recorded in the Register of the former Presbytery, under date June 21, 1676, ". . . no Exercise this day, in regard that one of the speakers fell so extraordinarily unwell, after he came to the town, that he was not able to go to the pulpit"; and in the Register of the latter, under date January 14, 1680: "This day, while the exerciser was in his gown going to the pulpit, the Earle of Northesk's corps wer landed, and lifting, and the cannons shutting, and the body of the toune attending the corps, and the ministers invited to the burial, and the corps to be depositate in the church, for that night; therfor, it was thought expedient to surcease the Exercise that day, notwithstanding after the close of the funeral's solemnity the brethren meet for discipline."

On September 30, 1703, the Presbytery accepted the following overtures :—

“ 1. That there be Exercise and Additione on every day of their meeting ; and that the bell ring precisely by ten a'clock for that effect ; and that such of their number as come in late may be taken notice off.

“ 2. That if either he who is to exercise or add be absent, his part of the Exercise shall be no longer on his hand, but given to another, unless a relvant excuse be given ; and the deficient to be censured according to his demerite for that time, and after goe on in the work.

“ 3. That if it be he who is to add that beis absent, the exerciser shall goe on without him.”<sup>1</sup>

On October 29, 1706, when the Presbytery of Dunkeld met for the first time after their re-erection, they selected the Epistle to the Philippians as the subject of the Exercise and Addition, and concluded the exposition of that Epistle at the 19th verse of the 4th Chapter, 38½ years after, on March 5, 1745. They then appointed the Exercise and Addition to be upon the Epistle to the Hebrews, and by November 3, 1761, had reached the 7th verse of the 2nd Chapter.

As in former periods, the Exercise was frequently delayed through the absence of one or both of the ministers appointed for the duty, and pressure of business. The minute of August 24, 1714, runs :—No

<sup>1</sup> “ 1. It's a part of the Work of a Presbytry to begin every Meeting with a Sermon by one or two of the Brethren, appointed by the former meeting of the Presbytry for that effect, and his text assigned him by the Presbytry, which is called a Presbyterial Exercise.

“ 2. The half of the time allowed for this Exercise is ordinarily to be taken up in the Explicatory and Analytick Part of the Sermon, and in answering Textual and Critical Questions and Difficulties ; the other half of the time allowed is to be taken up in raising of Observations and Doctrines from the Text, one of which at least is to be methodically handled, the first whereof is called *Exercise*, and the other *Addition*.

“ 4. After the Exercise is over, and the Presbytry met in their own meeting place, and the meeting constitute, The Censure of the Exercise they have heard useth alwise to be the first Work of the Presbytry.

“ 5. After the Censures have past round, the Moderator may resume the whole, to the admonishing and encouraging of the Brother, as the cause requireth.

“ 7. The Presbyteries are for these Exercises to chuse some portion of Scripture, and proceed orderly from Verse to Verse” (*Overtures concerning the Discipline and Method of Proceeding in the Ecclesiastick Judicatories of the Church of Scotland*, 1705, 29).

“ The Presbytrie, taking under their consideration that partly through the multiplicity of affairs, which hitherto they have had in hand, and partly because of the frequency of young men their being upon tryals before them, Presbyterial Exercise and Addition has not been as yet set up by them, Did and hereby do appoint that they shall have Exercise and Addition for the future ; and that the Epistle to the Hebrewes shall be the ordinary subject therof, beginning at the first verse of the first chapter therof : as also that, for some time at least, one shall both exercise and add. The Presbytrie also appoints that they shall observe Privie Censur for the future, according to the Act of Assembly therenant” (*MS. Register of the Presbytery of Dundee*, April 14, 1701).

Exercise and Addition, in regard of both Mr Campbell and Mr Patrick Stewart's absence who were to have the same. The Presbytery, that that Exercise may no longer be delayd, appoints that if these who are to have these Exercises delay to deliver the same for two dayes, that then the next two who fall in course have the same ; and, in the mean time, they appoint that if Mr Campbell and Mr Stewart deliver not the Exercise and Addition the next day, that the other two who are to succeed have the same, only if one of them be ready and the other not, the Presbytery is to take the Exercise or Addition from the brother who is ready to deliver it."

That regulation, however, was not observed: the members of the Presbytery were compelled to deliver the Exercise and Addition in turn under threat of censure. On December 3, 1731, May 30, and July 4, 1732, Mr Fergus Ferguson, minister of Fortingale, was peremptorily enjoined to deliver the Addition. The minute of July 1, 1740, is as follows:—"No Exercise nor Addition, in regard Mr Gilbert Man [Moneydie] says he was so employd that he had not a day to himself since the last Presbytery, for visiting and examining his people, and he thought the one preferable to the other. The Presbytery did peremptorly appoint him to deliver the Exercise and Addition next Presbytery day." Mr Man was absent from the two following meetings on account of illness. On December 2 the Presbytery continued the appointment on him.

On February 10, 1741, the Register continues:—"No Exercise nor Addition, in regard of Mr Gilbert Man's absence, but there was a letter of excuse from him shewing why he has not attended this day ; but the Presbytery did not sustain his excuse, and appoints a letter to be written to him peremptorly requiring him to attend next Presbytery, and deliver the Exercise and Addition, with certification, if he do not, they will proceed to a severer course." Man duly obeyed the appointment, and "having more fully expressed and represented his excuse for former absence, the same was sustained."

Mr Ferguson was again a defaulter. On June 5, 1744, he was appointed to deliver an Exercise and Addition at the following meeting, "or provide sermon to the Presbytery till he deliver it." His excuse for failure to obey that appointment was sustained on July 3. On September 4, he sent a letter to the effect "that something came in his way that he could not attend this day to deliver the Exercise and Addition, but would attend next Presbytery-day, and deliver the same." On November 20, 1744, the minutes run:—"No Exercise nor Addition, in regard of Mr Fergus Fergusone's absence, although he promised in his letter to deliver it this day. The Presbytery appoints their Clerk to write him to deliver the same next Presbytery-day, or send a relevant excuse, else the Presby-

tery will censure him whether present or absent"; and on February 4, 1745 :—" No Exercise nor Addition in regard of Mr Fergus Fergusone's absence, and the Clerk having forgotten to write to him : the Presbytery renews the appointment upon him to deliver the Exercise and Addition next Presbytery-day ; and resolve that, if he do not, they will refer him to the Synod, and summon him to attend, and appoints his nearest neighbour to advertise him " ; and on March 5 :—" This day, Mr Fergus Fergusone delivered the Exercise and Addition upon Philippians 4 and 19 ; and the Presbytery sustained it as an evidence of Mr Fergusone's diligence, and also excused him for former absence." On September 2, 1755, Mr Thomas Man, minister at Dunkeld, was appointed to exercise at the next meeting : and the Act was frequently renewed. On September 7, 1756, the minutes proceed :—" Mr Man offered an excuse for not delivering the Exercise and Addition ; which the Presbytery having considered, appointed him to deliver it against the next meeting in this place, with certification that, if he failed therein, the Presbytery would censure him or supersede him." At the next ordinary meeting, he offered an excuse for his failure to obey that Act, consideration of which was delayed. He delivered the Exercise and Addition at last on August 2, 1757 : and from then till October 4, 1758, and from that date till November 3, 1761, nor thenceforth till October 5, 1762, was the Exercise delivered by a member of the Presbytery, in consequence either of absence or pressure of Presbyterial business, or trials for licence and ordination.

The days of this ancient practice were numbered, at least in the Presbytery of Dunkeld. On the last-mentioned date, " The Presbytery, considering that there are several inconveniencys attending the present method of prescribing the Exercise and Addition, Resolved that hereafter the brother who is to deliver it shall choose his own text ; and if any decline to undertake that Exercise, the member next in the roll shall take it, to be delivered on the first succeeding day of the Presbytery's meeting."

After December 7, 1762, when Mr James Bishop, minister of Kinclaven, discoursed on Genesis xi. 6 and 7, no Exercise was delivered by a member of the Presbytery. On July 5, 1763, Mr James Gow, minister at Cargill, was appointed to deliver an Exercise and Addition ; but, after failing to obey the appointment at four meetings, wrote to the Presbytery, on February 7, 1764, declining the duty. The ministers of Kinloch and Cluny also refused to undertake the Exercise ; and, on March 6, 1764, the Presbytery appointed Mr James Campbell, minister at Kenmore, to deliver it. Mr Campbell had not performed his task on December 3, 1765. After that date, there is no further reference to the Exercise and Addition as part of the ordinary work of the Presbytery. The practice of over 200 years was silently dropped.

The following references are taken from the *Register of the Presbytery of Perth* :—

*May 20, 1618.*—No addition, because Mr John Fyfe, who should have added, was not advertised through the sloth and negligence of Mr Patrick Rynd, who is sharply rebuked for the same.

*July 29, 1618.*—Because many brethren uses to be absent from the Exercise . . . therefore the Moderator and brethren present, with one uniform consent, ordains that those absent from the Exercise in time coming, without a reasonable excuse, pay the sum of x shillings money of this realm *toties quoties*.

*January 20, 1619.*—My Lord Bishop of Dunkeld added, who is appointed to exercise next.

*August 30, 1620.*—Because the Epistle to the Romans is ended this day, ordains the brethren that should exercise to begin the first Epistle to the Corinthians.

*February 21, 1621.*—No Exercise this day, because Mr Robert Murray, who was appointed to exercise, was langsome in coming through darkness of the day, and therefore is rebuked and ordained to exercise next.

*July 17, 1622.*—The Presbytery ordains a brother to have a gown upon him when he exercises, under pain of censuring.

*April 30, 1623.*—Which day, the Moderator and brethren of the Presbytery ordains each brother, the day that he exercises, to give to Thomas Duff, beadle, 16d. for his onwaiting and keeping of the door.

*May 5, 1624.*—Which day, it is concluded, with a uniform consent of the Moderator and brethren, that, when this first Epistle of Paul to the Corinthians, whereupon our Exercise is presently, is ended, our Exercise shall be upon the beginning of the Acts of the Apostles, and so forth to the end, and to that effect that the brethren may provide books necessary.

*May 26, 1624.*—No Exercise, because the Justice Court sat in the new kirk, and loud proclamations made at the door, and din of folks going out and in : Exercise conveniently could not be held.

*January 21, 1629.*—Which day, Mr Henrie Adamson exercised. There was no Addition, because Mr John Cruikshank alleged he was not advertised, notwithstanding that Mr John Nairn, whom the brethren ordained to advertise him, testified that he advertised his wife, both of chapter and verse. All the brethren think him worthy of rebuke, whereupon he is removed and censured.

*April 13, 1631.*—As for those who have been so often absent, by whose negligence the Exercise and Addition have been intermitted, remits their censure to the Synod of St Andrews, because the brethren of the Presbytery can (not) get order taken with them.

*September 21, 1631.*—No Exercise, because of the convention of His Majesty's Council ; as also the Commissioners of Burghs did sit where the brethren of the Presbytery should have sitten.

*March 19, 1634.*—Which day, Mr James Ross exercised : there was no Addition because the hour was expired before he ended, the adder also being present.

*May 28, 1634.*—Which day, the brethren, having nearly ended the history of the Acts of the Apostles, do conclude to begin the next matter of their Exercise on Genesis.

(The Exercise on the Book of the Acts ended on July 16.<sup>1</sup>)

*April 7, 1638.*—The which day, Mr Alexander Bannevis, younger, exercised, and, because the hour was expired, there was no Addition.

*September 18, 1639.*—The brethren met, but there was no Exercise because of Mr William Haliburton's absence. They ordain him to be summoned to come, with certifications, as effeirs, that, if he keep not, they will proceed against him according to the order of the Kirk.

*September 25, 1639.*—Mr William Haliburton made : . . . being removed, was censured for his absence and neglect : the brethren thought fit that he should be sharply rebuked for bygones, and that it should be intimated to him that, if he slipped the Exercise or Addition hereafter, they will proceed against him according to the order of the Kirk.

*February 1, 1643.*—There was no Exercise. The Presbytery ordains the Clerk to write to Mr David Williamson to come and exercise the next day ; as also Mr William Halyburton to add, with certification, if they fail, the Presbytery will proceed against them with the sentence of suspension.

*February 8, 1643.*—There was no Exercise, in respect Mr David Williamson, who was appointed to make, declared that the boat wherein he was crossing struck upon the water, and hindered him from coming in time. The brethren accept of his excuse for this day, and appoints him to be censured for former absences.<sup>2</sup>

*August 17, 1643.*—Mr David Williamson, who should have added, coming *in sero*, was asked why he kept not the Addition ; pretended his weakness and age : being removed, his excuse rejected, censured, and sharply rebuked.

*November 8, 1643.*—Mr George Moncrieff exercised, and was exhorted by the brethren, because of some mistakes and weakness, to be earnest with God in prayer, and to be diligent at his books for enabling of him in his ministry.

*May 1, 1644.*—No addition, because of Mr Archibald Moncrieff his

<sup>1</sup> *v.* Absents, May 6, 1635.

<sup>2</sup> For Halyburton, *v.* Absents, February 8, 1643.

absence. He is much complained upon by the brethren and appointed to be censured.

*May 22, 1644.*—No Exercise, because Mr Archibald Moncrieff, who should have exercised, was absent. The brethren are highly offended with him, and ordains that he be censured therefore.

*November 27, 1644.*—No Exercise, because the brethren did not convene till it was past all time of Exercise. Ordains all the brethren to be advertised that they convene timeously next day, and to advise anent some course of better order keeping in time coming.

*January 7, 1646.*—The matter of Exercise is appointed to follow forth the first 20 chapters of Exodus.

*March 17, 1647.*—The ministers of Perth are appointed, each Wednesday, to direct the beadle to give furth a glass for keeping of the time.

*June 16, 1647.*—Mr William Hallyburton was sharply rebuked because of his last day's absence, thereby causing the Addition to the Exercise to be wanting.

*August 25, 1647.*—No Exercise, because Mr John Omev [expectant], compearing, declared himself conscious of great weakness and fear: desired the brethren to take it in good part, and required a delay for a short time, which was granted.

*June 20, 1649.*—Mr James Olyphant added: is censured for his longsumness and generality in that point that women should be learners and not teachers, not explaining the same, in respect, as the Presbytery thinks, women may instruct and pray in their families, their husbands being absent: and, being posed if he knew any women guilty of going on in trying above that which is incumbent to them, he answered that he knew none in particular.

*October 31, 1649.*—Mr Alexander Balneavis exercised . . . and Mr John Crookshank added. They are censured for longsomeness, and Mr Alexander Balneavis for being too general.

*November 21, 1649.*—Mr Alexander Dundie added, who was censured because of his want of method, and silence concerning the times.

*December 19, 1649.*—The which day, exercised Mr John [James] Crichton, and Mr William Row added, on the 18th chapter of Exodus, from the 13th verse until the 18th: both approved: only the brethren think they were both too longsome, and that Mr James Crichton encroached too much on the second speaker's part.

*July 3, 1650.*—Which day, Mr Thomas Strachan exercised . . . and Mr William Haliburton added. Mr Thomas Strachan censured for mistaking the word sanctification; and Mr William Haliburton censured for indistinct speaking, and insisting long upon an observation that did not clearly rise of the text.

*August 28, 1650.*—The Presbytery ordains that all the brethren who comes not in timely to the Exercise shall be rebuked for the first time, and thereafter censured, except they can give a lawful excuse : as also they ordain that the Moderator “pro tempore,” in all time coming, shall propose some question of Divinity when the Presbytery meets at dinner.

*April 2, 1651.*—The brethren resolves to change the ordinary place of Exercise, so soon as they perfect the 20th of Exodus, and to begin at the first chapter of the Evangel of John.

*April 16, 1651.*—Mr George Moncreiff was admonished for his imperfect way of delivery in standing ordinarily at words, and not pronouncing sentences together.

*November 14, 1655.*—The Presbytery appoints that the Exercise be established, and begun this day 15 days at the ministers of Perth, and so forth along the catalogue of the kirks of the Presbytery, and that the Exercise bell ring at ten hours ; and allots half an hour to the first speaker, and a quarter to the second, to the effect the Exercise may be closed in an hour.

[There had been no Exercise from July 30, 1651, save in connection with trials for licence and ordination.]

*November 19, 1656.*—The Presbytery appoints, in time coming, that both the exerciser and the adder shall, every one of them, have half an hour, and are appointed to keep their time precisely.

*February 17, 1664.*—No Exercise this day, in regard of the brethren's late coming in, and absence of some of the brethren.

The Exercise is continued upon the brethren formerly nominated ; and the brethren present exhorted to come more timely ; and the absents to be advertised, to the effect the Exercise may begin at the ordinary time at ten o'clock.

*April 20, 1664.*—No addition, because of the absence of the second speaker, Mr George Moncreiff, who sent his letter of excuse, bearing that he was appointed to go to Edinburgh to attend the Archbishop of St Andrews anent his stipend, as a letter under the Clerk of the Synod his hand this day produced bears.

Presbyteries were also enjoined to discuss a Commonhead.

The General Assembly of 1598 ordained : “That ane common head of religion be intreatit every moneth in ilk Presbytrie, both by way of discourse and disputation.”<sup>1</sup>

<sup>1</sup> Peterkin's *Booke of the Universall Kirk of Scotland*, 475. v. Synod of St Andrews, 1611, *supra*. That Synod, in September 1611, enjoined that a Commonhead should be discussed monthly, “the failzier heirin to pay 30s.” (*Selections from the Minutes*, 34).

The following references to the Commonhead are taken from the *Register of the Presbytery of Perth* :—

*April 22, 1618.*—Which day, Mr James Carmichael taught his Commonhead *De Regeneratione hominis*, and allowed : ordains Mr John Guthrie to handle the next Commonhead *De canone Scripturæ* this day month.

*October 26, 1618.*—Which day, Mr John Guthrie handled the Commonhead *De Libris Canonice Scripturæ* : ordains Mr Ninian Drummond to teach the next Commonhead, this day month, *De Invocatione Sanctorum*.

*July 7, 1619.*—Which day, Mr John Straquhan is rebuked that he is so long in handling of the Commonhead. He promises to do the same, this day fifteen days, without longer delay.

*March 7, 1621.*—Which day, Alexander, Bishop of Dunkeld, handled the Commonhead *An Generale Concilium possit errare?* : ordains Mr Patrick Rynd to handle the next Commonhead this day month.

*November 28, 1621.*—The Moderator required the brethren to be more diligent in handling the Commonhead.

*December 29, 1624.*—Which day, the Scribe remembers the brethren that they will be censured at the next Synod, because the Commonhead has not been handled among them since the 9th day of June last.

*May 14, 1634.*—Which day, Mr John Straquhan had the Commonhead *De traditionibus*.

*October 18, 1637.*—Mr George Moncrieff handled the controversy *De notis positivis Ecclesiæ*.

*January 3, 1638.*—Mr John Hall had the Commonhead *De Invocatione Sanctorum*.

The General Assembly of 1638 renewed the Act of 1598, and ordained that the Commonhead be disputed "every first Presbyterie of the Moneth."

The *Register of the Presbytery of Perth* shows that the Commonhead was seldom discussed by them during the period 1638-1649. On December 19 of the latter year, the Presbytery resolved to handle a Commonhead on the first Wednesday of every month, but none was disputed till March 20, 1650 : after that date, there is no reference to the subject save in connection with the ordinary trials for licence and Ordination.

Licentiates were expected to take their part in this portion of the work of the Presbytery. Thus it is recorded in the *Register of the Presbytery of Perth*, under date April 10, 1644 : "Mr John Letham handled the Commonhead *De Descensu Christi ad inferos* . . . Mr Alexander Dundy appointed to handle the Commonhead *De bonis operibus*."

Letham had been rebuked by the Presbytery for his delay in discussing

the Commonhead (March 20, 1644) : Dundy also was censured for the same reason.

The minutes run :—

*November 6, 1644.*—The brethren were highly offended with Mr Alexander Dundy for delaying the Commonhead : he is appointed to be advertised to be present next day.

*November 13, 1644.*—Mr Alexander Dundy appointed to be advertised next Day, and to give a reason why he giveth not account of the Commonhead laid upon him.

*March 5, 1645.*—Mr Alexander Dundie, as divers times before, sharply rebuked for not giving account of the Commonhead, and appointed to set a certain diet next day for giving thereof : otherwise the brethren will proceed against him by the censures of the Kirk.

*March 19, 1645.*—Mr Alexander Dundy sharply rebuked for not having the Commonhead. He is appointed to have the same the Wednesday after the Provincial Assembly.

*April 2, 1645.*—Mr Alexander Dundy appointed to have his Commonhead, *De bonis operibus*, next day.

*April 9, 1645.*—Mr Alexander Dundy had not his Commonhead, because it was known that he had received a summons to compear at Edinburgh this day, as witness in the process against Mr John Robertson before the Commissioners of the General Assembly. He is appointed to have the Commonhead next day.

*April 23, 1645.*—Mr Alexander Dundy, expectant, handled the common head, *De merito bonorum operum*. He was exhorted to be diligent in prayer and studies.

Dundie, who had been presented by Sir Patrick Hay of Pitfour to St Madoes, under a simoniacal compact (October 16 and 23, 1639), was afterwards silenced by the Presbytery (March 20, 1650).

The *Register of the Presbytery of Meigle* shows that a Commonhead was discussed by the members till the close of the Presbyterian (1661), and during a portion of the Episcopal, period :—

*December 20, 1659.*—Mr David Nevay [Glenisla] having gotten out a Commonheid, *De natura Fidei justificantis*, long agoe . . . the Presbiterie appoints him to give in his theses the next day of meiting.

*January 3, 1660.*—Mr David Nevay gave in his Theses as follows :—(not recorded).

*Alyt, February 3, 1660.*—This day, Mr David Nevay had an exegesis on his Commonheid, *De natura Fidei justificantis*, and sustained disputs, and being removed was approven.

Mr Thomas Smal [Lintrathen] was appointed to have the next commonheid, *De natura efficacia et fine utriusque Sigilli Federis*.

September 25.—Mr Thomas Small, having had his exegesis on his Theses, and sustained disputes, was approuen.

May 27, 1661.—Mr William Raitt [Kingoldrum] appoynted to have the Comonhead for this half year, and his subject to be *De Causis secessionis Ecclesiæ Reformatæ ab Ecclesia Romana*.

April 28, 1663.—Mr William Rait whoes tour it is nixt to have a Commonhead, *De secessione Ecclesiæ Reformatæ ab Ecclesia Romana*, is desyred to have his theses in readiness against nixt meeting.

June 16.—Mr William Rait had ane exegesis upone his theses and was approuen ; disputes delayed till nixt meeting.

June 30.—Mr William Rait sustained disputes, and was approuen.

July 3, 1666.—Mr Johne Fife, according to the ordinarie course of the Presbetrie, appointed to have a Commonehead, *De Primatu Papæ*, and his theses thereupon to be made readie with all convenient diligence.

Fife delivered his exegesis on February 4, 1668. Mr Silvester Lammy, minister at Essie, was then appointed to discuss the Commonhead, *De iudice controversiarum*. He did so on June 1, 1669.

The last Commonhead handled by a minister of the Presbytery was expounded by Mr David Paton, minister at Kettins, *De autoritate Scripturæ*, on March 14, 1671. On that date, the Presbytery prescribed a Commonhead to the Moderator, Mr George Haliburton, minister of Cowpar-Angus, *De perfectione et perspicuitate Scripturæ*: it was never discussed, and the practice of handling a Commonhead, as part of the business of the Presbytery, ceased.

The Registers of the Presbyteries of Dunkeld and Cowpar Angus contain no reference to the custom.

The Archbishop and Synod of St Andrews, in April 1668, instructed the visitors of the Registers of the various Presbyteries to note—“Whether there be a Common head of Divinity discussed, at least twice in the half-year, according to the custom of this Church.”<sup>1</sup>

The Bishop and Synod of Aberdeen, in October 1664, ordained that “the handling of commone heads of controversie be frequently performed by the brethren of the several Exercises, especiallie wher Poprie is most preached”; in April 1671 enjoined that a common head should be discussed “at evrie other meeting *alternis hominibus* with their ordinarie exercise”; and, in October 1671, considered it convenient that, at a meeting after the examination of a young man, a common head should be handled in the Presbytery. The instances in which those ordinances were obeyed by the Presbytery of Alford were very rare.<sup>2</sup>

<sup>1</sup> *MS. Register of the Presbytery of Perth*, June 10, 1668.

<sup>2</sup> *Records of the Exercise of Alford*, 59, 169, 177.

§ 6. ABSENTS

The attendance of ministers<sup>1</sup> at the meetings of the Presbytery was compulsory under both Presbytery and Prelacy. The General Assembly of April 1582 decreed that absentees should be “subject to the penaltie arbitrall to be appoyntit at the discretioun of every particular presbyterie.”<sup>2</sup> The Assembly of 1598, however, required attendance at each weekly meeting only from ministers residing within 8 miles of the Presbytery seat<sup>3</sup>; and, in ordering that Act to be enforced, the Assembly of 1600 ordained that defaulters after two warnings should be suspended from their ministry.<sup>4</sup> In April 1611, the Synod of Fife, presided over by Archbishop Gladstones, appointed a committee to determine the penalties to be exacted from absentees from the Exercise.<sup>5</sup> The General Assembly of 1638 enjoined that “all absents be censured, especially those who should exercise and adde, according to the Act of Assembly 1582, at St Andrews, April 24, Sess. 12.”<sup>6</sup> The Synod of Perth and Stirling, in April 1639, minuted as follows:—“Anent the keeping of Presbyteries, the Act of the last General Assemblie is intimated to be kept by resorting, exercizing, and addition weekly, and by handling a commun-head of controversies monethly, &c.”

It was declared to the Synod, in October 1639, that, in the Presbytery of Perth, the absent members had not been censured, and that common heads had not been discussed. The members of other Presbyteries acknowledged that they too were culpable in those respects, and offered as an excuse the difficulties of the time. It was reported to that Synod, in April 1641, that Mr James Rosse, minister at Fortingall, had been absent from all the meetings of the Presbytery of Dunkeld since the previous Synod, save one, and, on that occasion, had not been censured for absence. It was stated that he could not be present frequently, as Fortingall was 18 miles distant from Dunkeld and the road through the mountains. He was “admonished to make conscience of resorting unto the Presbyterie so oft as possibly he can, as he will answer unto God and the Kirk.”

One of the suggested Remedies of the “Enormities and Corruptions observed to be in the Ministry,” approved by the Assembly of 1646, was that absentees from either Presbytery or Synod, after serious warnings, should be dealt with by further ecclesiastical censure.<sup>7</sup> The same Synod enacted, in October 1649, that ministers absent from the meetings of either the Presbytery or Synod, without lawful excuses, should be rebuked and

<sup>1</sup> See Appendix A.

<sup>2</sup> Peterkin's *Booke of the Unversall Kirk of Scotland*, 249.

<sup>3</sup> *Ibid.*, 475.

<sup>4</sup> *Ibid.*, 478.

<sup>5</sup> or Presbytery. *Selections from the Minutes of the Synod of Fife*, 5-6.

<sup>6</sup> Peterkin's *Records of the Kirk of Scotland*, 34.

<sup>7</sup> *Ibid.*, 446-7.

admonished for the first fault, should be humbled on their knees before their respective courts for the second fault, and for the third, should be suspended. On October 21, 1656, the Presbytery of St Andrews, "being much weighted that many brethren were oft absent from the Presbyterie, . . . did appoint that these quho wer absent, having no lawfull excuse, sould be sharplie censured according to ther fault. And besides, it was by consent agreed on, that the absents should pay eight shillings . . . and if they sould offer to excuse themselves, that befor ther excuse were heard, the money sould be laid downe, and if the excuse were not found relevant, given to Mr Henrie Rymer, collector of this money." <sup>1</sup>

Under Prelacy also, ministers were required to attend the meetings of their respective Presbyteries.

The minute of the Synod of St Andrews in October 1663 proceeds :—

"The Presbytrie of Dumferlin are to call befor them the ministers of Culros that they may attend the meetings of the Presbytrie as they wer wont to do"; and in April 1664 :—"If any brother be absent from the Presbytrie tuo days, without a lauful excuse, his name is to be given in to the Synod." <sup>2</sup>

The Archbishop and Synod, in April 1672, instructed the visitors of the Presbytery books to report the names of brethren frequently absent; and, in October 1673, ordered them to report the names of such as had been absent three times between the meetings of the Synod, that their excuses might be heard and the relevancy of them judged, an Act renewed in October 1675. The minute of the Synod in April 1676 continues :—

"The Lord Archbishop and Synod considering that notwithstanding of former Acts appointing the due and ordinary keeping of the meetings of the Presbytery, yet several brethren are frequently absent from their respective Presbyteries: it is therefore ordained and enacted by the Lord Archbishop and Synod that whatsoever brother within the Diocese of St Andrews shall be absent three diets from the one Synod to the other, the reasons of his absence shall be marked and registered in the several Presbytery books: and it is appointed that the visitors of the books do report them to the Lord Archbishop and Synod to be judged of, and, in case that they be not relevant, that the brother be proceeded against to the censure of suspension." <sup>3</sup>

Among the Articles presented to that Synod by the Archbishop and approved, in October 1685, was this :—

"If any prisbiter absent himselffe from the meeteing of the Exercise,

<sup>1</sup> *Selections from the Minutes*, 71-2.

<sup>2</sup> *MS. Register of the Presbytery of Dundee*.

<sup>3</sup> *MS. Register of the Presbytery of Perth*, June 5, 1672; November 5, 1673; November 10, 1675; May 10, 1676.

or from the Synod, without a dispensation from the Archbishop, or a lawfull excuse singnified at the tyme under his hand being able to wreat, for his absence from the meeteing of the Excercise, he shall pay a rix dollor, and for his absence from the Synod twentie merkes Scots money, besid a publick rebook for the first tyme; and if he be found twice guiltie of same fault, he shall be suspended, or other wayes censured as the Synod shall advise, and that noe excuse shall be excepted without sendeing along the Clerk's fies."<sup>1</sup>

The Synod of Dunblane again, on April 13, 1664, "enacted, that if any brother within the two respective Presbyteries [*i.e.* of Dunblane and Auchterarder] shall be found to absent himself any dyet from his own Presbyterie without some just reason to be accepted of the Presbyterie, he shall pay twelve shillings Scotis, *toties quoties*"; and on April 11, 1677, ordained "that whosoever shall be absent from the meiting of the Presbyterie, without excuse approved by the meiting, sall pay five merkes . . . and if any brother shalbe five times absent in a year from the Presbyterie, without a very weightie excuse, the Presbyterie shall suspend him till the Synod." In April 1686, the minister of Comrie was found to have been absent from four successive meetings of the Presbytery of Auchterarder, without relevant excuse, and was rebuked by the Bishop in presence of the Synod.<sup>2</sup>

The Bishop and Synod of Aberdeen, in October 1663, enjoined that such ministers as were frequently absent from the meetings of the Presbytery should be fined, and if without amendment, should be visited with further censure. In April 1678, the same authorities decreed that an absentee who continued to absent himself after frequent warnings, and without relevant excuse, should be reported to the Bishop, who would issue a warrant of suspension from the ministry against him.<sup>3</sup>

In 1663, Bishop Haliburton of Dunkeld ordained "that evrie minister shall keep their Presbetrie meetings at their ordinary dyets; and each that shall be found absent, for the first fault, without ane lawful excuse of sickness, ore being without the bounds of the Presbetrie for the tyme upon necessarie occasione, shall be rebuked, for the 2d suspended, and for the 3d fault deposed"; but before the sentence of suspension or deposition was passed, the case was to be submitted to the Bishop.<sup>4</sup> The Presbytery of Dunkeld, in 1681, required the minister of Weem to attend their meetings<sup>5</sup>; and, on July 7, 1686, ordered the Clerk to summon to

<sup>1</sup> *MS. Register of the Presbytery of Dundee*, November 4, 1685.

<sup>2</sup> *Register of the Diocesan Synod of Dunblane*, II, 121, 221.

<sup>3</sup> *Records of the Exercise of Alford*, 31-2, 293. v. 141.

<sup>4</sup> *Acts and Constitutions*, § 10, vol. i., p. 129.

<sup>5</sup> *MS. Register of the Presbytery of Dunkeld*, November 2. v. Chapter VI., Malcolme, Bendochy.

their next meeting the minister of Rattray, who had been absent without excuse since August 5, 1685. The defaulter duly appeared, but the Presbytery were not completely satisfied with his excuses, and, "upon considerations known to themselves," delayed to express formally their opinion concerning them.

After the Revolution also, ministers were required to attend the meetings of Presbytery, and, if absent, to present a relevant excuse. Thus, in the *Register of the Presbytery of Perth and Dunkeld* it is recorded, on September 24, 1690:—"Mr John Anderson's excuse for his former absence being considered, was sustained." On November 28, 1694, the Presbytery of Perth and Dunkeld, in consideration of the slack attendance of the members at their meetings, ordained that the Acts of the General Assembly should be executed against all who failed to attend. On December 11, 1695, the minute is:—"The Presbitrie appoints the brethren to kiep Presbitrie miettings more punctuallie, and to be present hierafter be ten a clock in the foirnoon, and to continow till the Presbitrie be dissolved; certifying that who ever beis absent, without a letter bearing a relevant excuse, shall be lyable to any supplie of vacant kirks the Presbitrie shall appoint, and besyds be censurable conform to the Acts of the Church." On February 8, 1699, they rebuked Mr James Campbell, minister at Collace, for his long absence. The minute of the Presbytery of Perth on December 31, 1712, proceeds:—"Mr William English having come up, the Presbyterie called him to an account for his absence in the forenoon, and for his absence from the four last Presbyteries, and the Presbyterie which met for prayer and conference; and having given his excuse, he was desired to wait more punctually on Presbyteries in time coming.

The *Register of the Presbytery of Dunkeld* states, up to November 2, 1773, the names of the ministers absent from the meetings, and shows that excuses for absence were still required. After that date, the phrase "Absent all the rest" is used, and from 1774, save in two flagrant cases, no notice was taken of absentees by name, and no excuses were demanded. The cases referred to are those of the ministers of Kinclaven and Weem. The minute of December 1, 1776, runs:—"Messrs Scott and John Stewart, according to the appointment of the Presbytery at their last meeting, attended this day and made excuses for their former absence, which were sustained."

Ministers were required not only to attend the meetings of the Presbytery, but also to attend punctually. The Presbytery of Perth, on November 11, 1618, resolved that brethren, without a reasonable excuse for unpunctuality, should be admonished by the Moderator, and fined ten shillings Scots. The Presbytery of St Andrews, in 1656, "being

much weightd that . . . others come late," agreed that unpunctual brethren should be fined 4/.<sup>1</sup> The Presbytery of Alford, in 1664, "ordained that the meittings of the Exercise bee kept punctually bee two houres, and whosoever shall transgresse the said ordinance shall pay a shilling."<sup>2</sup> In 1674, the Bishop and Synod of Aberdeen enjoined "that evry minister shall come in tymeouslie to their respective Presbytries, and those who come late to be censured, unles that the excuse be found very relevant."<sup>3</sup>

The *Register of the Presbytery of Dunkeld* after 1706 shows that punctual attendance was still required of members. The minute of the meeting on June 5, 1711, runs:—"Mr M'claggan, Moderator, came now up and gave in excuse for his being so late in coming, which was sustaind; as also Mr Archbald Campbell came now up, and gave in excuse for his last dayes absence, and his being so late in coming, which was sustaind." On January 8, 1712, the minute continues:—"Mr Campbell came now up, and having given excuses for his absence the two last Presbitery dayes and being so late in coming this day, and being removd and his excuses considered, they were sustaind. . . . Mr James Stewart came now up, and having given excuse for his being so late in coming, it was sustaind." On September 7, 1756, it is stated "Mr M'Lagan, being now come up, took his place as Clerk; as also came up Messrs . . . who all made excuse for being late in coming, which was sustained, together with the excuse of such members as were absent at last meeting and are now present."

Ministers were also required to ask leave to withdraw from a meeting of the Presbytery, or to offer reasonable excuses for having withdrawn. The Presbytery of Perth, on November 11, 1618, resolved that brethren without a valid excuse for having left a meeting should be admonished by the Moderator and fined ten shillings Scots. The Synod of Perth and Stirling, in October 1649, attached the same penalties to the withdrawal of ministers from the Court without leave, as to absence. The Presbytery of St Andrews, in 1656, resolved that those who deserted the meeting of Presbytery should be fined two shillings. The Presbytery of Perth and Dunkeld, on September 30, 1703, adopted this overture:—

"4°. When the Presbitrie is mett after the said Exercise, they further appoint that none of their number goe out without leave first asked and given"; and this, "2°. That none of them be found goeing up and down the town during the meeting of the Presbitrie."

On March 13, 1706, their minute runs:—"Mr Chapman [Moneydie] obtaind liberty to goe home, but was appointyd to come back to-morrow."

<sup>1</sup> *Selections from the Minutes of the Presbyteries of St Andrews and Cupar*, 71.

<sup>2</sup> *Records of the Exercise of Alford*, 49.

<sup>3</sup> *Ibid.*, 221.

The *Register of the Presbytery of Perth* on October 26, 1709, continues :— “ Mr Dunning made his excuse for going off from the afternoon’s sederunt the last Presbyterie, and it was sustained ” : on December 21, 1709, “ Mr Thomas Schaw was excused for his going off from the afternoon’s sederunt of the last Presbyterie save one ; as also Mr Thomas Fisher for leaving the afternoon’s sederunt the last Presbytery.”

The minute of the Presbytery of Dunkeld on October 23, 1711, runs :— “ Mr M’claggan craving leave to go off upon some urgent bussines, he was allowd accordingly ” ; and on January 8, 1712 :— “ Mr Patrick Stewart cravd leave to go off upon urgent bussines, which was granted ” : on July 4, 1717, “ Mr Patrick Stewart went off without leave asked or given,— delay’d till the next day ” ; and on November 21, 1744 (to take a late example), “ . . . , sederunt the same *ut ante meridiem*, except Mr Thomas Man, who obtained leave to be absent.”

The attendance of ministers, and their punctual and continuous attendance, at the meetings of the Synod were also compulsory.

The Synod of St Andrews, in April 1611, ordained ministers then absent without excuse to be cited before the next Synod to hear the sentence of suspension from the ministry pronounced against them, in default of a relevant excuse ; and further, “ for preventing the departure of the brethren convenient to this Assemblie befor the dissolving thair of, and procuring that thei may convey preceislie at the tymes appoynted,” resolved “ that quhosoever sall depart befor the end of the Assemblie sal be reputt as thocht he had not bein present at all, and censured accordingly. And,” it was further ordained, “ everie brother comming tardie to the Conferens or full Assemblie sall pay, vnforgiven, sex” shillings. That Synod, in September 1611, “ ordained that the absentis from this present Assemblie, or any Assemblie in tym comming, sall pay for the first fawlt ten libs, for the secound xx libis, and vpon the thrid to be suspendit to the next Synode from thair ministrie,” and in case of his refusal to pay, the Moderator was enjoined to suspend him.<sup>1</sup> The same Synod enacted, in October 1628, that all absentees should be fined five pounds.<sup>2</sup>

The Synod of Perth and Stirling, in April 1639, unanimously ordained

<sup>1</sup> *Selections from the Minutes of the Synod of Fife*, 1-2, 3, 34.

<sup>2</sup> *MS. Register of the Presbytery of Perth*, October 22, 1628.

A list of ministers and their representatives pursued for the penalties for absence from the Diocesan Synods of Dunkeld is given in *Acts and Decrets of the Court of Session*, vol. 498, 156.

In April 1639, the Synod of Perth and Stirling received, by reference from the Presbytery of Perth, a complaint by Mr John Strachan, minister at St Martins, against the Commissary of Dunkeld, who had obtained from his conjunct-commissary a decree against him in absence without previous citation, for penalties for absence from the Diocesan Synods, and had raised Letters of Horning under which he had been denounced rebel. The Synod found themselves unable to interfere, as the

that all members, ministers and elders alike, absent from their meetings, either at the commencement or the close, should underly ecclesiastical censure and be fined two dollars; and that members absent when the roll was called during the meetings should pay six shillings, unless their excuses were sustained. The same Synod appointed that ministers absent from their meeting in October 1639, without excuse, should be cited by their respective presbyteries to answer to the following meeting for their absence. They also renewed the Act of April 1639, with the addition that, in time coming, the Moderators of Presbyteries should exact the prescribed penalties from absent members.

The minute of October 13, 1640, runs:—"Absents fra the last Assemblie: Messrs John Hall, William Rowe, John Crookshank, George Moncrieff, and John Fyf are challenged, and their excuses sustained": that of April 13, 1641, proceeds:—"Absentes from the last Assemblie . . . ar required for the causes of their absence, whilk is heard: ilk ane layeth doun twa dolers, and is removed. Their excuse is admitted and their money is restored."

The latter meeting ordained "that ordinarily no excuse for absence should be admitted unless sent in writing." On October 12, 1641, "The excuse of Mr James Campbell by letter, that his cornes ar as yet furth, and that he hes no other to attend them," was repelled.

The Synod of April 1642 enacted as follows:—"Because many of this number have a custome to withdrawe themselves before the closing of the Assemblie, therfor it is concluded that the censure of the brethren shalbe delayed untill the last Act of the Assemblie."

The Synod, in April 1647, ordered the Moderators of Presbyteries to exact from every member absent from their meeting, and unexcused, the sum of 10/ sterling, to be produced at the next meeting, when his excuse would be heard, and to be forfeited if that excuse were not sustained; and, in October 1648, resolved that only written excuses should be received; and, in October 1650, resolved that no letters of excuse for absence should be read unless the absentee had paid his proportion of the salary of the Clerk.<sup>1</sup> In June 1652, the Synod refused to sustain

matter was civil, but advised Strachan to bring it under the notice of the Lords of Session.

It was reported to the Synod, in October 1640, that the Commissary of Dunkeld had caused ministers to be denounced rebels for their failure to pay the penalties due for absence from the meetings of the Diocesan Synods of Dunkeld. Mr William Menzies, minister at Kenmore, and Mr John Anderson, minister at Cargill, were appointed to interview the Commissary with the object of obtaining relief from those penalties for the denounced ministers; and, in the event of his refusal to desist from pursuing them further, Menzies was authorised to bring the matte under the notice of the Parliament through the ministers' Commissioners.

<sup>1</sup> The minute of that Synod proceeds:—

"The commissioner for correspondence from Angus and Mearnes having

the excuses of three members of the Presbytery of Perth, and remitted to the Presbytery to "take special notice of the relevancie and certaintie of the grounds of their said excuses," and to report to the following meeting. The minute of the Synod of April 1653 proceeds:—"Mr David Bennett desyrit libertie to goe hom seeing he was not weill: his desyr was granted. Mr John Murray and Mr John Crookshank requyrit liberty to go home, which was also granted." In October 1653, the Moderator of the Synod was instructed to write a letter of rebuke to absent members. The Synod, in October 1654, ordered Presbyteries to exhort the brethren to attend their meetings better, and more timeously, under threat of censure; and "to take notice" of members absent from that meeting without a sustained excuse, and of others frequently absent from the meetings, and, particularly, referred the case of Mr John Cruikshank, minister of Redgorton, whose excuse for absence had not been found relevant, to the Presbytery of Perth for further examination.

The Synod, in October 1649, attached the same penalties to absence without relevant excuse, and to withdrawal without leave, from the Synod, as from the Presbytery. On October 18, 1654, the Presbytery of Perth required the members absent from the last meeting of the Synod, viz.: Messrs James Campbell, William Bell, and John Crookshank, to state their excuses at the following meeting. They accordingly did so: their excuses were sustained.

The Synod of Fife, in April 1642, enacted that thenceforth every minister and elder absent from their meeting without excuse, or withdrawing before its close without leave, should be fined ten shillings sterling.<sup>1</sup>

The same Synod, in June 1653, complained of the frequent absence of many members, and of their slighting and neglecting Synodal meetings to the detriment of the work of God; and ordered that search should be made for such in the Register, that they might be cited to appear at the next meeting to be dealt with in accordance with the Act of October 1649.

The Synod, in April 1656, ordered that letters should be written to members frequently absent requiring them to attend the next meeting, and especially to Messrs Colin Campbell and Thomas Ireland in the Presbytery of Dunkeld; and, in April 1657, ordained that the names of members absent when the roll was called immediately before the close of the Synod should be noted that they might answer to the following Synod for deserting the Assembly. Among the defaulters on that occasion were these members of the Presbytery of Dunkeld, Messrs

requyrit leave to remove, it wes grantit efter the Moderator hade given him thanks for his assistance." In October 1691, the Synod ordered that a certificate of his diligence should be given to Mr John Anderson, the commissioner from the Synod of Fife.

<sup>1</sup> *Selections from Minutes*, 132.

James Murray, James Lindsey, William Stewart, and William Ratrey. The Synod, in October, duly called for their excuses for their action, and sustained them ; and also ordained that ministers should be present at the sermon with which the proceedings opened,<sup>1</sup> and remain until the close of the sessions, under pain of censure. The same meeting referred to a committee the cases of Messrs Thomas Irland, Coline Campbell, Robert Campbell, Francis Peirson, and Thomas Lundie, ministers in the Presbytery of Dunkeld, who had been frequently absent during several years. In October 1658, Mr Hugo Gordon, minister of Comrie, excused himself for absence from the previous meeting of the Synod on the ground that he did not possess a horse. He was admonished for absence, and warned that such an excuse would not be accepted in future.

The Synod of St Andrews, in April 1664, resolved that "absents from the Synod without a sufficient excuse writt are lyabel to the payment of 20 merks : the brethren who come not to the hearing of sermon, or go away without leave befor the close of the Synod, are lyabel to the payment of ten merks"<sup>2</sup>; and the Archbishop and Synod, in October 1665, instructed Presbyteries to consider the excuses of such brethren as had been absent from that meeting without having excused themselves by letter, and, if irrelevant, to report them to the Archbishop.<sup>3</sup> In April 1670, the Clerk of that Synod was appointed to inform the ministers of Rescobie, Kirkliston, and Stow that their frequent absence from the meeting of the Synod had been remarked.<sup>4</sup> The Archbishop and Synod passed the following Act in October 1671 :—"The Archbishop and Synod, considering how incumbent it is to them to provide against the unnecessary absence of brethren from the diets of the Synod, do therefore appoint that each minister, for each absence from the meeting of Synod without a relevant excuse to be approven by the Archbishop, in case they depart before the close of the Synod without leave asked and obtained from his Grace, shall, for every such absence and departure, pay the sum of ten merks money of Scotland to the Archdean, and Principal of St Leonards, appointed collectors of the same ; which money is to be by them distributed to such indigent persons as shall have their recourse to St Andrews, and are furnished with credible and authentic testimonials, and recommendations from Bishops, or other persons in authority, or from foreign Universities ; and the said persons to be accountable to the Archbishop and Synod for the distribution of the

<sup>1</sup> At 9.30 a.m. On other days a sermon was preached at 8 a.m. April 1641.

<sup>2</sup> *MS. Register of the Presbytery of Dundee.*

<sup>3</sup> *MS. Register of the Presbytery of Perth*, November 28, 1665.

<sup>4</sup> *Ibid.*, May 11, 1670. "Mr James Campbell being interrogate upon what account he was absent from the last Synod, did declare that he was visited with sickness, as his letter of excuse sent to the Synod did signifie" (*MS. Register of the Presbytery of Dundee*, December 7, 1670).

money so collected.”<sup>1</sup> In October 1678, that Act was ordered to be enforced against all absentees from that meeting without excuse sent, or excuse sustained, and the several Moderators were instructed to collect the fines; “and they are ordered to bring in the said mulcts with them to the next Synod, and to give the names of such as refuses to make payment. And that the Moderators may have no pretence to slight this matter, the Clerk is appointed to transmit, with the Acts of the Synod, a list of such absentees to the respective (Presbyteries) whereof they are members.”<sup>2</sup>

Three members of the Presbytery of Perth had been absent from that meeting, viz.:—Messrs George M’Gruther, minister at Collace, William Barclay, minister at Forteviot, and Hew Ramsay, minister at Methven.<sup>2</sup> When required by the Moderator to pay their fines, both M’Gruther<sup>3</sup> and Barclay<sup>2</sup> peremptorily refused to do so: Ramsay was dead before that Act was intimated to the Presbytery.

The Synod of Dunblane, in April 1664, enacted that brethren wholly absent from the Synod without excuse accepted by the Bishop and Synod should be fined two dollars, as well as undergo ecclesiastical censure, and that brethren unpunctual, or withdrawing from the meeting without leave, should be fined one dollar.<sup>4</sup> The same Synod, in April 1677, passed an Act to the effect that absentees without an approved excuse should be fined ten merks, and that if any should be absent from two successive Synod meetings without having sent an excuse to each, or without the Synod’s approval, should be *ipso facto* deposed.

The Bishop and Synod of Aberdeen also ordained, in April 1683, that absentees without sustained excuses should be punished by Ecclesiastical censure and a fine of ten merks for each absence, but they added that no excuse would be admitted unless their public dues, viz., their proportions of the fees of the Synod-clerk and janitor,<sup>5</sup> had been paid.

The enactments of Bishop Haliburton of Dunkeld on the subject are §§ 4 and 12 of his “Acts and Constitutions.”<sup>6</sup>

After the Revolution, also, Synods required their members to attend their meetings and demanded excuses for absence. The minute of the

<sup>1</sup> MS. Register of the Presbytery of Perth, December 6, 1671.

<sup>2</sup> *Ibid.*, March 12, 1679. For the relative Act of the Synod of St Andrews in October 1685 see *supra*, Register of the Presbytery of Dundee, November 4, 1685.

<sup>3</sup> *Ibid.*, April 16, 1679.

<sup>4</sup> Register of the Diocesan Synod of Dunblane, 10-11.

The Bishop and Synod ordered Mr Thomas Foster, minister at Kincardine, to be rebuked both by his Presbytery and the Synod for leaving the meeting without permission (*Ibid.*, October 14, 1668; p. 65).

<sup>5</sup> Records of the Exercise of Alford, 341, 326.

<sup>6</sup> Chapter II., § 3, pp. 127, 129.

Synod of Perth and Stirling on October 13, 1691, proceeds:—" Mr William Spence and Mr John Tullidolph being challenged for their absence from the last Synod, they proponed their severall excuses, whos excuses wer admitted by the Synod." The minute of the same Synod on April 11, 1693, continues: " In respect that several members are frequently absent from the Synod, it is overtured that Diets of the Synod be punctually attended by the members ; and in tyme comeing, if such as are absent send not relevant excuses, either by letter or at least by a brother, they shall be lyable to what censure the Synod shall think fitt to inflict upon them for their absence : which overtur the Synod unanimously ratifies and approves of."

The Presbytery of Perth and Dunkeld suggested, on September 26, 1706, that no excuse for absence from the Synod should be accepted, unless the Centesima, and the dues of the bursar and the Clerk, were transmitted with the letter of excuse.

The minute of the Presbytery of Dunkeld on August 27, 1717, runs :— " The Presbyterie proceeded to read the minutes of the last Synod and . . . 4<sup>to</sup> Anent absents from the last Synod, Mr Freer, Mr Ross, as also Mr Ferguson, who came now up, were required to give their excuses for their absence, which they did, and they were sustained."

The following illustrations of the attitude of the Church toward absentees from the meetings of the Presbytery are extracted from the *Register of the Presbytery of Perth* :—

May 6, 1618.

George, Bishop of Orkney, Moderator.

[The Presbytery] . . . ordains a summons to be directed to summon Mr William Row to compear before the Presbytery, to be held in the revestry of the parish kirk of Perth, the 26th day of May instant, to give a reason of his absence from the said Presbytery since the time that our Sovereign Lord, the King's Majesty, granted liberty to all the brethren of the ministry that were confined to resort to the Presbyteries and public meetings of the Kirk, with certification, if he fail, the Presbytery will proceed against him with the censures of the Kirk for his disobedience.

July [May] 27, 1618.

Alexander, Bishop of Dunkeld, Moderator.

Which day, in the time assigned to call Mr William Row, who compeared personally by himself, and, being accused of his absence from the Presbytery since the time (&c., as above), answered, that my Lord Archbishop of St Andrews, his commissioner, promised him a warrant from

my Lord Chancellor to come to the Presbyteries and public meetings, and, as yet, he has not got the same. The Presbytery ordains the said Mr William Row to suit and obtain the warrant himself, and to be agent in his own cause betwixt and the first day of August next to come, or else they will proceed against him.

*November 11, 1618.*—Because some brethren, for light occasions, bides from the Exercise and meetings in this place: some come, but not in time, and others go away before the brethren dissolve: therefore it is ordained, with a uniform consent, that such sort of absents, without any reasonable excuse, shall ilk ane pay ten shillings money of this realm, beside a grave admonition to be given by the Moderator.

*May 19, 1619.*—My Lord Bishop of Dunkeld and Mr Robert Murray, censured for their absence, are excused. (The Bishop was excused on June 9 and July 7.)

*October 26, 1625.*—Which day, Mr Archibald Moncreiff is exhorted to keep the Presbytery better in time coming.

*March 28, 1627.*—Item: The Doctors of the Grammar School are ordained, only “per vices,” to keep the Presbytery, and the other to attend the school.

*November 7, 1627.*—Mr John Straquhan excused for his absence, and desired to keep better order. (Also November 21 and December 5, 1627.)

*December 5, 1627.*—Mr Alexander Omay, minister at Errole, desired the brethren to grant him some oversight for the winter season until Candlemas, because he was far off, the way evil, the weather stormy; which desire the brethren grants, provided he come when these occasions shall better serve him.

*July 30, 1628.*—Mr James Ross, minister of Forteviot, being late of coming, gives his excuse that, by the way, he was sick, and might not come so soon as he would.

*November 19, 1628.*—Which day, the brethren ordain that every brother who is absent without a lawful excuse shall pay half a mark.

*December 17, 1628.*—Mr John Cruikshank censured for his long absence: promises not to do the like again.

*January 7, 1629.*—Which day, Mr David Williamson is highly censured for his long absence both from his kirk and Presbytery.

*May 6, 1635.*—Which day, the brethren being well convened, with one consent, ordains an Act to be made for absents, videlicet, those who are simply absent to pay twelve shillings, *toties quoties*: if the adder be absent, to pay twenty-four shillings: if the exerciser be absent, to pay 36 shillings: and it was solemnly protested the same be observed, unless the excuse were very relevant, such as sickness, and some necessary employment by absence from home.

*April 26, 1637.*—Mr John Robertstone . . . did intimate the Act of the [Synodal] Assembly, ordaining every minister of the Presbytery to pay half a dollar for every day that he is absent from the Presbytery, without a lawful excuse shewn unto, and allowed by, the brethren of the Presbytery.

*October 2, 1639.*—(v. Privy Censure : also April 8, 1640.)

*February 3, 1641.*—The brethren, considering the frequent absence of some, appointed the former Acts to be renewed and executed against them.

*April 7, 1641.*—(Privy Censure.) James Foular exhorted to keep the Presbytery.

William Halyburton was exhorted to make conscience of keeping the Presbytery.

*May 11, 1642.*—It is ordained that every absent shall, without exception, at their first appearing, lay down a half dollar before the Moderator, and then be heard, removed, and censured.

*August 24, 1642.*—Because Mr William Haliburton has been many days absent, the Clerk is commanded to write a sharp letter unto him, and require him to compear the next day, and answer for his absence. . . .

*August 31, 1642.*— . . . Mr William Haliburton is sharply rebuked for his frequent absence, and a penalty is taken from him : and it is ordained that, if in time coming he shall not observe order answerably, or, at least, send by writing a lawful excuse of his absence, the brethren shall suspend him.

*February 8, 1643.*—Mr William Halyburton, being asked the reason of his absence from the Presbytery three days bypast, answered that he was far distant, and that his house was visited by God, and yet is, by sickness. The brethren rejects of his excuse, in respect of a former Act made, himself being present, that if he were absent in time coming without a reasonable excuse, the Presbytery will proceed against him with the censure of Suspension.

*April 5, 1643.*—Mr William Halyburton desired to keep the Presbytery.

*June 26, 1644.*—Mr Archibald (Moncrieff) is appointed to be advertised by letter by the Clerk, with certification if he compear not, and render an account of his frequent absence, they will be forced to use the censures of the Kirk against him.

*July 31, 1644.*—Mr Archibald Moncrieff, being asked concerning his so long absence, declares that the affairs concerning his estate, which was likely to perish, had diverted him ; and now, seeing that there (?) was some course taken therewith, he promised (by God's grace) to walk more circumspectly, and to observe the meetings better in time coming. Being removed and called again, he was rebuked, and exhorted to be diligent

in his calling, otherwise that he may not expect the like lenity, if afterward he be found guilty in the like.

*June 25, 1645.*—[W. Haliburton absent without excuse.]

Whereas the brethren are not so careful in keeping the Presbyterial meetings as becometh, it is ordained that whosoever shall be absent hereafter, without lawful excuse by letter and allowed, shall be removed next day, and consign their penalty in the Moderator's hand, without exception of persons, and their excuses to be judged by the brethren, whether it be relevant or otherwise: and to be fined at the appointment of the brethren according to the cause or frequency of their absence, and no excuse to be admitted without consignment, sickness only excepted.

*July 9, 1645.*—Haliburton, *v.* Chapter II., Appendix I, *The Rising of Montrose* (p. 347).

*December 22, 1647.*—Ordains no excuse of absence to be admitted unless where signified by letter from themselves, or testimony of some brother in their name of the just cause of the absence.

*April 26, 1648.*—The Presbytery appoints that habitual absence of brethren be first proceeded against by admonition, afterwards by suspension, afterward by deposition, if they amend not.

The brethren think fit that no excuse for absents be accepted but by letter or sickness.

*May 3, 1648.*—The Presbytery ordains that those brethren who depart from the Presbytery (nevertheless they have been once present) before the Presbytery dissolves, without leave asked and given, shall be reputed as absents, and censured accordingly.

*April 4, 1649.*—Which day, Mr Edward Richardsons . . . sent a letter of excuse for his absence this day, shewing that he was weary, and not able to travel; wherewith the Presbytery are not satisfied, and refers the same to the Provincial Assembly.

*June 21, 1654.*—The Presbytery appoints the Clerk to write a letter to Mr William Haliburton, shewing that they are offended at his long absence from their meetings.

*November 14, 1655.*—The Presbytery appoints that letters be written by the Clerk to the brethren that are habitual absents, that they would come in timely to the Exercise, and attend the Presbytery better.

*March 18, 1663.*—The brethren who were absent these divers days bygone were admonished to keep the meetings better in time coming.

*October 19, 1664.*—The Presbytery does willingly condescend that every brother who shall hereafter be absent, being within the bounds of the Presbytery, who shall not send an excuse in writing, shall pay half a crown.

*April 11, 1666.*—The brethren appoints that . . . exact notice be taken of the absents every day.

*June 6, 1677.*—Mr Gabriel Semple,<sup>1</sup> absent five days preceding, and present this day, was removed to Privy Censure, and approven in life and doctrine. As for his former absence, he declared he was lying under caption, and durst not adventure to attend the Exercise for fear of being apprehended.

*July 10, 1678.*—(Act of the Archbishop and Synod of St Andrews in April 1678.)

The Presbytery books, examined by the committee for that effect, were approven ; only it was represented to the Synod that some brethren within the Presbytery of Kirkaldy were somewhat careless and remiss the set diets of their Presbyterial meetings, and particularly, Mr John Brown, minister at Portmoak, with whose frequent absence the Presbytery had been much offended, and especially of late, there being a process depending before them, wherein he was mainly concerned, and which could not be carried on without his presence. The said Mr John, being gravely and sharply admonished by the Archdeacon in the face of the Synod, was enjoined a more punctual observance for the time to come, and that as he would not incur some higher and severer censure.

#### § 7. PRIVY CENSURE

Privy censure was an enquiry by a Synod or Presbytery<sup>2</sup> into the life, doctrine, and ministerial diligence, of their permanent members, and, in the case of the Presbytery, into the life and conversation of the expectants<sup>3</sup>

<sup>1</sup> Semple was admitted to Rind on February 5, 1668 (*Presbytery Register*). At a visitation of the parish on July 11, 1677, it was stated that "within these two years . . . there fell out a difference betwixt him and Mr Patrick Keir, who took assignations to bonds, and raised caption against him, which necessitated him to be absent from his charge."

<sup>2</sup> For the post-Revolution custom of Privy Censure in Kirk-Sessions, *v. infra*; *MS. Register of the Presbytery of Perth*, October 5, 1698, and for illustrations, *Melrose Parish Register of Baptisms*, Scottish Record Society, *passim*.

<sup>3</sup> The minute of the Privy Censure of the Presbytery of Perth on January 5, 1625, runs:—"Which day, Mr John Keir, Mr William Robertstone, Mr John Cruikshank, and Mr James Sanders, expectants, removed and censured," and on September 26, 1627, continues:—

"The expectants are admonished to be more grave in their behaviour, and to abstain from company, as becometh those who look to be employed in the Holy Ministry"; and on April 16, 1628:—"The young men are admonished to walk gravely and soberly, and to give themselves to prayer and study."

The privy censure of expectants does not appear to have been usual during the period 1639-1661, at least in the Presbytery of Perth.

The Synod of St Andrews, in October 1677, enacted that expectants should be present at the meeting of the Presbytery immediately before the Synod that they might underlie the Privy Censure (*MS. Register of the Presbytery of Perth*, January 16, 1678).

It is recorded that at the meeting of the Presbytery of Perth on March 27, 1678,

and the readers,<sup>1</sup> within the bounds, and is found both under Presbytery and Episcopacy.

“The Forme and Subject of Visitatione of Kirks,” drawn up in 1602 for the guidance of the visitors appointed by the General Assembly, shows that Presbyteries were expected to scrutinise the work of the members weekly and monthly<sup>2</sup>; but what was known as the Privy Censure was

Mr John Anderson and Mr William Moncreiff, expectants, were removed to Privy Censure, and approven in life and conversation.

Additional instances of the practice are found in the Register of that Presbytery:—  
*September 25, 1678.*—“The brethren removed to privy censure . . . Mr William Moncreiff, Mr Henry Chrystie, and Mr Thomas Strachan, Students of Divinity, and were approven in life and conversation.”

“The Presbytery appoints all those expectants who are absent this day from the Privy Censure to be advertised to be present the next day of meeting.”

*October 23, 1678.*—“This day, removed for Privy Censure Mr David Barclay, Mr John Sage, and Mr Thomas Hall, expectants, and were approven in life and conversation.”

*April 16, 1679.*—“The expectants, being absent this day from the Privy Censures, are appointed to be present the next day of meeting.”

*May 14, 1679.*—“Mr John Sage, Mr Thomas Hall, and Mr Thomas Strachan, expectants, being absent from the Privy Censures, removed this day and approven in life and conversation.”

*September 22, 1680.*—“Messrs Thomas Hall, John Anderson, Thomas Strachan and David Rankin, expectants, (removed) and were approven in life and conversation.”

*September 21, 1681.*—“Removed to privy censure . . . Mr Robert Gardner and Mr William Blair, expectants, and were approven in life and doctrine.”

It is an interesting fact that three of the expectants whose names are given above, viz., Mr Henry Christie (approven in Trials for Licence, June 7, 1676), Mr John Sage (approven in Trials, June 3, 1674), and Mr David Rankin (*v.* Chapter VI.), became Bishops of the Scottish Episcopal Church.

<sup>1</sup> The Synod of St Andrews, in April 1624, ordered ministers to advertise the readers to appear at the next Synod, to receive directions for the discharge of their duties, and “be subject to tryell anent their lyf and conversation” (*Selections from the Minutes*, 100).

On April 10, 1639, the Synod of Perth and Stirling, after a vote, resolved that readers should be present at their meetings to undergo Privy Censure, “as in former tymes.” At the meeting of the Synod in the following October, it was reported that many readers were unable to be present through want of means. The Synod appointed that, in future, readers should appear for Privy Censure at the meeting of the Presbytery immediately before the meeting of the Synod.

So far as is recorded, the Presbytery of Perth held their first diet of Privy Censure on Readers in October 1643.

The readers of Dron and Scone were “approven in their conversation” on October 18, and the readers of Abernethy and Kinnoull on October 25.

The minute of the latter date continues:—

“Mr Alexander Dundie, reader at Perth, removed: being called in before the brethren, it was declared to him, that it was found that partly he had been scandalous in his conversation, partly stubborn and disobedient to the ministers of Perth, for the which he was sharply rebuked. The ministers of Perth are ordained by the Presbytery, as they will be answerable, to take order and censure him before their own Session, in time coming, if any like miscarriage be found; and he is exhorted more diligently to ply his book, and to be earnest with God by prayer for his better enabling him in his studies.”

There is no further reference in the Register to the Privy Censure of Readers.

<sup>2</sup> Peterkin's *Booke of the Universall Kirk of Scotland*, 518.

held half yearly, generally immediately before the meeting of the Synod.<sup>1</sup>

The first reference to the Privy Censure in the *MS. Register of the Presbytery of Perth* occurs under date :—

*November 22, 1624.*—"It is thought good that the brethren be censured the next day of Exercise ; if any enormities be found in any of them, they may be admonished." The Register continues :—

*December 29, 1624.*—"Which day, the brethren are censured, and nothing found against them, except Mr Alexander Balneavis<sup>2</sup> is not resident at his kirk, but dwells in this town ; and he, being accused thereupon why he makes no residence at his kirk, having sufficient manse and glebe, answers that he has neither grass nor elding belonging to his glebe, nor feal, nor divot, and that he cannot make residence there till he (be) provided for both : next, he has four bairns at the school in this town, and that he may not sustain the boarding to board them, and that he held a school three years at his own kirk, upon his own charges, and got no assistance, wherethrough he was compelled to come into this town : and thirdly, that he is not far from his kirk, for his parish lies adjacent to these parts of Perth. It is found that Mr William Row, minister at Forgound, and Mr James Ross, minister at Forteviot, come not at all to the Presbytery : therefore to advise at the next Synod touching them."

The following illustrative extracts are taken from the same Register :—

*September 30, 1629.*—Which day, according to the custom, the brethren are particularly removed and censured : the Moderator<sup>3</sup> is approved as

<sup>1</sup> The Bishop and Synod of Aberdeen, in April 1669, appointed Presbyteries to hold the diet of Privy Censure on the second meeting for exercise after each Synod (*Records of the Exercise of Alford, 140*).

Illustrations of the statement of the text are found in the *MS. Register of the Presbytery of Meikle*.

The minute on April 8, 1661, runs :—

"The ordinarie queries asked and ansuered satisfactorly ; also all the breethren, being removed and tryed according to the custome in the lik case befor evrie province, wer approven in ther doctrine, discipline, and practise : and the Moderator also approven in his carriage of Moderatorship ; and the severall breethren required duly to keep the insuing Synod."

The minute on March 17, 1668, continues :—

"This being the last day of the Presbitrie's meiting befor the Synods off St Androis and Brichen, in which diocesss som off the brethren ar, all wer removed on by on, for ther Privat Censur, and being severally cald in and the ordinary queres asket, wer all approven in doctrin, discipline, lyff and conversation."

The Privy Censure in the Presbytery of Perth was ordinarily held immediately before the meeting of the Synod, both under Prelacy and Presbytery.

<sup>2</sup> Minister at Tibbermuir. In April 1611 he was an expectant within the bounds of the Presbytery of Perth. At a visitation of the church of Perth, on April 18, 1611, it was found that he had disregarded an injunction not to administer Baptism. He was gravely rebuked for his offence, and forbidden to baptise till admitted to the Ministry (*Selections from the Minutes of the Synod of Fife, 12, 16*).

<sup>3</sup> Mr John Malcolme, minister at Perth.

most vigilant and careful in his public ministry, as also particularly in his office of moderating the Presbytery. The rest are also approved in their ministry. The brethren who are not in possession of glebes and manses are ordained to pursue and seek the same, and put themselves and the Kirk in possession of the same.

Especially concerning Mr James Foular, it is ordained, forsomeikle as the said Mr James, minister at Kynfauns, being censured for being out of possession of his glebe and manse, being already formally designed (as the Acts and report thereanent, registered in this book, at more length bears) has shewn to the Presbytery that he has entry in process with my Lord Chancellor ; and because the said land designed lies very remote from the kirk of the said parish, and is not commodious for the minister's dwelling ; therefore the Presbytery ordains the brethren who are to be present at the Assembly approaching in St Andrews to desire my Lord Archbishop and the Synod to appoint commissioners, two or more of the Presbytery, to deal with my Lord Chancellor for interchange of the said lands with some lands more near the kirk, and more commodious for the minister's dwelling.

*September 29, 1630.*—Which day, the brethren present are removed *per vices*, and censured. They are approved in life and doctrine ; exhorted to keep the Presbytery better : in particular, Mr David Williamson is exhorted not to be so contentious as he is, but to follow peace and quietness, as becometh the man of God.

*October 2, 1639.*—Removed first, Mr John Robertson, Mr Joseph Laurie, Mr David Weyms, Mr Thomas Haliburton : were approven.

Removed Mr Alexander Balneavis, Mr David Williamson, Mr John Strachan, Mr James Foular. Mr Alexander Balneavis was censured for not cohabiting with his wife.<sup>1</sup> He said the separation was voluntary on her part, and that she would not be content to reside with him. He is content, but she is not. Mr David Williamson was censured for his perpetual vexing the Presbytery with his contentious questions. Mr James Foular and Mr John Strachan were censured for not keeping the Presbytery. They were excused, the one because of his sickness and infirmity. Both were exhorted to keep better in time to come.

Removed Mr John Hall, Mr William Haliburton, Mr George Moncrieff, Mr John Cruikshank, Mr Robert Murray, Mr Alexander Petrie, Mr Edward Richardson.<sup>1</sup> Mr John Hall censured for non-residence : he

<sup>1</sup> The Synod, in April 1639, ordained him to adhere to his wife, and enjoined him, and Messrs George Moncrieff, Patrick Rynd and John Hall, " to dwell at their kirks." They also admonished Mr Edward Richardson to " abstain from hunting."

At the Synod in October 1639 he was " exhorted to be peaceable," and Mr James Forsyth, minister at Monzie, was exhorted to leave scholastical distinctions, and apply his doctrine to the capacity of his hearers.

was excused for the inconvenience of his manse till it should be repaired. Mr George Moncrieff, Mr William Haliburton were censured for not keeping the Presbytery : admonished to keep better in time to come.

*April 8, 1640.*—Mr John Robertson, Mr Archibald Moncrieff removed.

There was made some scruple of the inequality of the ministers of Perth. Mr John Robertson, recalled, made declaration that there was no inequality betwixt them ; and when there was mention made of a bond subscribed by Mr Joseph Laurie, in presence of the Bishop of St Andrews, before his admission to the kirk, Mr John answered that, by virtue of the Act of the Assembly at Glasgow, he acknowledged all such ties to be disannulled and non in all points. They were *pares* in liberty of exercising their ministry both in doctrine and discipline.

Mr Thomas Haliburton, Mr David Wemys removed : both approved.

Mr Patrick Rynd censured for non-residence. Mr Edward Richardson approved.

Mr William Haliburton censured for his carelessness in keeping the Presbytery.

Mr Alexander Petrie, Mr John Cruikshank both approved. Mr William Row approved.

Mr David Williamson censured for declining the fellowship of the brethren ; while he would not give his judgment of the rest who were before him removed, saying he suspended his judgment for these reasons, because he has grievances against the whole Presbytery, and also against particular ministers. Then he came in to shew what his complaints were.

Mr Robert Murray, Moderator, approven. Mr Robert Laury, Clerk. He was censured of Mr David Williamson, that, in setting down the censures the last time, he had written above what was universally the censure of the brethren concerning him. The ministers, so many as were present, declared that it was truly written, and that Mr David wronged him by going to put such a calumny upon him.

*April 5, 1643.*—Mr John Robertson . . . removed, and approved for life and doctrine.

It is regretted that little or no diligence is used in the burgh of Perth, as in other burghs, for restraining of swearing and drunkenness : that the Communion is celebrated but once there in the year : that the bread is cut in small pieces like dyts : that the Communion tables, one of them stands always separate from the rest : and that there is an inequality betwixt Mr John Robertson and his colleague, Mr John Robertson still preaching before noon on the Sabbath, and moderating the Session upon Monday. The Presbytery ordains all these things to be redressed *primo quoque tempore* ; and the said Master John to preach upon the Sabbath

before noon, and moderate the Session upon the Monday, weekly or monthly *per vices*, under the pain of the censures of the Kirk. Mr John Robertson alleged the number was not competent for making of such Acts.

In 1646, it was stated that "private tryall in Presbyteries are for the most part perfunctorious," and the brethren were "exhorted to be more serious and faithfull"<sup>1</sup> therein; and two years after, the General Assembly adopted, among others, this Overture for the remedies of the sins of the land:—"Let Privie Censures of Presbyteries and Synods be performed with more Accuracie, Diligence, and Zeal."<sup>2</sup> The following is the minute of the diet of the Privy Censure in the Presbytery of Perth on October 2, 1650:—

The brethren removed to censure. Removed Mr John Cruikshank, Mr William Bell, and Mr Andrew Playfair. Mr John Cruikshank approven in life and doctrine. Mr William Bell approven, except in the matter of the Supplication. Mr Andrew Playfair censured for not keeping the Presbytery, and exhorted after this either to come in himself, or send in a letter, or his servant: as also he is exhorted to be instrumental for getting a helper to himself. Removed Mr David Weyms, Mr George Haliburton, Mr James Oliphant. Mr David Weyms approven in life and doctrine. Mr George Haliburton, the brethren knows nothing against him but what he is before another Judicatory for. Mr James Oliphant approven, except in that for which he is before the Visitation. Removed Mr Alexander Rollock, Mr William Row, Mr Thomas Strachan. Mr Alexander Rollock approven in life and doctrine. Mr William Row approven, and admonished not to have so much history in his sermons. Mr Thomas Strachan exhorted to be more spiritual and lively in his doctrine. Removed Mr Archibald and George Moncrieff, Mr James Gillespie. The brethren knows nothing against these three but that which they are under censure for before the Visitation. Removed Mr Robert Young, Mr James Campbell, Mr Alexander Balneavis. Mr Robert Young approven in life and doctrine. Mr James Campbell approven, and exhorted to be more lively in his doctrine, and more spiritual and sensible in his prayer. Mr Alexander Balneavis approven, except in the matter of the Supplication. Removed Mr John Murray: approven in life and doctrine.<sup>3</sup>

<sup>1</sup> Peterkin's *Records of the Kirk of Scotland*, 446-7.

<sup>2</sup> *Ibid.*, 513.

<sup>3</sup> The minute of the diet in the previous April contains those references:—

"Mr James Olyphant censured for non-residence, and that some minced oaths, as 'conscience' and 'faith,' does escape him sometimes, and oft some levity of speech. The Presbytery ordains him to take heed to his ways in time coming, and rebukes him; also ordains him to go on to repair his manse against the next Provincial.

"Mr William Row approven in life and doctrine, but exhorted to keep home better, and give himself to reading more.

"Mr James Campbell approven in life and doctrine, but exhorted not to withdraw himself as he does from the company of the brethren."

During a portion of the period when the Church was rent by the strife of Resolutioner and Protester, the Privy Censure in the Presbytery of Perth was suspended. The minute of June 2, 1652, runs:—"In regard that, for the present, there are different judgments in the Presbytery, and lest it should obstinate in way of union amongst the brethren, the Presbytery does delay their censure for the present."<sup>1</sup> It was resumed on April 2, 1656.

Diets of Privy Censure were held by the Presbyteries erected by Episcopal authority in October 1662. The first held by the Presbytery of Perth, under the new Ecclesiastical regime, was on October 21, 1663, and by the Presbytery of Meigle on March 31, 1663. In April 1667, Leighton, Bishop of Dunblane, in his desire to remove from the Privy Censure "very much of superficially empty forme," suggested to his Synod that certain questions, which he then submitted, should be put to the clergy on the occasion; and defended his suggestion on the ground that "the very enquiry and asking concerneing them will be very lykely to awaken in every man a more serious reflection upon himself touching each poynt, and the drawing furth an expresse answer to each before his brethren will probablie excite and engage him to higher exactness in all of them for the tyme to com."<sup>2</sup>

With the object of redeeming the Privy Censure from formality, Bishop Scougal of Aberdeen drew up an "Order for the privat tryall and censure of ministers in their respective Presbytries," which was approved by the Synod in October 1674 and April 1675.<sup>3</sup> That the Privy Censure might not be "gone about too overly," the Archbishop and Synod of St Andrews, in April 1676, appointed that certain questions should be "gravely and seriously proposed by the Moderator to every minister."<sup>4</sup> Those questions were taken wholly from Scougal's "Order."<sup>5</sup>

In April 1671, the Synod of Dunblane recommended the Moderators of the Presbyteries of Auchterarder and Dunblane to rebuke certain ministers absent on the day appointed for the Privy Censure; and in October 1675, the Bishop of Aberdeen, with consent of the Synod, ordered that a sermon on the work of the ministry, not exceeding half an hour in length, should be delivered at the meeting for Privy Censure.

<sup>1</sup> *v. Kirkton's History*, 55.

The Synod, in June 1653, ordered the Presbytery to hold diets of Privy Censure, according to the Order of the Church, as they would be answerable; and instructed them to insert the censures of the brethren in their Register, that they might be reported to the next Synod.

<sup>2</sup> *Register of the Diocesan Synod of Dunblane*, 44-5.

<sup>3</sup> *Records of the Exercise of Alford*, 220, 239.

<sup>4</sup> *MS. Register of the Presbytery of Perth*, May 10, 1676.

<sup>5</sup> Save an addition to Question 1.

The preceding extracts show that in the Presbyteries of Dunkeld and Cowpar Angus a diet of Privy Censure was held half yearly, during the period immediately before the meeting of the Synod, and that the Presbytery of Dunkeld expressed their displeasure with one member, and later severely rebuked him for unministerial conduct.<sup>1</sup>

The practice was continued after the Revolution. Thus the minute of the Presbyteries of Perth and Dunkeld on October 3, 1694, runs :—

“ The Presbitrie observed the custome of ther Privie Censures (as use is before everie Synod), and all the brethren present were approven ” ; and on October 5, 1698 :—“ The Presbitrie observed their custome of censuring their members that were present, but many being absent, therefore appoints all the brethren absent this day to be censured at the next Presbitrie after the Synod, and so to continow in tyme comeing, the first Presbitrie after each Synod : as also the Presbitrie appoints every Kirk-Session within their bounds to have their Private Censures of each member, and that twice a yier, the last Kirk-Session immediatlie befor each Synod ; and that the respective custom of censuring in Presbitrie and Kirk-Session respective turne not to formality, partiallity, and overliness, but that conscience be made therof, the Presbitrie appoints that some tyme be spent joyntlie in serious prayer by the Presbitrie and respective Kirk-Sessions, and that both befor and after the tyme of censuring.”

The following extracts from the *Register of the Presbytery of Dunkeld* illustrate the continuance of the Privy Censure :—

*Att Dunkeld, June the fifth J<sup>m</sup>vii<sup>c</sup> and Fourty four years.*

The Questions appointed to be put to the brethren at Privy Censures were this day again read and agreed to ; the tenour whereof follows :—

“ 1mo. Do you preach twice every Lord’s day and lecture, according to Acts of Assembly ? 2do. Do you lecture on a large portion of Scripture, according to Acts of Assembly, Act 5, Assembly 1704, Act 10, Assembly 1706 ? 3tio. Do you plainly and faithfully preach against vice, and denounce the Judgements of God against evil-doers ; and do you deal earnestly and much with their consciences to bring them to a conviction of their sin and sense of their danger, according to Act 16, Assembly 1694 ? 4to. Have you the worship of God in your family dayly ? 5to. Do you and your elders take care that the worship of God be performd in the families in your congregation, according to said Act 1694 ? 6to. Do you and your Session carefully apply to the Civil Magistrate that the Acts of Parliament be put in execution against profaneness, according to said Act ? 7mo. Do all your elders and deacons keep

<sup>1</sup> *Supra*, April 2, 1684, April 7, 1686.

up the worship of God in their families ; and are such elders and deacons as continue obstinate removed from their office, according to Act of Assembly, January 7th, 1697 ? 8vo. Are you fervent and frequent in secret prayer for yourself and your people, joining sometimes fasting with prayer, according to Act of Assembly, January 30th, 1699 ? 9no. Are you painfull in catechising ; frequent in visiting families and in private personal converse with those of your charge about the state of their souls ; and how often do you catechise and visit families in your parish, according to Act of Assembly, January 30th, 1699 ? 10mo. When do you begin, and when do you end, publick worship ordinarily on the Lord's day ? 11mo. Do you preach catechetical doctrine, conform to Act 18, Assembly 1696, and Act 8, Assembly 1720 ? 12mo. Do you observe uniformity of worship conform to the rules of this Church, especially in the Sacraments of Baptism and the Lord's Supper, taking care not to administer them privately, contrary to Act 10, Assembly 1690 ? 13tio. Do you avoid divisive courses, conform to Act 8, Assembly 1714 ? 14to. Have all your elders signed the Confession of Faith and Formula, conform to Act 10, Assembly 1700 ? 15to. Do you reside within the bounds of your parish, conform to Acts 23 and 24, Assembly 1638 ? 16to. Have you a school, and your school-master, and legal sallary, Act 5, Assembly 1705 ? 17mo. Do you administer the Sacrament of the Lord's Supper at least once a year, Act 10, Assembly 1712 ? 18vo. Do you visit the sick when called ? 19no. Are there any scandals unperged in your parish ? ”

*At Dunkeld, the twenty-first of November J<sup>m</sup>vii<sup>c</sup> and forty four years.*

“ . . . After a considerable time spent in prayer, the brethren were removed by turns, and the usual questions having been proposed to each of them, and the several brethren having been enquired at anent each of them, there was nothing censureable found in any of them : wherefore, being called in, they were approven, and exhorted severally to more and more diligence in the Lord's work, and the Presbytery closed with prayer.”

Synods also held diets of Privy Censure.

In April 1611, the Synod of Fife removed the brethren by courses for trial.

The Synod of Perth and Stirling at their first meeting after the Abolition of Episcopacy, in April 1639, adopted the same form, but afterwards removed the whole Presbytery for Censure.

Under date April 1639, the minutes of the Synod of Fife record a list of “ Heades to be inquired in the triall of Presbyteries ” ; and, as has

been already noticed, in 1648, Synods were enjoined to amend their method of conducting that trial.

The Registers of the Synods of Dunblane and Aberdeen afford evidence of the custom during the Episcopal period.

The *Register of the Synod of Dunblane* on October 10, 1672 (94), runs :—  
“ The Presbyterie of Ochterardor being removed, the Bishope did enqyre at the brethren of Dunblaine if that they knew anything worthie of rebuik in any of the brethren of Ochterardor. They answered the Bishope that they knew noe blamish in any of them.

“ The Presbyterie of Dunblaine being removed, the Bishope lykwise enqyred at the brethren of Ochterardor if that they knew any fault in any of the brethren of Dunblaine deserveing rebuik. They said that truelie they knew nothing in them meriting reprooff, but praised them for their good order and for their keeping of frequent visitaciounes.”

The minute of the Synod of Aberdeen in April 1688 continues :—  
“ The severall Presbyteries being removed, in order to Privie Censure, had a good testimonie, and were approven . . . ”<sup>1</sup>

Bishop Haliburton's instructions on the subject are printed in his *Acts and Constitutiones*, § 5.

In the *Scroll Minutes of the Synod of Fife*, in the Library of the General Assembly, the following entry occurs under date September 1702 :—  
“ The Presbytery of Dunfermlin was also removed, and it was enquired if any other had any complaints to make against the actings of that Presbytery, and nothing appearing censurable, they were called in, and gave satisfying answers to the usual questions.”

### § 8. DISCIPLINE

In such cases of admitted delinquency as came under the notice of the Presbytery, offenders, when obedient to the summons of that Court, appeared “ in the habit ” of sackcloth ; and, having been rebuked, were “ remitted home to satisfie as the minister should appoint.” At the close of the period appointed by the minister, the offenders again appeared before the Presbytery “ in the habit,” and were “ remitted home to be received.”<sup>2</sup>

<sup>1</sup> *Records of the Exercise of Alford*, 391.

<sup>2</sup> *MS. Register of the Presbytery of Dunkeld*, November 2, 1681, December 7, 1681. On April 3, 1670, a delinquent, unable to speak English, underwent discipline in Alyth before a minister who knew no Gaelic. The minute is :—“ Marie M'vie, *alias* M'intosh, ane highland woman without any English, went to the publict place of repentance bothe befor and after noon, and because she could not speak to the minister, she was received befor the Session by ane interpreter.” A delinquent from the parish of Lintrathen “ refused to tak the habet of sackclothe.” He was compelled, however, to enter “ his repentance for his sin in sackclothe ” (*MS. Register of the Presbytery of Meikle*, July 5 and August 16, 1664).

If a delinquent, or a supposed delinquent, when duly summoned, failed to appear, he was privately cited to attend the meeting of the Presbytery a second, and, if necessary, a third time. If he still refused to obey the summons, he was publicly cited to appear from the pulpit of his parish church, and, if required, the citation was repeated a second and a third time. If he were a fugitive, he was summoned from all the pulpits of the Presbytery. Persistent contumacy was followed by a first, a second, and a third public admonition with prayer, and finally by the sentence of greater excommunication pronounced after the Bishop had examined the process, and had given his consent.<sup>1</sup>

Excommunication entailed grave social consequences. All Christian people, save his wife and family,<sup>2</sup> were warned to avoid the excommunicated person under pain of the censure of the Church,<sup>3</sup> in the case of persistent offenders stated to be excommunication.<sup>4</sup> That sentence might also involve civil penalties. Forty days after the sentence was pronounced, it was to be intimated to the Lord Treasurer or his clerk, and the outcast was to be charged to satisfy the Church, and obtain absolution under the pain of rebellion. If he failed to do so within a specified time, his goods were forfeited and letters of caption issued against him.<sup>5</sup> In 1701, the penalty attached to excommunication for profaneness and immorality was a representation to the Crown by the Privy Council, on the application of a Presbytery, or an higher Court, concerning the excommunicate, as a person unfit to be employed or continued in any place of public trust, civil or military.<sup>6</sup>

### § 9. WITCHCRAFT

Witchcraft has been defined as "holding communion with the grand enemy of mankind or with evil spirits."<sup>7</sup> It was believed that, induced by the promise of wealth,<sup>8</sup> or præternatural power,<sup>7</sup> the witch—for most of the accusations were laid against women—renounced her baptism, engaged to serve the devil, and received his mark and a new name.<sup>9</sup> The reality of witchcraft was for long unquestioned. In the middle of the 18th century, even Sir William Blackstone wrote that "To deny

<sup>1</sup> v. *MS. Register of the Presbytery of Dunkeld*, passim; Haliburton, *Presbytery of Meigle*—cases of John Ogilvie and William Fithie.

<sup>2</sup> *First Book of Discipline*—Dunlop's *Collection*, ii. 572.

<sup>3</sup> e.g. *Records of the Exercise of Alford*, 129, 368. The Synod of Perth and Stirling, in October 1649, ordered Mr Colin Campbell, minister of Blair-Atholl, to proceed with the censures of the Church against those who conversed with the Tutor of Strowan (Donald Robertson), an excommunicated person.

<sup>4</sup> *Peterkin's Records of the Kirk of Scotland*, 37.

<sup>5</sup> *Peterkin's Booke of the Universall Kirk*, 137.

<sup>6</sup> *Acts of Parliament*, x. 279.

<sup>7</sup> *Hume's Commentaries*, i. 588.

<sup>8</sup> *Chambers' Domestic Annals of Scotland*, 1858, i. 110, ii., 406.

<sup>9</sup> *Ibid.*, ii. 244.

the possibility, nay, actual existence of witchcraft and sorcery, is at once flatly to contradict the revealed Word of God, in various passages both of the Old and New Testament : and the thing itself is a truth to which every nation in the world hath in its turn borne testimony, either by examples seemingly well attested, or by prohibitory laws ; which at least suppose the possibility of commerce with evil spirits.”<sup>1</sup>

In 1563, the Scottish Parliament, following the example of the English and Irish legislatures,<sup>2</sup> passed an Act against it.<sup>3</sup>

That Act was as follows :—

ITEM, Forsamekill as the Quenis Majestie, and the thre Estatis in this present Parliament, being informit that the hauy and abominabill superstitioun usit be diuers of the liegis of this realme, be using of witchcraftis, sorsarie, and necromancie, and credence geuin thairto in tymes bygane aganis the law of God ; And for auoyding and away putting of all sic vane superstitioun in tymes to cum : It is statute and ordanit be the Quenis Maiestie, and thre Estatis foirsaidis, that na maner of persoun nor persounis, of quhatsumeuer estate, degre, or conditioun they be of, tak upone hand, in ony tymes heirefter, to use ony maner of witchcraftis, sorsarie, or necromancie, nor gif thame selfis furth to haue ony sic craft or knowlege thair of, thairthrow abusand the pepill : Nor that na persoun seik ony help, response, or consultatioun at ony sic usaris or abusaris foirsaidis of witchcraftis, sorsareis, or necromancie, under the pane of deid, alsweill to be execute aganis the usar, abusar, as the seikar of the response or consultatioun. And this to be put to executioun be the Justice, Schireffis, Stewartis, Baillies, Lordis of Regaliteis and Rialteis, thair deputis, and uthers ordinar jugeis competent within this realme, with all rigour, hauing power to execute the samin.

The history of the execution of that Act, under which all subsequent civil prosecutions for witchcraft in Scotland were held, is one of barbarous torture, crowned frequently by barbarous death.

The Church, naturally, was eager for the suppression of witchcraft. General Assemblies complained that the “horrible crymes” of witchcraft, sorcery, and enchantment, went unpunished, and suggested that commissioners should be appointed in each province to execute the law.<sup>4</sup> The General Assembly of August 1573 ordained “all Bishops, Superintendents, and Commissioners to plant kirks, to call all sic persones as shall be found suspect to consult with witches before them at their particular visitationes or utherwayes ; and if they have been found to have consultit with the saids witches, that they cause them make publick

<sup>1</sup> *Commentaries*, edited by Chitty, iv. 61.

<sup>2</sup> *Lee's History of the Church of Scotland*, i. 321.

<sup>3</sup> *Acts of Parliament*, ii. 539.

<sup>4</sup> e.g. Peterkin's *The Booke of the Universall Kirk of Scotland*, 29, 143.

repentance in sackcloth, upon an Sunday in tyme of preaching, under the paine of excommunication if they be disobedient, dew admonitions preceiding.”<sup>1</sup> On a report that some magistrates not only refused to punish persons convicted of witchcraft but even liberated them, the General Assembly of 1598 enjoined Presbyteries in future to censure such magistrates with all severity.<sup>2</sup>

The Presbytery of Perth, on July 30, 1623, ordered “the ministers of Perth to call before them all persons within this burgh that consult with the witches, and, being tried, to cause them to make their public repentance on Sunday before noon in sackcloth under the bell strings, and the like to be done landward.”

The Church of the Second Reformation, also, was active in the endeavour to exterminate witchcraft. The General Assembly of 1640 ordered all ministers to take notice of, and to urge the execution of the Acts of Parliament against, “charmers, witches and all such abusers of the people,” and instructed their Commissioners to the Parliament to recommend that the laws be enforced against them.<sup>3</sup> The Assembly of 1642 ordained the Presbyteries to transmit the names of witches and sorcerers to the civil authority for trial and punishment of their guilt; and because witchcraft and charming were frequently due to ignorance, enjoined all ministers, especially ministers in districts where those practices were common, to enlighten their people as to the sinful nature of them.<sup>4</sup>

In 1643, the Assembly referred to “the abundance and increase of the sin of witchcraft in all the sorts and degrees of it”; suggested that Commissions, for a limited period, should be granted to some “understanding” gentlemen and magistrates within the bounds of such Presbyteries as desired them, with power to bring suspected witches to trial and to punish the guilty; and urged Presbyteries to consider by what other means “witchcraft, charming, and consulting with witches or charmers, and such like wickednes, may be tried, restrained, and con-dignely censured and punished ecclesiastically and civilly.”<sup>5</sup> In 1649, the General Assembly appointed a general Fast, especially against the “abominable sin of witchcraft and charming which abounds in the land.”<sup>6</sup> Among additional causes of a solemn Fast held throughout the kingdom, in April 1650, was “the sin of witchcraft abundant in the land.”<sup>7</sup>

<sup>1</sup> Peterkin's *The Booke of the Universall Kirk of Scotland*, 138; v. *Selections from Minutes of Synod of Fife*, 57.

<sup>2</sup> Peterkin's *Booke of the Universall Kirk of Scotland*, 468.

<sup>3</sup> Peterkin's *Records of the Kirk of Scotland*, 279.

<sup>4</sup> *Ibid.*, 327.

<sup>5</sup> *Ibid.*, 354; v. Baillie's *Letters*, ii. 88.

<sup>6</sup> *MS. Records of the Kirk-Session of Blairgowrie*.

The General Assembly of that year appointed a Committee of Ministers, Lawyers and Physicians on the trial and punishment of witchcraft, charming and consulting.

<sup>7</sup> Nicoll's *Diary*, 6.

When the English Commissioners for the administration of Justice held criminal courts at Edinburgh, some persons were brought before them charged with witchcraft. Two of them had confessed their guilt before Ecclesiastical judicatories, and had been remitted to the civil magistrate. Asked by the Commissioners how they had been proved to be witches, they declared that they had been forced to confess themselves such by the torture to which they had been subjected. Their thumbs had been tied behind their backs, and they had been suspended from them. Two Highlanders had lashed them. Lighted candles had been applied to the soles of their feet and between their toes, and had been placed in their mouths and against their heads. Six persons had been thus tortured on that occasion, and only two survived. Confession induced by such "Amboyne usage"<sup>1</sup> was of course worthless, and that fact, coupled with abhorrence of the revolting barbarity used to extort a confession, and perhaps dawning suspicion as to the truth of witchcraft, made the English judges, as Baillie complained,<sup>2</sup> but "too spareing" to try alleged cases of it.

The Restoration was followed by an epidemic of witch hunting, during which many persons were tried and executed. Fortunately it lasted for two years only, and thenceforth references to the subject in the Records of the Privy Council are less frequent. Church courts, however, continued to deal with offenders. In April 1669, the Bishop and Synod of Aberdeen passed the following Act:—"It being represented that the fearfull and damnabl practise of witchcraft and charming is much abounding in all parts of the country, it is therfor statut and ordained, that all who shall be found charmers (if made out against them) shall be censured, conforme to the ordinance and Act of the Synod anno 1663 [*i.e.* shall satisfie in sackcloath and barefooted untill the scandall be removed],<sup>3</sup> and that consulters with witches and charmers, and seekers of help from them, shall be censured, in maner mentioned in the said Act, besid representatione therof to the civil magistrat."<sup>4</sup>

Bishop Haliburton's Act on the subject is § 8 of his Acts and Constitutions.<sup>5</sup>

In England, during the period between the Restoration and the Revolution, scepticism as to the reality of witchcraft became widely manifest. Buckle states that "in 1660 the majority of educated men still believed in witchcraft; while in 1688 the majority disbelieved it."<sup>6</sup> In Scotland, however, that scepticism was of slower growth. If it were

<sup>1</sup> *The Spottiswoode Miscellany*, ii. 90-1.

<sup>2</sup> Baillie's *Letters*, iii. 436.

<sup>3</sup> *Records of the Exercise of Alford*, 32.

<sup>4</sup> *Ibid.*, 140.

<sup>5</sup> Vol. i. p. 128.

<sup>6</sup> Buckle's *History of Civilisation in England* (London 1868), i. 363.

the fact that Church and State were slow to institute proceedings and execute the law in cases of witchcraft, the reason was found, according to the writer of the *The Scotch Presbyterian Eloquence*, not in disbelief in witchcraft, but in the desire to save the pockets of the Bishops. The more ignorant of Scottish Presbyterians, it is stated, believed that those cloven-footed and shadowless Prelates would not allow "witches to be burnt, because (*as they alledge*) every Bishop loses five hundred marks Scots for every Witch that's burnt in his Diocess."<sup>1</sup>

In the 18th century, educated men were found to cling to the belief in witchcraft. In England in 1716,<sup>2</sup> and in Scotland in 1722,<sup>3</sup> the existing laws against it were executed by men of superior attainments and position. William Forbes, advocate, Professor of Law in the University of Glasgow, wrote (1730):—"Nothing seems plainer to me than that there may be and have been witches, and that perhaps such are now actually existing."<sup>4</sup> The Honourable James Erskine of Grange, formerly a Senator of the College of Justice, opposed in the House of Commons the Bill to repeal the statutes against witchcraft.<sup>5</sup> The passing of that Bill into an Act (9 George II., 5, 1736), and the Acts tolerating Episcopacy in Scotland and suspending the sittings of the Court of Session during the Christmas season, were enumerated by the Associate Presbytery in 1743 among the personal and national sins of which confession was appointed to be made yearly.<sup>6</sup>

John Wesley's *Diary*, under date May 25, 1768, contains the following passage: "It is true likewise, that the English in general, and indeed most of the men of learning in Europe, have given up all accounts of witches and apparitions, as mere old wives fables. I am sorry for it; and I willingly take this opportunity of entering my solemn protest against this violent compliment, which so many that believe the Bible pay to those who do not believe it. I owe them no such service. I take knowledge, these are at the bottom of the outcry which has been raised, and with such insolence spread throughout the nation, in direct opposition, not only to the Bible, but to the suffrage of the wisest and best of men in all ages and nations. They well know (whether Christians know it, or not,) that the giving up withcraft is, in effect, giving up the Bible. . . ." <sup>7</sup> Dugald Stewart, having noted in his *Dissertation* that the Act repealing the statutes against witchcraft "gave great offence to a large proportion

<sup>1</sup> *The Scotch Presbyterian Eloquence*, London, 1694, 8.

<sup>2</sup> *Collected Works of Dugald Stewart*, i. 507.

<sup>3</sup> *Arnot's Criminal Trials*, 367.

The law was executed by Captain David Ross of Little Daan, Sheriff-depute of Sutherland. The victim was burned at the stake.

<sup>4</sup> *Institutes of the Law of Scotland*, ii. 371.

<sup>5</sup> *Lee's History of the Church of Scotland*, i. 326.

<sup>6</sup> *Arnot's Criminal Trials*, 369-70.

<sup>7</sup> Vol. III., 316 (Edition 1827).

of very respectable individuals in this country, on account of its daring impiety," adds, "and yet, such has since been the progress of information and of good sense, that scarcely does a relic now exist of a superstition, which, sixty or eighty years ago, triumphed very generally over the reason of men of the most unquestionable talents and learning."<sup>1</sup>

Among the references to witchcraft within the district coterminous with the bounds of the Exercise and Presbytery of Dunkeld are these:—

Margret, Countess of Atholl, was alleged to have been guilty of witchcraft in 1566.<sup>2</sup>

It was alleged that the witches of Atholl sent a present to Queen Mary in 1570. Calderwood writes: "About this time a present was sent, as was supposed, from the witches of Atholl to the Scottish Queene; a prettie hart horne, not exceeding in quantitie the palme of a man's hand, covered with gold, and artificiallie wrought. In the head of it were curioslie engraven the armes of Scotland; in the neather part of it a throne, and a gentlewoman sitting in the same, in a rob royall, with a crowne upon her head. Under her feet was a rose environned with a thistle. Under that were two lyons, the one bigger, the other lesser. The bigger lyon held his paw upon the face of the other, as his lord and commander. Beneath all were writtin these words, 'Fall what may fall, the lyon sall be lord of all.'"<sup>3</sup>

The following minute of the Synod of Perth and Stirling, in April 1650, refers to the Presbytery of Dunkeld:—

Concerning another reference in the said book [*The Register of the Presbytery*] anent the censure of charmers, namelie those that turnes the ridle, and taks the mote out of the eye, requyring the Synodis advyse anent their censure: the Synodis advyse was that they sould be cairefull to search by all means if thai war guiltie of any express paction with the devill, or not; and if thai did find it to be so, that they sould take caire that the civill magistrat sould doe justice upon them; and if, eftir all meins of tryell usit, they could not find it, that thai sould put them to repentence in sackcloth.<sup>4</sup>

<sup>1</sup> *Collected Works of Dugald Stewart*, i. 507.

<sup>2</sup> *Law's Memorialls*. Prefatory Notice, xxiii-xxiv.

<sup>3</sup> Calderwood's *History*, iii. 19.

<sup>4</sup> On April 27, 1656, the elders of Logierait were "exhorted to be circumspect in their places that none goe to wells, and especiallie John Robertsons at the Port to take notice of any that goes that way to Crewss well."

"Crewss well" is the well of Santa Crux, in the parish of Dowally.

The minute of the Kirk-Session of Rattray on August 30, 1657, proceeds:—

"*Eodem*, compaired Christiane Reat and was accused of breach of Sabbath by travelling theron to grwis well, and for ascribing more vertew to that well upon that day [the first Sabbath of May] nor to any other well upon any other day. She answered she did nothing in that particular but what she did see many others doe; but the minister did labour to mak hir sensible of that it was sinfull to hir to doe such things, and she submitted hirself to the will of the Sessione; and she was

In 1661, the Privy Council appointed a committee to try and judge Isobell Smith in the parish of Otholl who had confessed herself guilty of the crime of witchcraft.<sup>1</sup>

Concerning the details of the case referred to the Presbytery by Mr William Aison, minister of Auchtergaven, no information has been found. It is an interesting fact that Aison was afterwards charged with consulting with an alleged witch.

The following case appears in the *Register of the Kirk-Session of Kinloch* :—

*September 15th, 1700.*—The Minister delated Jonnet Buttar in Cairn-Butts upon a clamour of her charming in manner following :—That the said Jonnet met with a stranger man travelling in the Moss of Kokeradge, who professed to her that going aside from some other men, [who] came out of the Carss of Gourie with him to carrie home heat[her], (he seeking his horse which run away from the rest of the company) his head became so giddie that he wandred up and down a long time, and could not get his owne company again. She adviced him to turne his bonnet the inside outmost and put it that way on his head, which he did, and presently understood the way to his company. Wherupon the Sessione ordered their officer to summond the said Jonnet to compear before their next meeting.

*September 29th.*—Jonnet Buttar was called, but not compearing, the Sessione appointes her to be summoned *pro 2do*.

*October 13th.*—Jonnet Buttar, being called, compeared, and confessed according to the Minister's delatione *ut supra* ; and, being enquired why she gave such ane advice, answered : That some years agoe, in travelling

ordained to evidence hir repentance, the nixt Sabbath, for hir fault, and she confessed to doe so, and not to do the lyk in tyme coming."

The following interesting minutes are extracted from the *Register of the Kirk-Session of Logierait* :—

" 3 *Maij, 1657.*— . . This day, delaited that [Adame Reid of] Eistertyre hes ane crucifix which people use to borrow when any thinge is stolne from them, they using it as a meane to get that which is stolne againe, which makes people feare it and reverence it. Eastertyre confest that he hade the same, bot made no use of it himselfe, zit he lent it to others for the use foresaid. The Session, takeing to consideration, find it to be ane idole that the people wes adoring : ordaines Eistertyre to produce the same befoire the Session, the nixt day.

" 10 *Maij, 1657.*—Eistertyre not present this day.

" 17 *Maij.*— . . Eistertyre brought not the crucifix according to the former ordainance. The Session exhorts him to bring it againe the nixt day that it may be demolished befoire they be any further heareing, quich he promised to doe.

" 24 *Maij, 1657.*— . . Eistertyre not present. The minister ordained to deall with him againe the nixt day.

" 31 *Maij.*—No sermon : the minister preaching at Kenmore at the ordainance of the Presbitrie.

" 7 *Junij, 1657.*—Eistertyre produced the crucifix, quihilk was brokin in presens of the Session."

<sup>1</sup> *Register of the Privy Council, Third Series, i. 122.*

at the watter side of Ylla, her head was giddie and confused so that she mistook the way, and a woman she knew not, meeting her, advised her to turne her head cloathes ; wherupon she understood perfectly the way, but would not confess anything further : wherupon the Sessione appointed her to appear before the congregacione, the next Lord's day, and confess and be humbled for her sin, which they cannot but judge to be a charme : and recommends it to the Minister to read the Acts of Assembly against Witchcraft and Charmeing, Sabbath next, before the congregation.

*October 20th.*—Jonnet Buttar appeared before the congregacione and confessed her fault and was rebuked.<sup>1</sup>

The following notice of a case of Witchcraft in the parish of Kirk-michael occurs among the Warrants of the Privy Council :—

The Confession of Janet Dowlach as emitted by her, upon the sexteenth day of October 1704, in presence of a minister of the gospell, gentlemen and other good witnesses.

The said day, she acknowledged that she hade committed the malefice upon David Spalding, younger, of Ashintullie by speaking some words and casting a knott, and declaired she hade no ill design against the gentleman at the time ; but only, having learned to doe the thing by a travelling woman and finding that he would not be persuaded to desist when another woman shut open the door, she resolved to essay this trick with a firme design to remove it within a short time.

She, also, declaired that George Rattray, her uncle, came to her mother's house, and, after he had discoursed her anent the malefice, he told her that if she came to any acknowledgment, or removed the same, her life would certainly go for it, and that the gentleman and his friends would cause burn her, and by these terrours obliged her to give up the knott which she hade wrapt in a linnen cloath to be kept by him ; and likewise obliged her to give a solemn oath of secrecie never to reveall the samin whatever danger she might be exposed to.

(Signed) LEVEN.

For a case of charming, of which a minister in Athole was the object, related by Mr William Stewart, minister of Blairgowrie, *v.* Wodrow's *Analecta*, i. 98-9.

The following process in a case of charming, in which parishioners of a parish within the Diocese of Dunkeld were implicated, is extracted from the *MS. Register of the Presbytery of Meikle*.

<sup>1</sup> The Extracts from the *MS. Register of the Kirk-Session of Kinloch* are given by the kindness of the Rev. Thomas Milne, B.D., minister of Lethendy and Kinloch.

The process was as follows :—

*Meigill, October 17, 1665.*

This day, a reference was produced by the brethren of the Diocese of St Andrewes from ther Synod, concerning Robert Small in Newtyll,<sup>1</sup> to the Presbitrie, wherin they are ordained to enquire whether he uses unlawfull means in healing of diseases, or finding out that which is lost or stollen, and to receive informations from other places, especially from the Presbitries of Dundie and Dumferling, and to make inquire and put him to tryall anent what truth is in them, and to report to ther next Synod what they find, and, if need bees, to referre the said Robert Small to the Lord Archbishop and the Synod : in obedience wherto, the Presbitrie appointed Mr Thomas Blair to write to Mr James Lyndsey, minister at Sauling, and Mr Androw Bruce to write to the Clerk of the Presbitrie of Dundie, for informations of the alledged scandalls in these places ; as also the said Robert Small to be cited to the next day to answer therto.

<sup>1</sup> These references in the *MS. Register of the Presbytery of Meigle* probably relate to the same person :—

*September 25, 1660.*—On Robert Small referred fra Session of Newtile for living in open constant malice, contempt of the Communion, upraiving of and disobedience unto minister and Session, he is appointed to bee summoned befor the Presbitrie nixt day, and, considering his case, his citation to bee publicke.

*October 9, 1660.*—Robert Small compeared ; finding him obstinate and foolishly wilfull, no ways taking with his faults, appoints that, befor the Lord's day come eight days, Mr Robert Crichtone and Mr David Patton, with his owne minister, shall deal with him for bringing him to a sense of his scandalous carriages, and if they gett him not convinced and willing to give satisfacione, as the Session of Newtile enjoyns him, in that case the minister of Newtile to proceed ; and in respect thir severall years, as the minister reports, he hes been going on in his scandalous carriage, and often relapsed and shewen great contempt of the Session, to give him a publick admonition with prayer.

*October 30, 1660.*—The breethren appointed to speake with Robert Small in Newtile, scandalous *ut supra* for feighting, slandering, contempt of ordinances, and disobedience unto, and contempt of, the Session, reported they had conferred with him. The said Robert was present himself, and acknowledged his saïds sinns, and was appointed, after his apperance befor the Session, to evidence his repentance for the same befor the congregation, all which he promised to doe.

The case came before the Synod of St Andrews, in April 1665, by reference from the Presbytery of Dundee :—“ Mr Andrew Olyphant desired the advice of the Presbyterie concerning such as consult one Robert Small for things lost or stollen ; and the Presbyterie appoints a reference hereof to be made to the Synod ” (*MS. Register of the Presbytery of Dundee*, March 29, 1665). It was referred to the Presbytery of Meigle for trial, but they took no action (*MS. Register of the Presbytery of Dundee*).

The Archbishop and Synod, in October 1665, passed this Act :—

“ The Lord Archbishop and Synod, taking to their consideration that referenc concerning Robert Smal, and finding that the brethren of Migel had done nothing in itt, appoint that the brethren of Dumferline, and whosoever els have any evidences of Divination or unlawful means of healing diseases, or finding that which is stolen or losed usd be that man, that they send them to the brethren of Migel between this and the next Synod ; as also that the peopl who seek to him in these unlawful ways be challenged be their ministers, and censured accordingly ” (*MS. Register of the Presbytery of Dundee*).

*Megill, November 7, 1665.*

Robert Small, beeing called, compeired, and, beeing asked whether he used any unlawfull means in curing diseases or finding out of lost or stollen goods, and particularly whether he did send any papers to that purpose to Rossie or Sauling, answerd that he used no unlawfull means in either, neither gave any such scandalous papers, and that he would own any paper given by him ; and promised to give no such papers heirafter, as he had given, because offence was taken at them. The Presbitrie not having receaved returnes from Dundie and Sauling, how-beeit the brethren appointed declared they had, as they wer appointed, written to them, therfor Robert Small is dimitted for this tyme, and appointed to be present, being cited when ever the Presbitrie sall receive the foresaid informations.

*Megill, November 28, 1665.*

Anent Robert Small, delayed because no report yet from Dundie and Sauling, but answer beeing expected before the next day, he is appointed to be cited therto.

*Alyth, December 19, 1665.*

Anent Robert Small's processe, this day Mr Andrew Bruce did produce a letter to the Presbitrie from Mr Andrew Oliphant, minister at Rossie, bearing that the paper he sent inclosed was the very same that Robert Small did give to Jhon Moncurre in Rossie, slandered with theft, and having a sore knee, as the said Jhon Moncurre affirmd ; and that he receaved it from Robert Small, having consulted him both anent the disease and slander ; the tenor wherof followes :—Boyl halfe ane lippie of salt with thrie choppins of his own water till it be as thick as reame ; boyl with it two halfe ells of plaiding, and lay it as hot to his knees in the night tyme as he can endure it, two nights on end, and rub the knees with bone creish and aquavitæ thrie night thereafter, and under God he sall find comfort.

Showing you the truth of this matter, as farre as God hes given me grace ; the partie by beeing clear he durst not come in till my company, hearing the commendation of the man that I knew the airt of the physiognome of a loun, for ye know that a guiltie conscience bleaks the selfe of it ; certainly this geir will come to light.

*Sic subscribitur, ROBERT SMALL.*

The Presbitrie, having caused read this paper to him, inquired whether he did own it, or if it was written by his direction ; answerd affirmative to both ; and beeing again inquired anent the second part of it, which

seemes nonsensicall, what he meant therby, and how he could take upon him to clear or condeme the man, and whether he knew whether he was guilty or not, answered he knew not any thing of his guiltines more then others ; and that it was his custome to informe himselfe of the condition of persons that came to consult with him before he spoke to them, and by this mean he came to know severall things anent them which made many admire of his knowledge, beeing ignorant how he had informed himselfe ; and that his meaning in his paper was that, seeing he was thought to know more then others, he would have the man believe it because he was sure that beeing guiltie he could not with confidence look him or any in the face who he thought knew the same, but that he himselfe knew nothing except what he had by information beforehand, and by the man's countenance not having confidence. Lykwise he said that since he saw that such papers of his gave offence, he was content to engage himselfe never to give out any more papers of that nature.

The Presbitrie, for this day, did dimitte him, resolving upon the receipt of the information from Sauling to cite him again. The severall brethren wer lykwise desyred to inquire, in ther respective bounds and congregations, what they could learne of the like consultations of his therin, and to report the next day of his appearance.

*Megill, January 9, 1666.*

Mr Thomas Blair reports that he hes not yet gotten a return from Sauling anent Robert Small, but expects it before the next day : wherupon Robert Small appointed to be cited to the next day.

*Megill, January 30, 1666.*

Anent Robert Small's busines, this day the Presbitrie received in from Mr Thomas (who transmitted the same, beeing absent) a letter from Mr James Lyndsey, minister at Sauling, directed to the said Mr Thomas Blair, together with ane unclosed processe against one Jhon Mithell in the parish of Sawling for consulting of Robert Small for getting knowledge of a cow stollen from him, whilk was in particular recomended to us to try, as also the principall paper alleadged given by Robert Small to the said Jhon Mitchell, the tenor of which paper and processe followes.

The tenor of the paper alleadged given by Robert Small. Desyryng these that hes wronged this poor man till restore him till his own meens with quietnes and let no more be of it ; for they thought, when they removed that cow, that no man had knowen, but I will assure them ther was thre wat it, God in Heaven, & the divell in hell, and the partie who took it, and He will find out ane instrument in His own tyme till bring it

to light ; therfor desyryng that this be done quietly in keease ther be more dine of it.

The copie of the processe followes :—

*At Sauling, September 4, 1665.*

Jhon Mitchell beeing cited before the Session for slandering of Bessie Bairdiner and Jhon Sharpe for ane cow that he had wanted, and that he had been using unlawfull means and had been in Angus at one Robert Small to get notice and knowledge of his cow, the said Jhon Mitchell compeiring, and beeing asked if he had been using any unlawfull means to get notice of his cow, or if he had bein at any person or persons suspect of sorcerie to get knowledge of her, answered he would either goe to devill or fiend that could tell him of his cow. 2ly, beeing asked if he had bein at on Robert Small in Angus, answered, he was, and would yet goe to him if he knew that he were in that same condition that he was when he was at him, for he gave me a letter for getting of my cow ; and I offered him a pynt of aill, but he refused to have it, but said, " Poor man ! it wer more alms to give the a pynt of ail, for thou hes no more but ane groat to cary the home," and I hade no more. 3ly, beeing asked wher that letter was, answered it was not present : therfor he was cited *apud acta* to compeir the next Session day, and bring the letter with him.

*September 11, 1665.*

Jhon Mitchell beeing called, compeired ; he having delivered the letter before to the minister, and by him given to the Clerk, it was produced and publiklie read in the said Jhon Mitchells audience. Therafter the said Jhon Mitchell, beeing asked if that same letter, which he gave to the minister and had now heard read, was the same he gott from Robert Small, answered : it was. Then beeing inquired what Robert Smal bade him doe with it, answered : that he directed him to give it to his master, my Lord Colvill, and to desire him to cause read it to that man that met me at my own door and reproved me before I challenged him, and that if he would not confesse, ask him wher he was that day that I wanted my cow ; and Jhon Sharp was the first that came to me and reproved me unchallenged, but Robert Small did not name either John Sharp or Bessie Bairdener, but said it was my nearest neighbour betwixt me and the sun that took my cow ; and Robert Small declared that he that came first and reproved unchallenged, had a staffe in his hand lyk to a . . . to a house which Robert Small put his hand too at his own home. More, Robert Small said that they would never challenge me for amends that had taken my cow, till ther wer not a bone to the fore

of her to know ; and more, the said Jhon Sharp had a staffe in his hand when he came to reprove me lyk to the same . . . that Robert Small put his hand too.—*Extract by Jhon Walwood, Session-Clerk.*

The Presbitrie, having first sien & read thir papers, called Robert Small, who, compering, beeing interrogat whether ever Jhon Mithell in Sawling came to him, or did consult him anent his stollen cow, denyed that ever he saw or knew such a man or gave him any paper. Therafter the paper alleadged given by him was produced and read to him, denyed also that ever it was written by his direction, or given by him. But it beeing made evident that it was written by his boy by the conferring it with others of his receipts written with the same hand which wer then produced, confest it was the same hand write, but not written by his direction ; he professing he would not own any papers written by his boy or any other, except either his name was underwritten, or his seal added, or that what he prescribed was to be done at the sight of the minister of the parish, non of which wer in or added to his paper. Lykwise Jhon Mitchell's judiccial declaration before the Session of Sauling, each particular of which he utterly denyed, alleadging the said Jhon Mitchell had unjustly and falsly slandered him. Wherupon the Presbitrie cited him *apud acta* to compeir the next day of ther meiting, appointing in the mean tyme the ministers of Ketins, Cowper, and Bennathie, with his own minister, to deal with him, before the next day, to sie if they could convince him or bring him to a confession, and to report the next day.

Lykwise the severall brethren wer inquired at if they knew any thing in ther severall congregations of his unlawfull using of means to heall, or of his f(i)nding out of stollen or lost goods : Answered severalls of them that they had seen and known severall of his receipts for diseases wherin wer prescribed lawfull and ordinary remedies only ; but as to the other anent his divinations, severall brethren answered that althoe they had heard some frivolous reports anent his divinations yet they could not learne any thing certain in this matter.

*Megill, February 20, 1666.*

Anent Robert Small, the brethren appointed to conferre with him reported that they met with him at Cowpar ; and that he persisted still in a peremptorie denyall of all the particulars contained in the processe of Jhon Mithell sent from Sawling, and that he never remembers that ever such a man came to him, or that he ever gave him or any other any such paper. The said Robert Small, beeing lykwise called, adheired to all his former denyalls.

The Presbitrie, therfor, finding him persist in his denyall, as also that Jhon Mithell his acuser is *malæ famæ* by his own confession, as appears from his processe, doe therfor appoint Mr Thomas Blair to write to the minister of Sawling desyring him (as was recomended to the Presbitrie of Dumferling by the Archbishop and Synod of St Andrews) to send along witnesses for the proofoe of what Jhon Mithell alleadges, or else himselfe to verifie heir by witnesses his acusation or information.

*Megill, March 27, 1666.*

Anent Robert Small, Mr Thomas Blair declared he had written to the minister of Sauling, but that his answer was come to Mr Andrew Bruce; wherupon Mr Andrew Bruce beeing enquired anent it, did declare that, since the last Presbitrie day, Robert Small had gone to Sawling himselfe to complaine upon Jhon Mitchell as a slanderer and caluminator, and to crave to be repaired of his good name; and that he had been ther confronted with Jhon Mitchell before the Session as ther Act theranent, sent by the minister, shows as followes:—

*At Sawlin, March 4, 1666.*

The Session beeing met, it was declared by the minister that he had received ane letter from the minister of Newtyl, signifying that Robert Small was desyrous, for clearing of his innocence, to be confronted with Jhon Mitchel, on of our parishoners, before our Session, as also that he had caused warn John Mitchell for that effect. Wherupon the Session resolved first to call Robert Small, and to read to him the letter with the particulars deponed against him by Jhon Mitchell; the said Robert, beeing called, compeired, and the letter beeing read, he altogether disowned the same, declaring that neither Jhon Mitchel nor any other person did ever come to him to enquire after stollen goods: sicklyk he disowned all the other particulars in the processe.

Wherupon Jhon Mitchell, beeing called, compeired, in the said John Mithell's [? Robert Small's] presence, and declared that Robert Small did dictat the letter, and that his boy, a gay halfe long lad, did write it; wherunto Robert Small replied, I never saw thy face before, man, thou mightest have been at my house but I never saw the ther. Jhon Mitchell answered, I was at your house, and in the tyme ther came a comon countrie man, called the laird, going to the smiddie with a ladle to mend. The said Robert declared he knew not such a man. More, the said Jhon Mitchell declared that his wife, when they wer coming forth of the barn which is benorth the house, wherin was some green hay, had been milking the kyne: wherunto the said Robert replied, Thou lies man: My wife

was not out of her bed this seven yeirs. Jhon Mithel, beeing enquired if that boy present with Robert Small was he that wrot the letter, declared, not, but he was more. Robert replied that that boy had been with him those fourteen yeirs past. Jhon Mitchell lykwise, being enquired severallie upon all the particulars of his former declaration, confidently averred the truth of all he had deponed, excepting whil he is inquired anent Robert Small, his saying Thou hes no more but a groat to cary the home ; For to this he answered, Robert spoke not of a groat, but all the silver thou hes will not cary the home, and he brought no silver over Tay with him. Jhon Mitchell declares it was in December, or therby, in the yeir 1664, and that ther was a mercat haldin in Newburgh when he was ther.

Wrettine be Jhon Rolland, elder, and subscribed as followes :

*Sic subscribitur*, MR JAMES LYNDSEY, *minister*.

JHON ROLLAND, *elder*.

Lykwise Mr Andrew Bruce reported that the foresaid Jhon Mithell was sent by the minister and Session of Sawling to wait on the Presbitrie ; but because of ther not meiting when he came, and his refusing to stay till a Presbitrie day, that therfor he had conveened and confronted him with Robert Small before his Session at Newtyl, wher Jhon Mitchell resumed his abovewritten declaration but did refuse to subscribe it ; howbeit the Clerk of the Session, beeing a publik notar, offered to doe it at his desyr, and declared also that he could not prove what he had said.

The Presbitrie, taking to ther consideration the whole processe against Robert Small, and finding that they have done all incumbent to them for the tryall of his alleadged scandalls, for ther own exoneration appoint and ordain the whole processe to be extract and sent over to the now ensuing Synod of St Andrews by the Clerk.

*Meigill, 5 Maij, 1666.*

Ther being presented from the Archbishope and Synode of St Andrews ane ordinance anent Robert Small, processed and scandalous *ut supra*, the tenour wherof follows :

*St Andrews, April 25, 1666.*

The Lord Archbishope, with the Synode of St Andrews, having considered the report of the breethrene of Meigill concerning the reference of Robert Small, doe find him, by his owene confessione, guiltie of drunknes, prevaricatione and of pretending skill in divining wher

stollen goods are to be found ; and finds him sensible of these sinns and sorrie for them, promising through God's grace never to doe the lyke againe : the Lord Archbishops with the Synod, therefore, appoints him to appeare before any congregacione within the Presbetrie of Meigill that they shall thinke fitt, to confesse his scandaleous sinns, and profess his repentance for the same, and engadge himselfe to no mor so.<sup>1</sup>

*Sic subscribitur*, MR GEO. OGILVIE.

The said Robert, being present, was appointed accordingly to satisfie at Newtyle.

*Meigill, 12 Junij 1666.*

Report was made that Robert Small had satisfied before Newtyle according to the last dayes appointment.

*St Andrews, October 4, 1666.*

The brethren of Migll report that Robert Small had given obedience to the Act of the Synod relating to him.

#### § 10. HOLY COMMUNION

The General Assembly of 1562 appointed that the Communion should be administered four times yearly in Burghs and twice yearly in landward parishes,<sup>2</sup> an ordinance renewed by the General Assembly of 1616 with the addition that one of the celebrations should be at Easter.<sup>3</sup> The General Assembly of 1638 referred the Act of 1562 to the consideration of the Presbyteries, and according to the minutes of the Synod of Fife in April 1641, a later Assembly ordained that Holy Communion should be celebrated twice yearly.<sup>4</sup> The Directory for the Publick Worship of God (1645) states that "The Communion, or Supper of the Lord, is frequently to be celebrated ; but how often may be considered and determined by the ministers, and other church-governors of each congregation, as they shall find most convenient for the comfort and edification of the people committed to their charge."<sup>5</sup>

During the period 1661-89 ministers were expected to dispense the Lord's Supper at least once yearly, in the Diocese of St Andrews, about

<sup>1</sup> MS. Register of the Presbytery of Meigle, March 26, 1667.

<sup>2</sup> Peterkin's Booke of the Universall Kirk of Scotland, 13. In April 1618, the Synod of St Andrews ordered the brethren of Coupar to celebrate the Holy Communion yearly "vpon Pasche day precieslie," under the pain of deprivation (*Selections from the Minutes*, 88).

<sup>3</sup> Peterkin's Booke of the Universall Kirk of Scotland, 596.

<sup>4</sup> *Selections from the Minutes*, 123.

<sup>5</sup> *Confession of Faith, etc.*, Edition 1810, 543.

the end of March or in April,<sup>1</sup> in that of Aberdeen at Easter.<sup>2</sup> The Bishop and Synod of Dunblane, in October 1664, enacted that failure to celebrate Holy Communion at least once yearly should be followed by the public censure of the minister, and forfeiture of the sum allowed him for Communion elements.<sup>3</sup> The Archbishop and Synod of St Andrews, in October 1685, enjoined ministers to "celebrate the sacrament of our Lord's Supper twyce everie yeare, att least once, under the paine of being suspended."

There is evidence to a comparatively late period that, in many parishes planted with clergymen, the Holy Supper was celebrated infrequently. In the General Assembly of June 1565, complaint was made against one or more ministers of failure to dispense the sacrament of the Lord's Supper during the previous six years.<sup>4</sup> In the *Register of the Kirk-Session of Edinburgh* it is stated, in 1574, that "the Table of the Lord Jhesus hes not this lang tyme bipast bene ministratt."<sup>5</sup> In the parish of Rattray, from February 1608 to December 1622, when the volume of the Register closes, Holy Communion was celebrated only three times, namely, in July 1611, in April 1614, and in April 1621. The General Assembly of 1608 stated that in many of the churches of Caithness and Ross the Holy Supper had never been celebrated.<sup>6</sup> Writing under date 1655, Nicoll remarks that "these sex yeiris last past the holy and blissed Communioun of the blissed body of our Lord and Saviour Jesus Chryst wes not celebrat within the toun of Edinburgh, nather yit within mony uther pairtes of the cuntrey, be ressoun of the trubles and sad condition of the land, and inward divisiounes, among the ministrie and pepill in Scotland, in thair judgementis and opiniounes, till the end of Julij 1655. At quhilk tyme, viz., the last Sondag of that moneth, and the first Sondag of August following, 1655, that halie ordinance wes ministrat in all the kirkis of Edinburgh, and in sindrie uther kirkis about. . . ." <sup>7</sup> In St Andrews, also, the Lord's Supper had not been dispensed during the six years before July 27, 1656.<sup>8</sup> Writing of the Protesters, Burnet states that "in many places the Sacrament was discontinued for several years, where

<sup>1</sup> *Selections from the Minutes of the Synod of Fife, 185*; *MS. Register of the Presbytery of Perth, January 15, 1668.*

<sup>2</sup> *Records of the Exercise of Alford, 369 (1685)*;—"at Easter, if they can possiblie doe it" (*Ibid.*, 391 (1688)).

<sup>3</sup> *Register of the Synod of Dunblane, 15.*

The Bishop and Synod of Aberdeen, in October 1677, appointed that, when Holy Communion had not been celebrated in any parish for a year or more, the sum allowed for Communion elements should be devoted to pious purposes (*Records of the Exercise of Alford, 283*).

Gilbert Burnet celebrated the Holy Communion at Saltoun four times yearly (Clarke and Foxcroft's *Life of Gilbert Burnet, 58*).

<sup>4</sup> Calderwood's *History, ii. 291.*

<sup>5</sup> Lee's *History, i. 391.* The date is given as 1573(4).

<sup>6</sup> Peterkin's *Booke of the Universall Kirk of Scotland, 585.*

<sup>7</sup> Nicoll's *Diary, 155.*

<sup>8</sup> Lee's *History, i. 401.*

they thought the magistracy, or the more eminent of the parish, were engaged in what they called the defection, which was much more looked at than scandal given by bad lives.”<sup>1</sup> In the parish of Aberdalgie, Holy Communion had not been dispensed for many years before 1657, on account of the age and infirmity of the minister.<sup>2</sup> That Sacrament was administered in the parish of Logierat, so far as appears from the *Register of the Kirk-Session*,<sup>3</sup> on July 29, 1660, for the first time since a date preceding March 13, 1653.

During the period 1661-89, also, the Lord's Supper was infrequently celebrated in many places.

On July 29, 1674, a visitation of the parish of Rattray was held by a committee appointed by the Bishop of Dunkeld, Dr George Haliburton, minister at Cowpar-Angus, being Moderator. The Visitors remarked :— “ 13, The Sacrament of the Lord's supper found to be celebrated only four tymes in 9 yeirs, and insufficient excuses sett down for two yeirs' omission, September 19, 1669, and August 10, 1673, for which the minister is now admonished, and appointed yeirly at least to celebrate the Sacrament.” In April 1678, some ministers in the Presbytery of Dunblane admitted that they had not celebrated the Sacrament of the Lord's Supper for some years, and were rebuked by the Bishop for their omission in presence of the Synod. At a visitation of the parish of Arngask by the Presbytery of Perth on September 26, 1676, it was declared by some of the elders that the Communion had been dispensed only three or four times in ten years. They added, however, that “ they apprehended their minister was not much to blame in the affair ; and that the reason why it was so seldom celebrated was because the greatest part of their people was altogether disorderly, and that there were but a very few in the whole parish that would come to the Communion when celebrated.” The Presbytery ordered the minister to dispense that Sacrament every year to all who were willing to receive it, though few in number, judging it unreasonable to withhold the spiritual benefit of Communion from those who desired it, because of the disorderliness of others. The minister of Weem, admitted to the charge in 1664, confessed to the Presbytery of Dunkeld, on February 1, 1682, that, for reasons stated, he had never yet dispensed the Sacrament of the Lord's Supper. He celebrated it for the first time during his incumbency in the summer of 1684, after the Presbytery had threatened to report his neglect to the Bishop and Synod.

<sup>1</sup> Burnet's *History*, i. 99.

<sup>2</sup> *MS. Register of the Presbytery of Perth*, February 25 and March 11, 1657.

<sup>3</sup> There may have been a celebration between July 19 and September 27, 1657, a page of the Register having been excised. There was none between July 29, 1660, and January 3, 1664.

The *Register of the Presbytery of Dunkeld* after 1706 contains several references to this subject. In 1707, Mr John Peirson, minister at Kirk-michael, was libelled by the Presbytery. One of the particulars adduced to support an allegation of supine negligence in the exercise of his ministerial office was, "That he did not administrat the Sacrament of the Lord's Supper above twice or thrice in the space of twentie years."<sup>1</sup> His answer to the charge casts light on the practice of the ministers of Atholl, and affords additional information on this subject.

"Secondly : That I did not administer the Sacrament of the Lord's Supper above twice or thrice in the space of twentie years. If regard be hade to what is offered on the foregoing instance, the greatest weight of this falls on the savourie memory of my said father, for, according to the Lybell's calculation, ther were twelve years of the twentie wherein he was principally concerned, so that I am singlely loaded only with eight ; and though he could have better answered for himself if alive, yet for vindication of us both, the knowen matter of fact is : That before the Revolution that Ordinance was celebrat with us once in every two year, as it was in the rest of the churches of Athol, between which matters were so digested by consent and harmony, as that every person within these bounds who was disposed might conveniently communicat once a year. Afterwards ther were such disturbances and distractions for several years,<sup>2</sup> the outward state of affairs in these parts was so unsettled, and the spirits of people were put in such an agitation and ferment, as also the ministers themselves were under such uncertainties and frequent alarms of being removed from their charges, with other such discouraging circumstances, as did not aford such a measure of peace and concord as was most desireable and suteable, according to our practice, for that publick Feast of universal love and charity : so that the minister of Blair Athol, who died towards the begining of the year one thousand seven hundreth, did not at all administer the same after the Revolution, and the minister of Moulin but once, though he lived to the year one thousand seven hundreth and five years, and I suppose ther was the like unfrequency as to that Ordinance in most places of the Nation, upon such accounts as I have now mentioned. 'Tis true that the last time I hade

<sup>1</sup> *MS. Register of the Presbytery of Dunkeld*, July 16, 1707.

<sup>2</sup> "The Comunion, upon the account of the troublsome and calamitous tymes, deferred untill it shall place the Lord to send a more peaceable opportunity" (*MS. Register of the Kirk-Session of Cowpar-Angus*, July 28, 1689). In the following year the Holy Communion was celebrated.

The Kirk-Session of Rattray, "considering how great a spirituall benefit and comfort it would be to the people of the paroch to have the Sacrament of the Lord's Supper administrated to them, and withall fearing that the apparent troubles of the time might hinder so good a design, if it were not speedily putt in execution," appointed the Holy Communion to be dispensed a fortnight thence (*MS. Register of the Kirk-Session of Rattray*, May 18, 1690).

it was in the year one thousand seven hundreth and two, and I determined to have used the same frequencie at least as before the Revolution, hade I not been often valetudinary, as is weell knowen to the people of my paroch, and to the neighbourhood." <sup>1</sup>

Mr Archibald Campbell, minister of Weem, was libelled before the Presbytery of Dunkeld in 1711 on various charges, one of which was "the highest degree of negligence that perhaps ever hitherto was heard of"; and it was alleged that he had never celebrated the Holy Communion since his admission in 1705, a charge which was not denied.<sup>2</sup> On September 6, 1727, when the Presbytery of Dunkeld visited Killin, where the Episcopal incumbent continued to exercise his ministry, it was stated by heritors, elders, and heads of families that the Sacrament of the Lord's Supper had not been dispensed in that congregation "these twentie years and upwards"; and by the minister that he had not celebrated it "this long time, but that he gave it by turns while there were Episcopal ministers in the bounds."

The General Assembly of 1751 renewed the 11th Act of the Assembly of 1712, enjoining the more frequent celebration of this Sacrament; and ordained that every Presbytery, at the diet of Privy Censure before the winter Synod, should enquire at each minister whether he had dispensed the Lord's Supper at least once in the preceding year, should mark the excuses of such as had failed to do so, and their approval or disapproval of them, and should report thereon to the Synod in writing.<sup>3</sup>

The Presbytery of Dunkeld, on November 7, 1752, resolved to call to account those of the brethren present who had not dispensed the Sacrament of the Lord's Supper within the year before the previous Synod. It was found that Mr John M'Duff, admitted minister at Lethenday on September 26, 1751, had not done so. The Presbytery sustained his excuse, viz. :—"That he had been but lately settled in that congregation, and had no manss or place of acommodation near the church." At the next meeting, December 5, 1752, Mr Alexander Campbell, minister at Weem, acknowledged that he had not dispensed the Holy Communion within the specified period. He explained that the churches of Weem and Dull were so near, that the ministers had been accustomed to celebrate that Sacrament alternately, but declared that he intended to administer it yearly at Weem. Mr James Gow, minister at Cargil, made the same admission, and informed the Presbytery that the custom in Cargil and the neighbouring parishes was to hold a biennial dispensation of the Lord's

<sup>1</sup> *MS. Register of the Presbytery of Dunkeld*, September 2, 1707.

<sup>2</sup> *MS. Register of the Presbytery of Dunkeld*, March 13, 1711.

<sup>3</sup> *Morren's Annals of the General Assembly*, i. 214.

Supper. A similar confession and explanation were given by Mr John Douglas, minister at Kenmore, who further declared that his allowance for Communion elements was insufficient. Those three ministers stated that they intended to administer the Sacrament of the Lord's Supper more frequently in future. The Presbytery, while unable to approve of their neglect, expressed themselves as satisfied with their intention.

The Holy Communion was dispensed after due examination of the people. The General Assembly of 1591 authorised the printing, after abridgment, of a "Forme of Examinatione before the Communione," composed by John Craig, for the assistance of ministers and people.<sup>1</sup> One of the questions in "The Forme and Subject of Visitatione of Kirks" (1602), appointed to be asked of the commissioners of each congregation concerning their minister, was:—"gif he ministers the Communion yearly with dew examinationes preceeding."<sup>2</sup>

The Kirk-Session of Lasswade re-enacted in 1615, "That nane be admittit to the Holie Communion of the Lord's table, unless first he byd tryall of the heads of Christian Religione, and being tryit, nane be admittit except in some degree he be found learned thairin<sup>3</sup> . . ." The *Register of the Presbytery of Perth* under Prelacy, 1610-38, affords illustrations of the practice. Thus, on March 29, 1626, the minute of the Presbytery proceeds:—

"The Exercise intermitted till this day month because of the celebration of the Lord's Supper approaching, which, in some parish kirks, is on two Sabbaths, so that the brethren will be occupied in examinations of their people, and trying of them, and in preaching for their preparation. . . ." On April 16, 1628, the Presbytery excused Messrs David Weyms and John Cruikshank for absence from their previous meeting because "examining their people against the Communion."

On October 26, 1631, the Presbytery ordained that Mr John Wood should be notified to examine his parishioners and prepare them for the Communion; and, on May 24, 1637, absentees from the previous meeting were excused "because they were examining the people, and preparing for the Communion."

The General Assembly of 1639 adopted an overture to the effect, "That an uniforme Catechisme may be appointed to be used throughout this whole kingdome in the examinations before the Communion." Baillie, writing in 1642, refers to the "dailie catechiseing before the Communion." The General Assembly of 1645, having accepted the

<sup>1</sup> Peterkin's *Booke of the Universall Kirk of Scotland*, 356; v. 348, 359.

<sup>2</sup> *Ibid.*, 517.

<sup>3</sup> Lee's *History*, i. 404.

Directory, approved of a recommendation of a committee, "that congregations be still tried and examined before the Communion, according to the bygone practice of this Kirk."<sup>1</sup>

On September 21, 1652, Mr John Murray was absent from the meeting of the Presbytery of Perth because "he was taken up with examinations, intending to give the Communion shortly."

The practice of holding examination of the people was continued during the period 1661-89. In October 1662, the Bishop (Leighton) and Synod of Dunblane enjoined that persons should be admitted to Communion only after enquiry into their knowledge and manner of life. The *Register of the Kirk-Session of Rattray*, during the incumbency of Mr John Rattray (1665-87), affords evidence of the practice. Thus, on October 13, 1667, "the minister regrates to the Sessione (that notwithstanding the dyets of catechizing, as they wer appointed, wer kieped) yet throw the slacknes of the payment of the money for reparatione of the queir, and slownes of the workman, had no accomodatione for want of the queir roofe to celebrat the Lord-supper as was designd, which is not yet perfyted: and therfor the celebratione of the Sacrament, in respect of the season of the zeir and shortnes of the day, is delayed unto the nixt Spring."

Again: "*The 3d of Maij 1668.—Quo die*, publict intimatione was made for catichizing of the severall quarters in preparatione for the Lord's supper, which is to be done with all conveniencie."

"*The 26th of July 1668.—Quhilk day*, according as was intended, the quarters as was appointed being severall times catichizd, the celebratione of the Lord's-supper was intimat to be kieped that day 15 dayes. And all persones at variance wer exhorted to aggrie, otherwayes to be debarrd."

"*Apprill 10, 1670.—Quhilk day*, intimatione was made of examinatione of the severall quarters, in order to the celebratione of the Sacrament, as they wer formerlie appointed, and exhorted to kip ther dyets."

"*The 10th July 1670.—Quhilk day*, the people in their quarters being catichized, the celebratione of the Lord's supper is appointed to be this day eight dayes. . . ."

The *Register of the Kirk-Session of Cowpar Angus*, under date July 18, 1686, runs:—

"This day, the minister intimat that, the dyets off examination being now closed for the first and second tyme, both in the severall quarters at home and at the church, the preparation sermon was to begin on

<sup>1</sup> Peterkin's *Records of the Kirk of Scotland*, 206, 421; Baillie's *Letters*, ii. 2.

Saturday at one afternoon; and exhorted the congregation to a conscientious preparation."

From an early period all persons were required to be present at the examination of their respective districts. The Synod of Fife, in October 1630, enjoined that all householders of whatsoever degree should present themselves and their families at the examination before the Communion, otherwise that they should be debarred from the Holy table. The Kirk-Session of Logierait, on June 19, 1641, ordered the beadles "to charge the people to come to the examinations, other wyse not to come to the Communion."<sup>1</sup> In 1656 the minister and Kirk-Session of Dunfermline appointed that absentees from the diets of examination should be admonished; and that those three times absent should be suspended from the Communion.<sup>2</sup> In connection with the celebration of Holy Communion at Edinburgh in 1655, Nicoll notes that "from this halie table at Edinburgh wer dischargit . . . such as did not countenance with thair presence the meetinges at the examinatiounes of the pepill preceding."<sup>3</sup>

During the period 1661-89, all persons were expected at least to be present at the examination. On August 13, 1682, the minister of Alyth debarred from Holy Communion all who had not been examined; and on July 29, 1683, fenced the Table against "those who have wilfullie neglected the dyots of examination and never coming at all."

During the preceding period, all adults were compelled to partake of the Lord's Supper under penalties both ecclesiastical and civil.

In 1595, the General Assembly ordered that such as absented themselves from the Holy Communion, on the ground of deadly feud, should be charged to receive it under penalty of the censure of the Church extending to excommunication<sup>4</sup>; in 1600 enjoined Presbyteries to charge ministers to make a list of all adults who had failed to communicate once yearly, and to summon them to appear before the Presbytery, to be required to communicate within three months, with certification that, in case of failure, their obstinacy would be represented to the Crown that the Act of Convention against non-communicants might be enforced against them<sup>5</sup>; and, in 1601, enjoined that in future the names of non-communicants should be transmitted to His Majesty's ministers.<sup>6</sup> The General Assembly of 1602 ordered ministers, some months before the celebration of Communion, to warn such as had previously failed to receive it to communicate; and, if the warning were disregarded, immediately to send their

<sup>1</sup> On that day also, the beadles were appointed to charge the heritors to bring money for the purchase of the Elements; and on June 26 to collect "the Element silver" from the heritors.

<sup>2</sup> Lee's *History*, i. 405; v. *Chronicle of Fife*, 177, 195.

<sup>3</sup> *Diary*, 155-6.

<sup>4</sup> Peterkin's *Booke of the Universall Kirk of Scotland*, 414-15.

<sup>5</sup> *Ibid.*, 479.

<sup>6</sup> *Ibid.*, 494. v. *Selections from the Minutes of the Synod of Fife*, 36-7.

names to one of his Majesty's ministers, in order that the Acts against non-communicants might be executed against them.<sup>1</sup> The General Assembly of 1616 also required each adult to communicate at least once a year under the penalty contained in the Act of Parliament.<sup>2</sup> Under date June 1, 1617, the *Register of the Kirk-Session of Stirling* notes that a certain person was "fund to have absentit himself from the Communion, the last ministrations therof, without any just caus," and that he was "admonesit on his kneis, with certificatione if he do the lyk heiraftir, that he sall mak publict repentence."<sup>3</sup>

The General Assembly of 1642 ordered Presbyteries to proceed against all non-communicants according to that Act.<sup>4</sup> In April 1642, the Synod of Fife ordained that persons wilfully absenting themselves from Communion should "mak there publict repentence proportionallie to the diettis of there absence"; and, in October 1646, enjoined, according to an Act in their minutes, that such as refused to be reconciled before Communion, and thus debarred themselves from it, should express their penitence before the congregation.<sup>5</sup>

During the period 1661-87,<sup>6</sup> all persons were required to communicate. In 1677, the minister of Keig delated certain persons to the Presbytery of Alford as contumacious to the discipline there, "for despising and abandoning the Sacrament of the Lord's Supper at their owne Church, some of them for three yeirs together."<sup>7</sup> The sentence of lesser excommunication was pronounced on one for contumacy to the discipline of the Kirk-Session: he was afterwards relaxed: the others apparently submitted to discipline at last. The Bishop and Synod of Aberdeen, in October 1677, ordered that, when persons left a parish, the usual certificate should state if they had neglected to communicate on any occasion when Holy Communion was dispensed.<sup>8</sup> The minister of Alyth, after the celebration, usually asked the members of Kirk-Session if there were any within their quarters that failed to communicate.

<sup>1</sup> Peterkin's *Booke of the Universall Kirk of Scotland*, 515-16.

<sup>2</sup> *Ibid.*, 596. On April 30, 1623, the Moderator of the Presbytery of Perth enjoined "that each brother give up the names of non-communicants within their congregations."

<sup>3</sup> *Miscellany of the Maitland Club*, i. 454.

<sup>4</sup> Peterkin's *Records of the Kirk of Scotland*, 322.

<sup>5</sup> *Selections from the Minutes*, 132, 150.

<sup>6</sup> The first Indulgence was signed on February 12, 1687 (*Wodrow's History*, iv. 417-8).

<sup>7</sup> *Records of the Exercise of Alford*, 280.

<sup>8</sup> *Ibid.*, 283. *The Register of the Kirk-Session of Cowpar-Angus*, under date November 12, 1693, runs:—"Thomas Will and Margaret Gourlay and Elspeth Farquart compeird befor the Session, and confest ther sin of contempt of the Sacrament, and in not observing the dyets of examination, were appointed to remove the scandal the next Sabbath."

Nonconformist opinions were, of course, the cause of the withdrawal of many from the ordinances of the Church. The Archbishop and Synod of St Andrews, in October 1680, passed this Act: "It being complained that in several places so many withdraw from the Church, and refuse to be examined, so that the ministers of these parishes are doubtful whether they shall administer the Holy Sacrament of the Eucharist, it is appointed that they shall give the same to those who are desirous thereof though they be but few"<sup>1</sup>; and in October 1687 enjoined ministers to administer that Sacrament, "and that altho the number of communicants wer noe greater then is absolutly necessary for performing that Divine Office." Other reasons, however, were adduced for refusal to communicate.<sup>2</sup> On September 22, 1675, as the *Register of the Presbytery of Perth* bears, some of the members stated that there were in their parishes several persons who declined to communicate, some of them "out of mere atheistical conceit," and others because of variance with their neighbours which they refused to remove; and desired a reference to be made to the Synod for their guidance in dealing with them. At the visitation of Arngask, on September 26, 1676, it was stated that, on the previous Sunday, the schoolmaster refused to communicate because of a quarrel with an "honest man" in the parish, which he had refused to settle notwithstanding the efforts of the minister to that end." The schoolmaster declared that the man had injured him, and that, therefore, he expected that the overture of reconciliation should have been made by him. The Presbytery severely rebuked him "for entertaining malice against any person, as being a thing unsuitable to any Christian, and more unsuitable to one of his station," and enjoined him to be at once reconciled with the "honest man"; and, in the event of his refusal, ordered the minister and Kirk-Session to suspend him from his office as reader or precentor in the church. The Bishop and Synod of Aberdeen, in October 1676, ordained that any who refused to be reconciled with their neighbours, on reasonable conditions, should be cited before the Presbytery; and that, if they still refused to be reconciled, the Presbytery should order their minister to pronounce the sentence of lesser excommunication against them.

During this, as other periods, communicants generally received this Sacrament sitting. Alexander Brodie, however, notes that he heard "that the Bishop of M[urray] had drawn al the peopl to kneel at the communion."<sup>3</sup>

<sup>1</sup> *Register of the Presbytery of Perth*, March 2, 1681.

<sup>2</sup> *v.* Chapter III., Nonconformity.

<sup>3</sup> *Diaries of the Lairds of Brodie*, 295.

The statement probably applies only to Elgin, the Bishop's church.

The following extracts from the *MS. Registers of the Kirk-Session of Rattray and Alyth* illustrate the procedure on Sacramental " occasions " :—

*Rattray, 26th July, 1668, p. 74 supra.*

*The 2d of Agust, 1668.*—The minister preached Luke 22, verse 1 : afternoon Luk 22. 1.

Quhilk day, the celebratione of the Sacrament was intimat againe to be that day eight dayes, and on Thursday such as wanted tickets to come and receive them, and on Saturday the preparatione sermon to be, to quhich they wer exhorted to be present be ten hours.

On Saturday, Agust 8th, being the day of preparatione of the Lord's Supper, Mr John Fyffe, minister at Ruthven, preached ane preparatione sermon, 1 Cor. ii. 28. After sermon, the minister exhorted the congregatioun to mynd seriouslie quhat ane actione they wer to goe about, debarring all ignorants, scandalous persons, and persons at variance, strangers from other congregatiounes without testimonialls. The dyett of meitting to-morrow to be at eight a cloak in the morning. Also their was deacons and elders appointit to the severall doores for the contributione, and for right ordering of the elements and raising and filling the tables.

*The 9th of Agust, 1668.*—Being the day of the celebratione of the Sacrament of the Lord's Supper, after reiding of the Word, the minister preached, John 7 chapter, 37 verse ; and after sermon, debarring all ignorant persones and persons at variance, went to the tables, and, according to the words of institutione, did consecrat the elements by prayer, and served the tables. After all, the action was closed with exhortatione and prayer.

In the afternoon, ane Thanksgiving sermon was preached by Mr Thomas Blair, minister at Blair, Psalm 116, verse 12. After sermon the people wer exhorted to conveyn the morrow be ten houres for heiring another sermon of Thanksgiving.

*Moonday, Agust 10t, 1668.*—Mr William Rattray, minister at Cargill, had a Thanksgiving sermon on the last of Joshua, 15 verse.

The collection for the poor ij li. ijs. 4d.

*17 February, 1689.*—This day, the minister exhorted the people to prepare themselves for beeing examined, and warned a part of the paroch to wait on for that effect at their own houses, Tuesday nixt, where he would attend them.

*At Rattray, 9 June, 1689.*

Visitours reported that John Mitchell *alias* Rattray was seen extremely drunk the last Lord's day after sermons ; he appointed to be cited against the nixt day.

The Minister and Session, thinking it fitt that the Sacrament of the Lord's supper should be administrated shortly, resolved that intimation thereof should be made from the pulpitt the nixt Lord's day. The Minister recommended it to the members of Session that they would exhort the people, in their severall divisions, to prepare themselves for so holy and profitable ane ordinance, and that they would be circumspect in the distribution of the tickets, and faithfully give account to the Minister if there were any in their divisions, who, by the open scandalousness of their lives, did deserve to be excluded from the benefite thereof, that the Table of the Lord might not be profaned.

The Session thought fitt that Abraham Low should be employed to make tickets for the communicants; and that the old tickets, with three pound of lead, should be given him for the making of five hundred tickets or thereby; and that, if any more lead were necessarie, he should be allowed to provide it himself and the Session would pay him.<sup>1</sup>

16 June, 1689.—The Minister intimated to the people from the pulpitt that the Communion was to be given here the first Sabbath of July, beeing this day twentie dayes; and exhorted them to putt themselves in order for so solemn and concerning a duty, warning such as had come lately to the paroch to bring testimonials from the paroches out of which they came last hither.

Compeered John Mitchell, *alias* Rattray, and beeing challenged of beeing drunk the last Lord's day, he confessed the same; upon which the Minister, having represented to him the vileness of that sin, appointed him to testifie his repentance and remove the scandall thereof by appearing the nixt Lord's day before the congregation, but he said he would confess his fault before the Session, but would not appear before the congregation to do the same: he appointed to be debarred the Lord's table, and not to be absolved untill he give publick testimonie of his repentance before the people.

23 June, 1689.—The Session, considering that it is decent the Communion tables and the table on which the plates with the bread stands should be covered with linnen, recommended it to the Minister, with the advice of Georg Ramsey, to provide as much linnen as would do it.

The order of the attendance of the members of Session at the Communion.

Coll(ectors) at the High Church door, James Drummond and Donald Small.

Collectors at the Quire door, David Gibson and James Yeoman.

Collectors at the Loft door, James Fyfe and William Ramsey.

<sup>1</sup> "Item: by order of Session to buy three pounds of lead for the Communion tickets . . . 9/."

## HOLY COMMUNION

Receivers of the Tickets, John Finlaw and Georg Ramsey.

Carriers of the Bread, James Drummond and Donald Small.

Carriers of the Cups, David Gibson, James Fyfe, James Yeoman, John Gellotlie.

Carriers of the Stoups, William Ramsey.

30 *June*, 1689.—Reported to the Session that there was twentie ells of linnen bought for the Communion tables at 6/ per ell : this appointed to be payed after the Communion.

6 *July*, 1689, beeing the Saturday before the Communion.

Collected this day 1 lib. 10/ : this not to be enboxed untill the day after the Communion.

John Morison in Rattray delated of beeing drunk the last Sabbath, of which Georg Morison and William Morison are given up as witnesses : he appointed to be debarred from the Lord's table, and to be cited to the Session against the 14 *July*, beeing the Lord's day : Georg Morison and William Morison to be cited as witness against the said day.

Recommended to the members of Session to wait on their severall stations diligently and gravely.

8 *July*, 1689.—Which day, after the Thanksgiving sermon, the Minister and Session mett. . . .

	£	s.	d.
Collected 6 <i>July</i> , beeing the Saturday before the Communion . . . . .	1	10	00
Collected 7 <i>July</i> , beeing the Lord's day on which the Lord's Supper was administrated . . . . .	24	17	00
Collected 8 <i>July</i> , beeing the Moonday after the Communion	1	8	00
	<hr/>		
Collected in whole . . . . .	27	15	00

Given for twentie ells of linnen for the Communion

	£	s.	d.
Tables, and the covering the table on which the plates stand with the bread . . . . .	06	0	0
Item, To Jean Smith for sewing the same . . . . .	00	3	0
Item, to the Schoolmaster according to the custom . . . . .	4	0	0
Item, to the Beddle . . . . .	2	0	0

The custom in the parish of Alyth was to celebrate the Holy Communion on two successive Sundays. The Register of the Kirk-Session shows the procedure :—

*July* 17, 1670.—The minister did intimat that this day 15 days was to be the first Communion day, and this day 8 days to be a congregational Fast immediatlie befor the Communion.

*July* 24.—The congregational fast was keep this day.

The minister, shawing that the nixt Sabbath was to be the first Communion day, did publictlie desire the congregation to convine to the preparation sermon to be on Saturn day nixt at 11 howrs.

*July, last day, 1670.*—This being the first Communion day, their was collected 19 lib.

Mr Thomas (Robertson) preached befor noon, Corinthians 1. 5, 6; and Mr John Rattray, minister at Rattray, after noon, Colossians 3, at the beginning.

Intimation was made that ane other preparation sermon to be on Saturn day nixt, abowt the time they met the last saturday.

*Saturday, 6 of August.*—Mr Thomas preached Corinthians 1. 5, 6.

*August 7, 1670.*—This being the 2nd Communion day, Mr John (Rattray, senior), preached befor noon, upon Isaia 53. 7, 8, and after noon, Ephesians 4. 30.

There was collected at the kirk doors 24 lib. and imboxed.

The Thanksgiving Sermon was intimated to be the morow abowt 10 hours.

*Monday, 8 of Agust, 1670.*—Mr Thomas preached upon John 13. 17.

Ther was collected this day at the kirk doors 3 lib. 6, 8, and inboxed.

The following extract from the *Register of the Kirk-Session of Kinloch* is printed as typical of the Communion seasons after the Revolution. Under date June 24, 1705, is the following :—

The congregational Fast was kept here upon the 14th of Junij.

Preached Mr Patrick Wylie, probationer, on Canticles, 2 chapter, 8 verse, and after him, Mr Alexander Chapman, minister att Monydie, in Isaiah, chapter 59, verse 2, and Mr James Ramsay, minister att Bennathie, on Mark, chapter 3, verse 5.

That day, intimatione was made of sermon to be on Saturday for preparatiōne, which was accordingly observed; and preached that day Mr Robert Bowes, minister att Rattray, on Luk, chapter 12, verse 50, and after him, Mr Johne Thomsone, minister at Alith, on Genesis, chapter 35, verse 1, and Mr Andrew Darling, minister at Kinowle, exercised in the ivening on Psalm 23, verse 5.

June 17, being Sabbath, the Sacrament of the Lord's Supper was celebrat.

Ther preachd in the forenoon Mr Alexander Glass, minister att Kinlevine, on Canticles, chapter 2, verses 10, 11, 12, 13, and our own minister on Psalm 69, verse 4, and in the afternoone, Mr Darling on Psalm 23, verse 5.

Junii 18, being Munday, preached Mr William Stewart, minister att Blair, on Isaiah, chapter 40, verse 11, and Mr George Freer, minister att Lethindie, on Canticles, chapter 3, verse 4.

§ II. THE PRESBYTERY AND THE EXPECTANT<sup>1</sup>

Mr John Hall<sup>2</sup> was an expectant within the bounds of the Presbytery. The term expectant generally, but not necessarily, implied licence. Thus, on February 7, 1644, "Mr Andrew Keir, expectant, requires the brethren (of the Presbytery of Perth) to admit him to his private trials, that upon his qualification he may be admitted to the public Exercise." During his trials for licence in the Summer of 1647, Mr John Murray is designated student of Divinity in the New College of St Andrews, and expectant. The minute of his licence, on August 2, runs:—"Mr John Murray, expectant, had his Common-head *De perseverantia Sanctorum*, also his theses disputes, and approven at the close of his trials; and now licentiat to preach publicly as an expectant, where he should be employed within the bounds of the Presbytery."<sup>3</sup> The same term is used to designate Messrs James Oliphant and Mr William Stewart, students of Divinity<sup>4</sup> in the New College, candidates for licence. Bishop Haliburton's reference to expectants in § 3 of his "Acts and Constitutions" is to students of Divinity.<sup>5</sup>

Both under Presbytery and Prelacy licentiates were expected to attend the meetings of the Presbytery.

The minute of the Presbytery of Perth on November 22, 1643, continues:—"Mr Alexander Dundie, who should have added this day 15 (7 ?) days, being enquired why the addition was wanting upon his part, pretended ignorance, and was removed, censured, and sharply rebuked, by reason he, being resident in the Town, ought to attend the Presbytery or else to have sent his excuse in writing."

The Presbytery of Meigle on April 10, 1660, recorded: "No expectants present."

The minute of that Presbytery on July 28, 1663, proceeds:—"The Brethren regrats that Mr James Campbell, expectant, does noe way attend nor observe the order of Presbeteriall meetings; and he not as yet being licentiat by his Ordinary, my Lord Dunkeld, to preach, Mr David Patone is desyred to requyre the said Mr James to be here against nixt meeting."

On August 11, 1663, "Mr James Campble, expectant, being desyred to observe the meeting of the Presbetrie, this day was called and compeired, promising to observe Presbeteriall meetings more frequentlie, as also to give satisfacione to the Presbetrie anent his license to preach, after the nixt Synod of Dunkeld, and to report the same to the Presbytrie."

<sup>1</sup> v. § Privy Censure, note 3, p. 43 *supra*.

<sup>2</sup> *MS. Register of the Presbytery of Perth*, August 2, 1647.

<sup>3</sup> *Ibid.*, August 11, 1647.

<sup>4</sup> See Appendix B.

<sup>5</sup> Vol. i. p. 127.

The same Presbytery, on May 22, 1677, requested the ministers in whose parishes there were expectants to notify them to attend the next meeting, a request renewed at the two following meetings. On July 31, such as had not appeared were appointed to be advertised to attend. On September 2, 1679, the Presbytery instructed the Clerk to cite Mr George Meick in Cowper Grange to appear at the next meeting under pain of disobedience. Mr Meick (Meek) did not appear because of illness, but promised to be present at the next meeting, "which failing," the minute adds, "the Presbitrie to proceed against him." The Synod of St Andrews, in October 1677, "enacted that expectants should attend the meetings of Presbytery."<sup>1</sup>

Licentiates were also expected to take part in the customary Exercise and Addition. The Presbytery of Perth, on February 12, 1651, requested Mr Robert Young, minister at Dunbarnie, "to speak to the expectants within the Town of Perth for taking the Exercise." The Synod of St Andrews, already mentioned, appointed "that all expectants keep their turn in the Exercise with the brethren of the Presbytery."

The following illustrations of their participation in that work are taken from the *MS. Register of the Presbytery of Meigle* :—

15 May, 1660.—. . . Mr James Ramsay, schoolmaster at Elight, having produced a testimonie of the passing his tryalls in the Presbiterie of Merns, to adde.

4 July.—. . . Mr James Ramsay added . . . approven : Mr James Ramsay to Exercise nixt, and Mr James Cambell, expectant, to adde.

17 July.—Mr James Ramsay having exercised, and Mr James Cambell added, . . . both wer approven. Mr James Cambell to exercise nixt, and Mr Harie Malcolme, expectant, to adde.

January 21, 1673.—This day, exercised Mr David Paton, and John Ratra, expectant, added. . . . Mr John Ratra, expectant, . . . appointed . . . to exercise . . . against the next day.

July 31, 1677.—. . . Mr John Profit, schoolmaster at Essie, to add.

August 28.—Mr John Profit to exercise. . . .

November 16, 1680.—No Exercise this day because of Mr George Meik<sup>2</sup> his absence, upon whom the Additione was imposed. No excuse from him : therefor the Presbitrie appoynted the Clerke to write to him, and to advertise him that the Additione was still continowed on him, and of the tyme of the nixt meeting, and the place where, that so he might duely attend.

<sup>1</sup> *MS. Register of the Presbytery of Perth*, January 16, 1678.

<sup>2</sup> Mr George Meeke, designated minister at Strattoun in the West of Scotland, preached at Kettins on November 1, 1685 (*MS. Register of the Kirk-Session*).

*At Alight, December 13, 1680.*—No Exercise, because of Mr George Meik, upon whom the Exercise did lye, his absence. The Clerk, being inquired whither he had obeyed the last daye's ordinance, declared that he had done it fullie according to the Presbitrie's appoyntment. The Presbitrie, receaveing ane sufficient excuse from Mr George Meike for his last daye's absence, and ane assurance to be present the nixt day, they continowed the Exercise *ut supra*.

*Januarii 11, 1681.*— . . Mr George Meike added.

The nixt day, Mr George Meik and Mr James Crokot, expectants, were appoynted to exercise and adde. . . .

*Marche 8, 1681.*—Mr James Crokot and Mr David Ogilvie, Chapline to the Lord Bishop of Brechin (both being expectants within the bounds of the Presbitrie—May 10), appoynted to exercise and adde. . . .

The Bishop and Synod of Aberdeen, in April 1681, appointed that all expectants should exercise in turn before their respective Presbyteries, under penalty, in case of refusal, of the withdrawal of their licence and inhibition to preach within the Diocese; and that, "if they be such as have to be licensed by the Primat," when presented to a church of the Diocese, before the usual trials for ordination they should exercise before the Presbytery whose appointment they formerly declined.<sup>1</sup>

## § 12. ELDERS AND DEACONS

In 1662, the Courts of the Presbyterian Church were forbidden to meet. At the Synods in October 1662, the re-establishment of Kirk-Sessions was authorised.

According to the Act of the Archbishop and Synod of St Andrews re-erecting Kirk-Sessions,<sup>2</sup> which is accepted as typical, the right of appointing his assistants<sup>3</sup> was vested in the minister, but ordinarily the selection was made by the minister and Kirk-Session. The *Register of the Kirk-Session of Rattray* illustrates the practice.

*March 11, 1666.*—*Quo die*, the Session takeing to consideratione that severall of the eldership who sat formerlie are deceist, and others left their charge, quherfor they resolve to admitt James Zeaman of Eastwalkmiln, Harie Crokot in Westmiln, and George Thomsone in Midledrimie, to be members of the Sessione, quhilk is to be intimat the nixt Lord's day.

*March 18th, 1666.*—Quhilk day, the minister did intimat the resolutione of the Sessione anent the additione of elders.

<sup>1</sup> *Records of the Exercise of Alford*, 325-6.

<sup>2</sup> *v.* Chapter II., The Synod of Dunkeld.

<sup>3</sup> "One of the Assistants for discipline" is the designation of Alexander Marshall, a representative of the Kirk-Session of Airlie, who appeared before the Presbytery of Meigle (November 18, 1662).

*March 25, 1666.*—Quhilk day, the fornamed persones, as ane additione to the elders, wer publictly received, and promised to be faithfull and diligent in their charge.

*25 December, 1687.*—Forasmuch as the members of Session were but few, the minister recommended it to the Session that they would consider off two or three pious and grave persons fitt for the office, who might be admitted into their number. The Session, beeing well pleased with the proposall, named James Drummond, David Gibson, and James Fyfe. The minister appointed the beddle to desire the forsaid persons to conferr with him before they should be chosen by the Session.

*8 January, 1688.*—The minister gave account to the Session that he had spoke with James Drummond, David Gibson, and James Fyfe, and signified to them the Session's design in admitting them unto their number; and James Drummond pleaded to be excused at this time from taking upon him that office, and that the other two were willing to do it: upon which the Session did choose them unto their number as elders: the beddle appointed to desire [them] to compeer against the nixt day to accept of their office.

*15 January, 1688.*—David Gibson and James Fife were called upon, and admitted as elders unto the Session; and exhorted to behave themselves suitably to that character in the Church, to encourage pietie in the places where they lived, both by their example and advice, to delate scandalls faithfully, and to give ane account of the poor and the sick, which they solemnly promised by the Grace of God to do.

It does not appear that any intimation of the foregoing election, or of an election on *March 17, 1689*, was made to the congregation, or that they were asked to state objections. Those persons were admitted to their office at a meeting of Kirk-Session after public worship, and not in presence of the congregation.

Persons chosen by the minister, and without a satisfactory excuse accepted by the Bishop, were forced to become elders. On *December 7, 1665*, the Privy Council passed an Act under which such persons, in case of refusal or delay to accept office, were to be proceeded against by the Council according to their demerit and as the case required. In *1684*, the penalty was the issue of letters of horning charging them to accept and officiate within *15 days*.<sup>1</sup>

<sup>1</sup> " This arose upon a complaint made to the Bishop of Edinburgh by sundry of his Ministers, that the gentry refused to concurre with them, so that they ather could get no Session constitute at all, or else it was only of the tenandry. Yet some of them may find it uneasy if the gentry ware ther Elders; for they would not alwayes suffer them to rule and governe all, as now they doe. However, this was looked on as ane Act not very consistent with Episcopacie, but rather peeking and declining to Presbyteriall Governement whose invention the Kirk-Sessions and Presbyteries ware " (Fountainhall's *Historical Notices*, ii. 537).

Elders representing Kirk-Sessions had no place in the Presbyteries and Synods of the period.

Both under Presbytery and Prelacy deacons<sup>1</sup> were officials of the Church. Volumes of the Rattray Records beginning on the 24th of August 1656 and July 9, 1665, contain lists of deacons on their initial flyleaves.

Proofs of the existence of deacons associated with the minister and elders during the period are given.

The *Register of the Kirk-Session of Alyth* contains the following references :—

*October 31, 1669.*—Adam Thomson, being elected to be deacon, is ordained to be present nixt Sabbath.

*November 7, 1669.*—Adam Thomson, compeiring according as he was desired, was admitted Deacon before the Session, and receiving the office of deacon before them, promised to be faithful therin.

*February 26, 1671.*—George Nuckle in Jurdans town, and Thomas Smyth in the Balloche, are thought fitting by the Session to be chosen to be added to the number of deacons ; they are therfor ordained to be advertised to be present against this day 8 dayes.

*March 5, 1671.*—George Nuckle and Thomas Smyth was personallie admitted deacons before the Session, and they promised to be faithfull in their office.

The *Register of the Kirk-Session of Cowpar-Angus* under date March 11, 1683, proceeds :—

“ Intimation made from pulpit concerning the forenamed deacons, that if any had aught to say against them they should compear before the Session after sermons and give in their objections ; but non compearing, Robert Wandles, John Bissat, Patrick Thome wer all admitted and received by the minister and Session as deacons, and wer exhorted to be exemplar in their lyves and faytfull to their trust, which they promised.”

The *Register of the Kirk-Session of Rattray* contains the following minutes :—

*8 April, 1688.*—David Atkine was chosen by the Session unto the

<sup>1</sup> In the period, the term deacon was almost invariably the designation of a member of the Kirk-Session charged with the care of the poor, not of a person on whom ministerial Orders had been conferred by a Prelate. The Archbishop and Synod of St Andrews, in October 1685, however, used the term in the latter sense when they enjoined that “ noe prisbiter or deacone ” should, without licence from the Archbishop, perform the marriage ceremony for persons whose banns had not been proclaimed on three several days in their respective parish churches (*MS. Register of the Presbytery of Dundee*, November 4, 1685).

Principal Monro also used the word in that sense :—“ our Ecclesiastical Superiors, who ordained *Priests and Deacons* according to the forms of the Church of England, always since the Restitution took care (I hope) to distinguish Papists and Protestants by the most Solemn Oaths and National Tests ” (*Presbyterian Inquisition*, 30).

office of deacon, and the beddle appointed to desire him to compeer and enter to this office the next day of meeting.

15 *April*, 1688.—This day, David Atkine was called upon, and admitted unto the office of a deacon in the Church: at which time, the minister exhorted him to take inspection of the needs of the poor, to gather the charity of the people faithfully, to give a good example by his own life and conversation, and to take care that scandals be not concealed: all which he promised by the Grace of God to do.

Deacons were regarded as members of the Kirk-Session. Thus on the nomination of certain persons to the office, the minister of Alyth, on April 22, 1677, asked the Session particularly if they were aware of any objection why they might “not be admitted to be members of the Session.” A minute of Rattray Kirk-Session relative to Atkine (*v. supra*) proceeds:—“In regard that there was but one member of Session in the upper part of the paroch, the Session thought it convenient that one at least should for the present be added to their number, and condescended upon David Atkine as a fitt person to be admitted as Deacon.”

10 *March*, 1689.—“The Session considering that it were fitt there should be two added to their number, there beeing but one member of Session in the toun of Rattray, and too few in the head of the paroch, they proposed James Drummond and John Gellotlie, the first to be admitted as ane elder, the other as deacon.”

In the election at Meigle on October 7, 1660, the right of deacons to vote in the election of a minister was sustained by the Presbytery. They were designated and held to be “members of the Session.”<sup>1</sup>

### § 13. EDUCATION

The attitude of the Reformers toward Education may be gathered from the *First Book of Discipline* presented to the nobility. They stated their views in the following terms:—“. . . off necessitie it is that your Honouris be most cairfull for the virtuous educatioun and godlie up-bringing of the youth of this Realme, yf eathir ye now thirst unfeanedlie [for] the advancement of Christis glorie, or yit desire the continewance of his benefits to the generatioun following. For as the youth must succeed till us, so aucht we to be cairfull that thei have the knowlege and eruditioun, to proffit and confort that whiche aucht to be most deare to us, to wit, the Church and spouse of the Lord Jesus.” They proceeded:—“Off necessitie thairfore we judge it, that everie severall Church have a Scholmaister appointed, suche a one as is able at least to teache Grammer and the Latine tounge, yf the Toun be of any reputioun. Yf it be

<sup>1</sup> *MS. Register of the Presbytery of Meigle*, November 20, 1660.

Upaland, whaire the people convene to doctrine bot once in the weeke, then must eathir the Reidar or the Minister thair appointed, take cayre over the children and youth of the parische, to instruct them in thair first rudimentis, and especiallie in the Catechisme, as we have it now translaited in the Booke of our Common Ordour, callit the Ordour of Geneva.”<sup>1</sup>

They also made suggestions concerning higher education; and declared that the support of the schools was a legitimate charge upon the teinds.<sup>2</sup>

In 1567 Parliament, at the request of the Church, passed an Act to the effect that none should be permitted to teach save such as had been tried by the Superintendents or visitors of the Kirk. The General Assembly of 1601 enumerated among the “Causes of the Defection from the Puritie Zeall and Practise of trew Religion in all Estates of the Countrie,” this:—“The decaye of schooles and educatione of the youth in the knowlege of good letters and godliness, especially to landwart, for lake of sufficient provision to intertaine a qualified schoolmaster in places needfull.”<sup>3</sup>

The beginnings of a national system of education are found in 1616, when the Privy Council passed an Act to the effect “that in everie parroche of this kingdome, whair convenient meanes may be had for interteyning a scoole, that a scoole salbe establisheit, and a fitt persone appointit to teache the same, upoun the expensis of the parrochinnaris according to the quantitie and qualitie of the parroche, at the sight and be the advise of the Bischop of the diocie in his visitatioun.”<sup>4</sup> That Act was confirmed by Act of Parliament, 1633, c. 5, which also gave power to the Bishops, with consent of the heritors and the majority of the parishioners, or of the latter, if the heritor after due warning refused to appear, to stent each plough or husband-land, according to its worth, for the establishing and maintenance of the parish school, an aggrieved person having the right of appeal to the Privy Council.

The Church of the second Reformation also was solicitous for the interests of Education. The General Assembly of 1641 in *Overtours for Schooles* recommended to Parliament that “Everie parish would haue a reider and a schooll, wherein childrene ar to be bred in reading, wryting and grundis of religioun, according to the lawdable acts, both of Kirk and Parliament, maid before.”<sup>5</sup> In 1646 Parliament passed an Act ordain-

<sup>1</sup> Laing's *Knox*, ii. 209-10.

<sup>2</sup> *Ibid.*, 211-3, 221. v. Peterkin's *The Booke of the Universall Kirk of Scotland*, 37, 47.

<sup>3</sup> Peterkin's *The Booke of the Universall Kirk of Scotland*, 29, 91, 491-2.

<sup>4</sup> *Register of the Privy Council*, First Series, x. 672. v. also Letter of Charles I. (*Maitland Club Miscellany*, ii. 25).

<sup>5</sup> *Acts of Parliament*, v. 646.

ing that a school should be established, and a schoolmaster appointed, in every parish by the advice of the Presbytery, the salary of the schoolmaster to be not less than 100 nor more than 200 merks,<sup>1</sup> "forby baptissme and marriages and the profit of the scollars." The Synod of Perth and Stirling, in April 1647, ordered the members to acquaint themselves with, and to put into execution, the Acts concerning schools. The Act of 1646, however, was not generally obeyed.

At the diet of Privy Censure in the Presbytery of Perth on October 1, 1656, the ministers of St Madoes, Forteviot, Redgorton, Kilspindie, and St Martins were recommended to endeavour to establish schools within their parishes; and at most diets of the Privy Censure in that Presbytery till the close of the Register of the period on March 7, 1661, the brethren "who had not schools erected in their parishes as yet were exhorted to deal effectually with the heritors of their respective parishes for acquiring a maintenance for schoolmasters."<sup>2</sup>

The Episcopal church, 1661-1689, also endeavoured to promote the interests of education. The Archbishop and Synod of St Andrews, in October 1665, appointed "that the brethren walk according to the Act of Parliament in King James' tym for the setling of scools in their several parishes"<sup>3</sup>; and, in October 1669, resolved to ask Parliament to ratify "the old Act for planting of schools in each parish."<sup>4</sup>

It was frequently found that parishioners failed to take advantage of the school. The Synod of Fife, in April 1641, adopted an Act of the Presbytery of St Andrews in which these words occur:—"And because the woefull ignorance, rudeness, stubbernes, and incapacie that is seen among the commune people, proceeds from want of Schoolis in landward, and the not putting of bairnes to Schoolles where they are, therefore, it is ordained that all possible meanes be used, that there may be a Schooll in everie congregatioun; and that where there is one alreadie, everie one who hes children, ane or ma, put them to the schooll having once past sevin yeir old: If the parents be poore, then in that case, that the kirk Sessioun tak order for paying the Schoolmaster his due either owt of the poores box, or ellis be a quarterlie collectioun made for that purpose in the congregatioun afore divine service; but if the parentis be able, then let them be oblished both to send their bairnes when the Sessioun gives order for it, and not to remove them till the Sessioun be acquainted therewith; and that the onwaiting of the Schoolmasters be preceislie looked to by the Ministers and Elderis, and if they be found negligent,

<sup>1</sup> *Acts of Parliament*, vi., pt. i., 554.

<sup>2</sup> March 31, 1658. On March 27, 1661, schools had not been established in St Martins and Forteviot.

<sup>3</sup> *MS. Register of the Presbytery of Dundee*.

<sup>4</sup> *MS. Register of the Presbytery of Perth*, December 8, 1669.

to be censured ; and that everie howse that is able, have a Bible and a Psalme Book, at least a New Testament.”<sup>1</sup>

It was reported to the Presbytery of St Andrews, on August 15, 1649, that many parents neglected to send their children to school even where one was established. The Presbytery appointed the ministers to urge parents to send their children of school age to school, and if they failed to do so, to complain to the Kirk-Session, and if no steps were taken by that body, to report the matter to the Presbytery.<sup>2</sup>

The Minister and Kirk-Session of Rattray found it advisable to minute on March 4, 1688, as follows :—

“ The minister and Kirk-Session, considering how great a benefite the instruction of children is, and the danger of neglecting such an opportunity, did recommend it to the schoolmaster to tend the children of the school carefully ; and resolved that parents should be exhorted from the pulpitt to putt their children to school, and to shew such as were unable to maintain them at Schooll that the Session would pay the schoolmaster for them so farr as the box would reach.”

The minister of Cowpar-Angus, on October 25, 1685, “ recommended to the schoolmaster to call his scholars together evry Lord’s day after sermons, especially these that lived in the town, and to examine them upon the sermons and catechise.”

Among the accounts of the Kirk-Session is this : “ March 6, 1687— Given for the Proverbs of Solomon to James M’Lachlan, a poor scholar, 2/. Given to buy ane Bible for the use of the poore schollers in the parish, 8/.<sup>3</sup> On March 14, 1658, the Kirk-Session of Logierait minuted : “ Collected 7/6, Quhilk was given litle William Wallace, a poore scoller, to bwy paper.”

In 1696 Parliament ordained that a school should be established and a schoolmaster appointed in every parish ; and that the heritors should provide a commodious house for a school, and a salary for a schoolmaster, not less than 100 merks and not more than 200 merks, the cost of the establishment and maintenance of the school and teaching to be defrayed by the heritors, with right to relief, to the extent of one half, from their tenants. It was further provided that, in the event of the heritors failing to execute the law, the Commissioners of Supply should have power to do so, on the application of the Presbytery. That Act also declared that the provision of schools and schoolmasters was a pious use within the parish, on which the heritors might expend the vacant stipends.<sup>4</sup>

<sup>1</sup> *Selections from the Minutes*, 125.

<sup>2</sup> *Selections from the Minutes*, 49.

<sup>3</sup> *MS. Register of the Kirk-Session of Kettins*, August 16, 1685.

<sup>4</sup> *Acts of Parliament*, x. 63-4. By Act of 1690, c. 54, the vacant stipends of the Synod of Argyle were allocated to establishment and maintenance of schools (*Ibid.*, ix. 197).

That Act, like those of 1633 and 1646, was not universally executed. In a Representation to the General Assembly of 1758 by The Society in Scotland for Propagating Christian Knowledge, it was stated "that in no less than 175 parishes, within the bounds of 39 Presbyteries, where the Society's schools are erected, parochial schools are not yet erected."<sup>1</sup> The Society suggested that, as it was "but too certain that in many places the heritors are backward in raising and establishing parochial schools," the procedure directed by the Act of 1696, viz. :—application by the Presbytery to the Commissioners of Supply, where necessary, should be forthwith adopted. The Assembly enacted on the lines of the suggestion, and instructed the Procurator and the Agent for the Church to initiate and carry on all processes necessary for the execution of the laws concerning parochial schools at the public expense.

On October 28, 1707, it was reported to the Presbytery of Dunkeld that there were schools at Dunkeld, Douly, Kinloch, Rattray, Mulone (2), Lethendy, Caputh, Dull (3). With regard to Lethendy, it was stated that the salary of the schoolmaster was "very insignificant," to Caputh that no salary had been legally fixed for the schoolmaster and that the parish was so extensive, being ten miles in length, that two additional schools were needed, and to Dull that the parish, being twenty miles in extent, required two additional schools, one at Foss and another at Find-Castle.

The ministers of Weem and Cargill reported that their parishes had neither a school nor a modified salary for a schoolmaster, the former adding that the parish of Weem required three schools at least.

On July 10, 1716, it was reported to the Presbytery that at Weem, Little Dunkeld, Cluny, Kinloch, Cargill, Kinclaven, Lethendie, Moneydie, and Caputh there was no salary for a schoolmaster according to law.

The following Memorial to the Society for Propagating Christian Knowledge, approved on September 4, 1716, states the opinion of the Presbytery as to the educational requirements of the Highland portion of the bounds.

"Memorial of the places within the Presbytery of Dunkeld in the Highlands of Atholl and the adjacent countries where schools are wanting, for instructing of youth in the knowledge of the Christian Religion.

"*Primo*. The Countries of Rannoch, Foss, and other places, lying on both sides of the lochs of Rannoch and Tummell and river betwixt them, consisting of fifteen miles in length, and separated from all churches and schools by two tracts of hills of six miles, wherein are, as is computed, two thousand examinable persons, cannot be conveniently served

<sup>1</sup> Morren's *Annals of the General Assembly*, ii. 164.

with less then three schools, the one att Innerhaddon in Bonrannoch, and the other att Killichonan in Ranoch, and the third att Chapletoun in Foss ; which tract of countrey lyes within the paroches of Forthingale, Logyrate, Dull, and BlairAtholl, and many of the inhabitants are ten or twelve miles from any school, and each of the schoolmasters would need fiftein pound sterling of sallarie for their encouragement.

“ *Secundo*. The paroch of Struan, annexed to that of BlairAtholl, scattered into several glens and corners, most of which are more then six or seven miles from any settled school, consisting att the nearest computation of five hundred examinable persons, requires to have a school att Kirktoun of Struan, for the encouragement of which fiftein pound sterling of salary is necessary.

“ *Tertio*. Glenbriarchan, Glenfernat, and other places adjacent in the paroch of Mouline, att the distance of sex miles or thereby from the legal school, where there are five hundred examinable persons, would require a school at Straloch, and fiftein pound sterling of salary for encouragement to a schoolmaster is necessary.

“ *Quarto*. Glenshee, a considerable part of the paroch of Kirkmichael, about five mile in lenth and separated from a legal school and paroch church by a tract of hills sex mile broad, and containing five hundred examinable persons, would require a school att Spittle in Glenshee, and fiftein pound sterling of salary for encouragement to the schoolmaster.

“ *Quinto*. It will be found necessary to settle a school att Easter Bleatoun in Rattray paroch for serving the countrey thereabout ; whereof a part in the paroches of Kirkmichael, Bennethy, Blair Gowrie, and Alyth, att a great distance from their several paroch churches and legal schools, wherein are about seven hundred examinable persons, which will require fiftein pound sterling of sallary for encouragement to a schoolmaster.

“ *Sexto*. It will be, also, found necessary to have a school at Kilmorich in the paroch of Dually, annexed to Dunkeld, att five miles distance from the publick school of the paroch, for serving a populous countrey on both sides the water of Tay, belonging to the paroches of Dunkeld, Logyrate, and Little Dunkeld, wherein are about a thousand examinable persons, for encouragement of which school it will take fiftein pound sterling att least of sallary.

“ *Septimo*. StrathTay in Logyrate paroch, the farest part of which is sex miles from the paroch church thereof and legal school, wherein, betwixt the Burn of Buallachan and Pitnacree, are three hundred examinable persons, and Grantully opposite to it on the south side of Tay, in the paroch of Dull, four miles in length, wherein are five hundred examinable persons, att the above distance from any legal school, would require an itinerant school att Fyndaynat in Strathtay and Piticairn in Grantully,

*per vices* ; for encouragement whereof, the river of Tay running betwixt these places, fiftein pound sterling of salary will be necessary.

“ *Octavo*. Glenlyon, including Roro, in the paroches of Forthingale and Weem, a countrey of sixteen miles in length, most of which is eight or ten miles from any legal school, and containing a thousand examinable persons, does require a school to be settled att Innervuick, and fiftein pound sterling of salary for the schoolmaster’s encouragement.

“ *Nono*. Strathbran, in the paroch of Little Dunkeld, a countrey of five miles in length, most of which is four miles from the legal school or paroch church, containing five hundred examinable persons, and Glenquech in the paroches of Dull, Weem, and Kenmuire, adjacent to Strathbran, two or three miles in length, and sex miles from any settled school, containing two or three hundred examinable persons, does require an itinerant school att Drummour and Shian, *per vices*, and fiftein pound sterling of salary.

“ *Decimo*. Strathfillan, annexed to the paroch of Killin, and twelve miles from any legal school, does require one to be settled opposite to Lochduchart above the Suei, for serving Glendochart, Glenfalloch, and the said countrey, in which places there are, as is computed, about sex or seven hundred examinable persons, and fiftein pound sterling of salary for a schoolmaster’s encouragement.

“ *Undecimo*. Ardeunak in the paroch of Killin, upon the south side of Lochtay, and Lawers in the paroch of Kenmuire, on the north side of the same loch, about each of which places there is a populous countrey, and most of the inhabitants four or five miles from any settled school, does require an itinerant school settled in them *per vices*, and fiftein pound sterling of salary for the schoolmaster’s encouragement.

“ *Duodecimo*. The toun of Dunkeld, situate att the foot of the Highlands, where there is good accommodation for schollars, would be a most proper place for gentlemen and others in the Highlands, far and nigh, to send their children to be educated and well instructed in Latine, Greek, Arithmetick ; which for the present has no legal sallary, in regaird there are little arable lands circumjacent so that there being nothing but houses and gardens in the said toun no competency hitherto could be obtaind for a schoolmaster from the inhabitants ; wherefore it is our humble opinion that were there a fixed schoolmaster with due encouragement there, if it were but to the value of twintie pound sterling, and five pound sterling for an under teacher, it would tend much not only to the advantage of the said Highlands, but also to that of many parts of the low countrey near adjacent.

“ *Decimo tertio*. There is need of a school att Glenlochie, which lies in the paroches of Kenmuire, Killin, and Weem, and severals of the

inhabitants six miles distant from any school, and consisting of four hundred examinable persons, to be settled at Inchcurah, with fifteen pound sterling of salary for encouragement to the schoolmaster.

“ *Ultimo*. That there be a school at Easter Callie for the use of Easter and Wester Callies, Black Craig, and the two Persies, and Clowwhats and Cochrage, consisting of about five hundred examinable persons, and distant from any legal school four miles at least, some five, some six long miles: the said school would need a salary of fifteen pound sterling. The Presbytery appointed the Clerk to have a double in readines, that the Moderator and he may sign it, and send it over to the Society with all speed.”

On September 26, 1716, the Presbytery ordered a copy of that Memorial, with representations by the ministers of Cargill and Auchtergaven, to be forwarded to Mr John Dundas of Philipstoun, Clerk to the Commissioners appointed under an Act of Parliament “for the more effectually securing the peace of the Highlands of Scotland.” The Representation by the minister of Cargill was as follows:—“The paroch of Cargill, though it be not an Highland paroch, yet it is very large, of four miles in length, and four in breadth, and a considerable part of it four miles from the kirk, and is the only paroch within the bounds of the Presbytery of Dunkeld where there are a great deal of Papists, and much infested with trafficking preists; and though there be a school in the paroch, yet there is no legal sallarie through the disaffection of the heretors, who ordinarily frustrate endeavours to that purpose: therefore a school would be most necessary to be settled at Woodside in the said paroch, that being a place at a considerable distance from the kirk, and much infested by Papists.”

That of the minister of Aughtergaven ran:—

“There is great need of a school to be set up at Westertoun in the paroch of Aughtergaven, which might serve a great part of the paroches of Moneydie, Rogortoun, and Aughtergaven, which lie discontigue from their paroch churches for the space of some four and some five miles, and of any ordinary school, and where there are to the number of two hundred families, and several big burns and small waters impassible in winter for children; and neither is there a legal school in the said paroch because of the disaffection of the heretors, who would neither allow of school nor schoolmaster.”<sup>1</sup>

<sup>1</sup> One of the causes of the disaffection in the Highlands, according to a memorial on the subject (*Albemarle Papers*, New Spalding Club, i. 306), was: “Publick schools were a great rarity in these countries till of late, and all such as were zealous in promoting them, whether ministers or others, were frowned upon by the chiefs and their instruments as busie and impertinent agents, who in time might come to undermine their authority and rescue the people from their yoke.”

In 1717 the Commissioners of Supply, on the application of the ministers,<sup>1</sup> appointed salaries to the schoolmasters of Cargill, Rattray, Moneydie, Lethendy, and Kinloch.<sup>2</sup>

In 1721 the Presbytery forwarded the following Representation to the Society for Propagating Christian Knowledge, with regard to the educational needs of Rannoch, Bonrannoch, and Foss :—

“ The Presbyterie considering that the countries of Ranoch and Bonrannoch, and Foss, lying on both sides of the Lochs of Rannoch and Tumble, and river betwixt them, consisting of fifteen miles in length, and seperated from all churches and legall schools by two tracts of hills of six miles, wherein are, as is computed, two thousand examinable persons, cannot be conveniently serv'd with less then three charity schools, one att Killichonan in Ranoch, another att Innerchaddon in Bonrannoch, a third at Chapletown in Foss ; which large tract of a country lyes within the paroches of Fortingale, Logyrate, Dull, and Blair-Atholl, and many of the inhabitants are att ten or twelve miles distance from any legal school. But in regard three charity schools cannot att present be expected, yet there is absolute need of an itinerant school, first to be settled att Killichonan in Ranoch, in the paroch of Fortingale, now vacant, and where thieving, ignorance, and barbarity very much abounds.”<sup>3</sup>

The Presbytery minute of November 4, 1729, proceeds :—

“ This day, Mr Hamiltoun by his letter by order of their Kirk-Session gave in a representation of the situation and circumstances of that part of the paroch of Kenmure calld Aultallanaig, a large tract of ground situate upon the south side of Loch Tay, midway betwixt Kenmore and Killin, and so can have no access to get benefite by the legal school in either paroch ; and that, though they are poor, have kept a boy every winter upon their own charges to teach their children to read ; and, being desirous to have their children well educate, but not being able to mentain a sufficient schoolmaster, their children hitherto have made but little progress ; and their being some encouragement to expect asistance from the Honourable Society for Propogating Christian Knowledge of a sallary, with their own help, if a school were erectid in the center betwixt Ard-tallanaig and Ardeonaig, two large tracks of ground very populous, where there might be to the number of sextie or seventie scholars, and both countries will joyn to build a sufficient schoolhouse, both for master and scholars, upon their own charges, and that the Session of Killin joyns with the Session of Kenmore in this mater, and desire the Presbytery may recommend their case to the Society, as the said letter more fully bears. The Presbytery considering the said desire, and judging it very

<sup>1</sup> *MS. Register of the Presbytery of Dunkeld*, July 16, 1717.

<sup>2</sup> *Ibid.*, October 29, 1717.

<sup>3</sup> *Ibid.*, March 28, 1721.

reasonable, they recommend them accordingly to the Honourable Society, and appoints the Clerk to give an extract hereof to Mr Adam Ferguson, minister at Killin."

2. *Fasti of the Schoolmasters within the Presbytery of Dunkeld,*  
1661-1689.<sup>1</sup>

Auchtergaven.

1664. John Dae<sup>2</sup> (Daer).  
1672. Mr William Ireland (at Tullibeltane).<sup>3</sup>  
1674. James Nicoll.<sup>4</sup>  
1677. David Lowrie.<sup>5</sup>

Blair-Atholl.

1650. Duncan Campbell.<sup>6</sup>  
1699. Laurence Brown.<sup>7</sup>

Caputh.

1688. William Reid (at Ruffle).<sup>8</sup>

Cargill.

1663. Robert Lawe.<sup>9</sup>

Clunie.

1643. James Darling.<sup>10</sup>  
1670. Thomas Mitchell.<sup>11</sup>  
1670. Alexander M'claggan.<sup>12</sup>  
1690. William Reid.<sup>13</sup>

<sup>1</sup> The dates are those on which the names first appear in the various Records searched. The list is not presented as complete. Schoolmasters noted under dates outside the period are mentioned as having possibly served within it.

[Mr Hunter had not completed his footnotes to this section at the time of his death. The blanks in his MS. have, however, been filled up from his note-books, with the exception of one entry (*i.e.* 1662. Mr James Darling, Dunkeld, p. 97) which still remains unvouched.]

<sup>2</sup> *Perthshire Deeds*, April 6, 1665. A John Dae, student in Strathardle, son lawful to James Dae, miller at Downy, is mentioned in the Register on December 12 and 28, 1656.

A John Dae was schoolmaster at Path of Condie on October 30, 1678, having previously been schoolmaster at Gask (*Perthshire Decrees*, October 30, 1678).

<sup>3</sup> *Perthshire Deeds*, August 22, 1682.

<sup>4</sup> *Perthshire Sasines*, November 10, 1674.

<sup>5</sup> *Perthshire Deeds*, September 6, 1678. Continued June 1688 (*Dunkeld Com. Deeds*, April 1, 1691).

<sup>6</sup> *Perthshire Deeds*, October 9, 1656.

<sup>7</sup> *Dunkeld Com. Tests*, May 3, 1700.

<sup>8</sup> *Dunkeld Com. Deeds*, March 2, 1693.

<sup>9</sup> *Perthshire Deeds*, August 8, 1666.

<sup>10</sup> *Perthshire Sasines*, March 14, 1643.

<sup>11</sup> *Ibid.*, February 1, 1670.

<sup>12</sup> *Ibid.*, August 29, 1670.

<sup>13</sup> *Dunkeld Com. Deeds*, September 23, 1691.

Dunkeld.

- 1659. Mr Andrew Malloch.<sup>1</sup>
- 1662. Mr James Darling.
- 1668. Mr John Hardie.<sup>2</sup>
- 1679. Mr James Ross.<sup>3</sup>
- 1682. Mr Alexander Robertson.<sup>4</sup>
- 1685. Mr Gilbert Grugh.<sup>5</sup>

<sup>1</sup> *Perthshire Sasines*, March 15, 1659.

v. Colin Campbell, Blair Atholl, Chapter VI.

Malloch had been a Doctor of the Grammar School of Perth.

On August 22, 1649, he submitted to the Presbytery of Perth a testimonial from Mr John Chambers, minister of Auchterarder, "of his affection to the public," and was appointed to translate into Latin the "Declaration of the Engagers," as a trial of his fitness for the post of Doctor of the Grammar School of Perth. On September 5, the Presbytery pronounced him qualified for the position.

The educational affairs of Perth came under the notice of the Presbytery in 1652. On February 25, that Court, "taking to their consideration the desolation of the School of Perth," summoned the Schoolmaster and Doctors to appear at their next meeting to explain why public teaching had been suspended. The Master—Mr John Haliburton—was present at the meeting on March 10, and stated that he did not "keep a school," the reason being that the Council would provide neither a place for a school nor salaries for the teachers. Malloch also appeared, and declared that there was no public school in Perth, but that he taught privately in his own house under a warrant from the Town Council granted at his request. Thomas Donaldson, the other Doctor, also stated that he kept a private school. The Presbytery appointed a Committee to confer with the Town Council.

Haliburton and Malloch resigned shortly after—the former to be Schoolmaster at Dunbarnie. Malloch received a testimonial from the Kirk-Session of Perth, confirmed by the Presbytery, on June 2, 1652, with the additions that "they know nothing more nor is contained in that testimonial," and had approved of his appointment as Doctor of the Grammar School of Perth.

<sup>2</sup> *Perthshire Sasines*, August 8, 1668.

He was afterwards minister at Aberdalgie.

<sup>3</sup> Before April 7, 1679. On that day, Mr James Ross, schoolmaster of Dunkeld, was appointed Master of the Grammar School of Perth by the Magistrates and Council. A Mr James Ross was admitted Janitor on October 18, 1675, and had demitted office before October 8, 1677 (*Perth City Records*).

Mr James Ross, Master of the Grammar School of Perth, had decree in the Sheriff Court of Perthshire, January 11, 1684, against Thomas Bruce of Blackhall, eldest son and heir of John Bruce in Blackhall of Tullieallane, executor of Mr John Wood, sometime minister of Tullieallane, for payment of Bonds granted by Wood to Mr Alexander Dundie, expectant, son of Alexander Dundie, burgess of Perth, and assigned to John Ross, burgess of Perth, and by him to the said Mr James Ross. John Rosse sued the Town Council of Perth for arrears due to Mr Alexander Dundie as Reader. The action was settled privately, Ross receiving 351 merks (*Perth City Records*, April 10, 1671).

Ross raised Letters of Inhibition against Bruce which were registered May 16, 1684.

Ross died before March 10, 1690, when the Town Council elected to the vacant office Mr William Sanders, schoolmaster at Dundie, failing whom Mr John Mushet, schoolmaster at the West Port of Edinburgh. Sanders accepted the appointment; and on March 17 the Town Council at the school "entered and possessed him therein, as master thereof, by delyvering to him of ane book called the Gramer, with the Tawes and Kie of the school-doar, as the ordiner symbollys of possessione in the lyke caice."

<sup>4</sup> *MS. Register of the Presbytery of Dunkeld*, August 2, 1682.

<sup>5</sup> *Dunkeld Com. Deeds*, July 20, 1688.

1687. Mr Alexander Christie.<sup>1</sup>  
1690. Charles Duff [? Stuart].<sup>2</sup>

## Dowally (Kilmorich).

1684. Robert Douglas.<sup>3</sup>  
1688. Donald Bruce.<sup>4</sup>

## Kinclaven.

1650. Alexander Tyliour <sup>5</sup> (at Airintillie).  
1665. George Balentyne.<sup>6</sup>

## Kinloch.

1663. Neill Forrester.<sup>7</sup>  
1682. James Mackie.<sup>8</sup>

## Kirkmichael.

1657. John Gray.<sup>9</sup>  
1664. John Graham.<sup>10</sup>  
1669. John Anderson.<sup>11</sup>  
1673. Robert M'Intosh.<sup>12</sup>  
1689. Mr James Hood.<sup>13</sup>

## Dalmunzie.

1685. John Fermer.<sup>14</sup>

## Lethendy.

- Mr William Bisset.<sup>15</sup>

<sup>1</sup> *MS. Register of the Presbytery of Dunkeld*, June 1, 1687.

<sup>2</sup> *Perthshire Sasines*, November 24, 1690.

<sup>3</sup> *Ibid.*, August 1, 1684.

<sup>4</sup> *Ibid.*, May 24, 1688.

<sup>5</sup> *Perthshire Deeds*, August 30, 1652.

<sup>6</sup> *Perthshire Sasines*, January 15, 1670. On September 17, 1666, George Ballentyne, schoolmaster at Kinclavin, was appointed by the Town Council of Perth, at the request of Mr Andrew Anderson, the schoolmaster, janitor of the Grammar School at a salary of £40 per annum. On the same date, the Town Council ordered that male children over seven years of age should be taken from schools held by women and sent to the Grammar School. He married Helen Bonner.

On August 2, 1675, she, designated his relict, was granted  $\frac{1}{2}$  boll of oatmeal for the relief of her immediate necessities (*Perth City Records*).

<sup>7</sup> *Perthshire Sasines*, May 30, 1663.

Designated student in Blair, June 1654 (*Ibid.*, September 15, 1657). Translated to Rattray.

<sup>8</sup> *Ibid.*, April 8, 1682.

<sup>9</sup> *Ibid.* November 18, 1665.

<sup>10</sup> *Ibid.*, December 14, 1664.

<sup>11</sup> *Ibid.*, January 25, 1669.

Those three schoolmasters—if three—are designated at "Tomnaclachane," *i.e.* the town and lands of Kirktoone commonly called Kirkhills *alias* Thomclachan (*Perthshire Services*, 1656-74, Sheriff Court, p. 168).

<sup>12</sup> *Perthshire Sasines*, October 11, 1673.

<sup>13</sup> *Perthshire Deeds*, July 14, 1694.

<sup>14</sup> *Perthshire Sasines*, March 7, 1685.

<sup>15</sup> *Ibid.*, October 1, 1636.

Little Dunkeld.

Murthlie.

1659. Mr John Black.<sup>1</sup>

Moneydie.

1633. Thomas Daes.<sup>2</sup>

1665. Alexander Broune.<sup>3</sup>

1671. Mr James Forrester.<sup>4</sup>

1685. Mr Alexander Christy.<sup>5</sup>

Moulin.

1649. Mr James Ross.<sup>6</sup>

1666. Thomas Gray.<sup>7</sup>

1667. John Gray.<sup>8</sup>

1679. James Stewart.<sup>9</sup>

1687. Duncan Menzies.<sup>10</sup>

Ratray.

1639. Mr James Ratray.<sup>11</sup>

1665. John Chrystie.<sup>12</sup>

<sup>1</sup> *Perthshire Sasines*, March 15, 1659.

<sup>2</sup> [Master at Monzie, not at Moneydie (*Ibid.*, August 20, 1633).]

<sup>3</sup> *Ibid.*, February 17, 1665.

<sup>4</sup> *Perthshire Deeds*, November 29, 1671.

<sup>5</sup> *Ibid.*, October 5, 1688.

<sup>6</sup> *Ibid.*, August 1, 1653. He was formerly minister at Fortingall.

<sup>7</sup> *Ibid.*, March 2, 1667.

<sup>8</sup> *Ibid.*, February 4, 1668.

<sup>9</sup> *Perthshire Sasines*, November 21, 1681.

<sup>10</sup> *Ibid.*, October 10, 1687.

<sup>11</sup> *Ibid.*, February 28, 1639.

He was alive on July 9, 1665 :—" *Quo die*, it was enquired wher the former register was : it was answered it was in the hands of Mr James Ratray, late schoolmaster " (*MS. Register of Ratray Kirk-Session*).

<sup>12</sup> *MS. Register of Ratray Kirk-Session*.

" *Agust 20, 1665*.—Quhilk day, according to the desire of the Sessione and heritors of Ratray in reference to ane schoolmaster, the minister reported that he had aggried with one John Crystie, schoolmaster at Eissie, recomended to him as one able to teach young ones, upon thir termes, fourtie four pounds per annum, besides the benefite of the sessione clark, to quhich, if the Sessione and heritors agried, he was content to enter : quhilk being put to the present heretors and Sessione quhat they thought of this aggriement, did unanimouslie consent and accord therunto ; and forthwith the absent heritors to be spoken to in reference to this. And the major pars of the heritors then present, with consent of the Sessione, did appoint the forsaid John Crystie to be advertised and enter in this place the nixt Lord's day."

" *Agust 27, 1665*.—Quhilk day, according to the last dayes appointment, the absent heritors, being advertised, wer present, and lykewise the said John Crystie, being advertised, was present, quho was unanimouslie received schoolmaster and clark to the Sessione upon the forsaid termes."

" *The 14 Agust 1670*.—This day, John Crystie, schoolmaster and clerk to the Session, dimitted both in face of the Sessione, declareing he was engaged to enter schoolmaster at Newtyle."

He (designated schoolmaster at Newtyle) and Margaret Ratray, his wife, had sasine, September 5, 1688, of three and an half acres of infield land of the eighth

1670. Neill Forrester.<sup>1</sup>

1686. Mr John Smith.<sup>2</sup>

Dull.

1654. Mr John Menzies.<sup>3</sup>

Aberfaldie.

1682. Donald Bruce.<sup>4</sup>

Fortingall.

1700. Mr William Stewart.<sup>5</sup>

Kenmore.

1660. William Mairtine.<sup>6</sup>

1693. Mr Thomas Gilbert.<sup>7</sup>

part lands of the Kirkton of Rattray, proceeding on precept in a disposition by Robert Rattray, portioner (*Perthshire Sasines*, September 6, 1688).

On August 27, 1690, he and Margaret Rattray, his spouse, had sasine of two acres of infield in the Kirkton of Rattray, in the barony of Rattray, proceeding on precept in a disposition granted by Patrick Johnston of Gormock (*Ibid.*, August 30, 1690).

The name of John Crystie in Newtyle occurs in a list of schoolmasters in the shire of Angus teaching Latin (*Warrants of the Register of the Privy Council*, 1690).

<sup>1</sup> *MS. Register of Rattray Kirk-Session.*

"The 28 August, 1670.—Quhilk day, the Sessione takeing to their consideratione the vacancie of the school, haveing formerlie desired the minister to pitch upon ane scoolmaster, the minister answered he had spoken and aggried with Neill Forrester, scoolmaster at Kinloch, to enter in the place, who was unanimously consented to, and appointed to be send for forthwith to enter."

"The 18 September, 1670.—Quhilk day, according to the appointment of the Session in reference to the planting of the schoole, with consent of the heritors, the said Neill Forrester was admitted scoolmaster and clerk; and appointed to have per annum fourtie pounds of fie, from the minister four pounds and from the heritors threttie six pounds zeirlic, quhilk threttie six pounds is to be payed according to the valued rent of the parochie, conform to ane stent roll to be drawn up to him theranent."

He continued, January 30, 1685 (*Perthshire Deeds*, vol. 1684-88, p. 156). He married Jean Smith: in 1690, she, designated his relict, lived at "Esnty" (*MS. Register of Rattray Kirk-Session*, November 26, 1699).

<sup>2</sup> *Perthshire Sasines*, July 20, 1686.

"11 December, Wednesday, 1689.—Which day, in presence of James Yeoman, David Gibson, Donald Small, James Fyfe, William Ramsey, compeered Mr John Smith, schoolmaster, for the present living in Craighall, and, in name of Elizabeth Hay, present Lady Dowager of Craighall, delivered ane hundred merks Scots money, which was doted to the poor of this paroch by Anna Drummond, late Lady of Craighall, while she was on her deathbed, to be disposed of by the Session as they found most convenient to be a lasting benefite to the poor here" (*MS. Register of Rattray Kirk-Session*).

He was afterwards schoolmaster at Meigle (*MS. Register of the Kirk-Session of Rattray*, November 26, 1699).

<sup>3</sup> *Perthshire Sasines*, March 24, 1654.

<sup>4</sup> *Perthshire Deeds*, February 6, 1686.

<sup>5</sup> *MS. Register of the Presbytery of Perth and Dunkeld*, January 25, 1700.

<sup>6</sup> *Perthshire Sasines*, April 24, 1660. A school was established at Kenmore in 1651. The salary of the schoolmaster was 5/ from each merkland in the parish (*Christie's Lairds and Lands of Loch Tayside*, 29).

<sup>7</sup> *Dunkeld Com. Deeds*, September 26, 1694.

## GAELIC IN THE PRESBYTERY OF DUNKELD 101

### Logierait.

- 1659. Thomas Gray.<sup>1</sup>
- 1668. Thomas M'Nab.<sup>2</sup>
- 1671. Mr Robert Ritchie.<sup>3</sup>
- 1677. Mr James Campbell.<sup>4</sup>
- 1679. Mr John Stewart.<sup>5</sup>
- 1688. Mr James Husband.<sup>6</sup>

### Weem.

- 1665. Mr John Robertson <sup>7</sup> (at Roro).

### § 14. GAELIC IN THE PRESBYTERY OF DUNKELD.

The parishes in which Irish, as Gaelic was formerly designated, was the common language during the period were:—Blair-Atholl, Dull, Dunkeld (Dowally), Fortingall, Kenmore, Killin, Kirkmichael, Little Dunkeld, Logierait, Moulin, and Weem.

In consequence of the scarcity of clergymen with Gaelic,<sup>8</sup> and it may

<sup>1</sup> " 1 Maij [1659].—This day, one Thomas Gray appoynted to bring his testimoniels against the next day, and thereafter to enter to be schollmaster; and it was condischended that he should have ten punds in the halff zeire, together with the benifit of the church till cours were takne for setleing of one mentence " (*MS. Register of the Kirk-Session of Logierait*).

On November 20, 1726, Mr John Conachar was appointed schoolmaster and Session-Clerk at Logierait, " the sallery and emoluments belonging to his office " being " eighty pound Scots of sallery out of the parish yearly, Twenty pound Scots out of the Bishops' rents yearly, twelve shillings Scots for proclaiming the Banns of persons to be marryed, and three shilling Scots for inserting in the Session Register the name of every child that is baptised, and three pound Scots every time the Lord's Supper is administered in the congregation " (*Ibid.*).

<sup>2</sup> *Perthshire Deeds*, December 30, 1668.

<sup>3</sup> *Ibid.*, September 1, 1674.

<sup>4</sup> *Perthshire Sasines*, September 19, 1677; continued 1685 (*Ibid.*, February 26).

<sup>5</sup> *Ibid.*, July 2, 1679.

<sup>6</sup> *Ibid.*, February 20, 1688.

<sup>7</sup> *Ibid.*, October 28, 1665. v. *Dunkeld Presbytery Register*, February 1, 1682.

<sup>8</sup> The General Assembly of 1643 stated that there were very few preachers that could speak Gaelic, and recommended Presbyteries and Universities to prefer students with the language to Bursaries. The General Assembly of 1648 appointed a contribution of 40/, less or more, according to the ability of the congregation, to be made for twelve years by every congregation for the education of boys recommended by the Province of Argyle and destined for the ministry. The Presbyteries of Murray, Ross, and Caithness were exempted from the Act. Their Commissioners had undertaken that each Presbytery would maintain a Gaelic-speaking student at School and College until he received license to preach (*Peterkin's Records of the Kirk of Scotland*, 351, 510, 515). In 1754 reference was made by the General Assembly to the scarcity of students with Gaelic, and in 1761 a collection was appointed for the support of students thus qualified (*Morren's Annals*, ii. 54, 217). The Presbytery of Dunkeld, who, on May 4, 1757, had recommended a student to the General Assembly for a grant from money collected for maintaining students learning Gaelic, on December 1, 1761, ordered the Collection appointed by the General Assembly to be made throughout the bounds on the last Sabbath of February 1762.

One of the charges against Bishop Alexander Lindsay, in 1638, was " that he planted ministers, who understood not Irish, into paroshines wher ther was not a worde Scottish " (*Gordon's History of Scots Affairs*, ii. 145).

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be for less cogent reasons, ministers with English only were sometimes admitted to Gaelic charges. During the period, ministers incapable of conducting public worship in the language of the people were settled at Weem, Kirkmichael, and Little Dunkeld.

The minister of Weem (admitted in 1664), at a visitation of his parish in 1682, confessed his "ignorance in the Irish language, which his parishioners for the most part only understood," but stated that "he did his endeavour to informe himself in the Irish tounge, that he might catechize those lying at a distance." It was alleged that his predecessors, also, were unable to officiate in Gaelic. In 1711 Mr Archibald Campbell, who had been ordained and admitted to the parish in 1705, despite "an ingenuous profession of his incapacity to discharge any peice of publick work" in the language of the people, declared, in answer to a charge of insufficiency in a libel signed by the Earl of Breadalbine and others, that it was "notour that none of the ministers of Weem ever had the Irish language (except Mr Duncan Menzies)"; and continued, "and yet the Earle and his vassalls never lybelled Mr Strachan under Episcopacy as a person uncapable of such a post as they do me, although the English language be more common now then in his time."<sup>1</sup>

In 1688, Mr John Peirson was settled in the ministry at Kirkmichael as colleague with his father. In 1707, the Presbytery charged him with supine negligence, and averred that he preached too seldom in Gaelic. His answer was that he was unable to preach in that language when admitted to his cure, but that, since his father's death especially, he had obtained such familiarity with it that he then performed all parts of the ministerial function in it, and so frequently as to afford no reasonable cause of complaint.

In Strathardle, as in Weem and elsewhere, acquaintance with English was growing. After the translation of Peirson's successor, Mr Robert Bisset, to Blair-Atholl, the Kirk-Session, in a letter submitted on June 7, 1726, desiring the Presbytery to provide the parish with religious services, stated that "in regard the English language is gaining ground, it may be supplied by one having the English for every two who has the Irish."

Gaelic was preached in Kirkmichael to a late period of the nineteenth century. On August 25, 1840, the Presbytery approved, and recommended to the General Assembly's Committee on the Employment of Probationers, a proposal by the minister that a Gaelic-speaking licentiate should be engaged to reside and officiate regularly in the Glenshee

<sup>1</sup> *MS. Register of the Presbytery of Dunkeld*, July 3, 1711.

On August 21, 1706, he represented to the Presbytery of Perth and Dunkeld "that he was settled at Weem upon expectatione that with pains he could acquire such skill and dexterity in the Irish language as to preach, pray, and catechise therein with facility." He stated that he found himself unable to do so, and asked to be relieved of his charge.

district, which then contained 350 people, and in which the parish minister held Public Worship on every fourth Sunday.

Little Dunkeld became vacant, on March 23, 1682, by the death of Mr Thomas Glass. In the following January, a letter from the Bishop was read to the Presbytery intimating his intention to settle Mr Alexander M'Lagan in the vacancy, on condition that he should be found capable of discharging his ministerial duties in Gaelic. M'Lagan was present at the meeting, and acknowledged that he could neither preach nor pray in that language. At the same time, the parishioners of Little Dunkeld petitioned for a minister able to preach in Gaelic. At the next meeting, the Bishop intimated that a gentleman had promised on behalf of M'Lagan that he would be able to catechise, baptize, and marry in the Gaelic language, within a year, but that M'Lagan did not express himself so positively. He requested the Dean to ask such of the members as spoke Gaelic, and were acquainted with Little Dunkeld, whether it were necessary that the minister of Little Dunkeld should be able to preach in Gaelic, and whether a person might so acquire that language in a year, as to be capable of discharging his ministerial duties in it. The Gaelic-speaking brethren replied that it was necessary that a minister able to preach in Gaelic should be settled in Little Dunkeld, and that they were unable to "give a testimonie of a man's future qualifications." M'Lagan was not presented to the vacancy at that time: he became minister of Little Dunkeld in 1687, on the translation of Mr Alexander Robertson to Fortingall. That he did not improve his knowledge of the language so as to be able to conduct public worship in it,<sup>1</sup> and that all his predecessors, save one, were likewise at least insufficiently acquainted with it, were alleged in a statement made in connection with the opposition to the settlement of his son as his successor. On January 22, 1723, the Presbytery declared "that there was never a minister in that parish who had the Irish language, but one, for the space of two years or therby; and that he did not find it for edification, as the Presbytery are inform'd, to preach in Irish but twice or thrice at most."

The proposed settlement<sup>2</sup> of Alexander M'Lagan, the younger, as assistant and successor to his father, evoked fierce opposition from parishioners of Little Dunkeld. On January 9, 1722, the people of Strathbrand presented a petition to the Presbytery against his appointment, desiring a minister acquainted with Gaelic; and Sir George Stewart of Grantully intimated that there were 246 families on his estate who affirmed that they had no English and that he expected the Presbytery to settle a Gaelic-speaking minister in the parish. The Presbytery,

<sup>1</sup> For the proceedings in 1697, *v.* M'Lagan, Chapter VI.

<sup>2</sup> *MS. Register of the Presbytery of Dunkeld*, December 5, 1721.

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on February 13, stated that the people could not expect a minister able to preach in their own language, and that it was sufficient if they obtained one qualified to discharge the other parts of the ministerial function in it. A committee of the Presbytery met in the church of Little Dunkeld, on June 19, 1722, for the purpose of receiving signatures to a call to M'Lagan. A protest was read by Thomas Bisset, Commissary of Dunkeld, in name of the rest of the heritors and parishioners, to the effect that they called him to be assistant and successor, but only on condition that, before his settlement, he should reside in some part of the Highlands where he might become proficient in Gaelic, and that the majority of the heritors should find him capable of discharging his duty in the Highland part of the parish. The proxies for the Duke of Atholl, all the elders but two, and the masters of families east of the water of Brand, signed the call to M'Lagan without conditions: the rest of the heritors and elders and the masters of families west of Invar signed the call on the conditions contained in the protestation. The Presbytery approved of the call with the protestation on July 3, 1722. M'Lagan, the elder, died before July 30, and on November 6, in answer to a petition by three men of Strathbrand for services in Gaelic, the Presbytery appointed M'Lagan to preach to them. The Duke of Atholl, on December 11, intimated his desire that the Presbytery would proceed to settle M'Lagan; but on January 22, 1723, John Stewart of Dalgoose, in name of some of the heritors and of the people above Brann, stated to be at least two-thirds of the parishioners, laid before the Presbytery a representation signed by those heritors, in which they declared themselves to be "deeply loaded with grief for the lamentable state of ignorance and barbarity the people labours under, lived and died in these many years, and groans under att present," and stated that Gaelic, their mother tongue, was the only medium by which they could receive Christian instruction—a fact to which, as they affirmed, a thousand men and women would bear witness. They averred that M'Lagan was unfit to be minister because of his insufficient knowledge of Gaelic, and requested the Presbytery to decline to settle him at Little Dunkeld. The Duke of Atholl and other heritors, however, petitioned the Presbytery to proceed to his admission, but under the condition that he should be bound to preach in Gaelic once in three weeks, stating that the progress he had already made in the language justified the belief that he would soon be able perfectly to discharge his duties in it if he continued to apply himself. The Presbytery found that M'Lagan had resided in the Highlands, and had attained such proficiency in Gaelic that he could discharge the various parts of his office in it, and resolved to proceed toward his ordination and admission, Mr James Stewart, minister at Moulin,

dissenting, on the ground that he was not satisfied with his skill in Gaelic. The other objectors appealed to the Synod. The minister of Moulin, however, withdrew his dissent on March 12,<sup>1</sup> declaring that he had conversed with M'Lagan that day and was satisfied with his proficiency, and that he might be a very useful minister at Little Dunkeld; and the Synod, having sustained the action of the Presbytery, appointed them to proceed to his admission.

M'Lagan was ordained and admitted to Little Dunkeld on April 18, 1723. The minute of the meeting of Presbytery on April 2, 1765, proceeds:—"There was laid before the Presbytery a petition by some people in Straithbrand, craving that the minister of Little Dunkeld should be obliged to preach in the Irish language at Logiealachie, which was read; and after long reasoning, the Presbytery refused the desire thereof, and returned the petition to the petitioners."

In 1824 the Presbytery rejected a presentee to Little Dunkeld because he was unacquainted with Gaelic.

On July 30 of that year the parish became vacant by the death of the Reverend Dr Alexander Irvine, and the Crown presented the Reverend Thomas Nelson to the cure. Certain of the parishioners objected to his settlement on the ground of his ignorance of Gaelic. They stated that three-fourths of the parishioners could not be edified by a sermon in English; that the majority of those were unable to understand a discourse in that language; and that the ordinances of religion would be unprofitable to them and devoid of instruction and comfort to the sick and dying, if dispensed in an unintelligible tongue.

It was admitted that the presentee was unacquainted with Gaelic. The Presbytery found that a knowledge of that language was indispensable to the proper discharge of ministerial duties in the parish, and refused to proceed toward the admission of Mr Nelson.<sup>2</sup>

In their Reasons of Dissent and Complaint against the sentence of the Presbytery, some members declared that Gaelic was never preached at Little Dunkeld.<sup>3</sup> In the Answers to those Reasons, however, it was

<sup>1</sup> *MS. Register of the Presbytery of Dunkeld*, April 17, 1723.

The minute on that date continues:—"The Presbytery having agreed to ordain Mr M'lagan minister at Little Dunkeld, and also considering that there is need that he exercise his talent of the Irish language among that people, the Moderator exhorted him to catechise, to visit the sick, to marry, to baptise, and even to preach, in that language, as he should see for their edification, which the said Mr Alexander M'lagan promised to do."

The Reverend James S. Mackenzie, minister of Little Dunkeld, states that there is a tradition in the parish to the effect that M'Lagan endeavoured to preach in Gaelic in Strathbran; that his attempt was a miserable failure; that he was stoned by the congregation; that at Craigvinean, near Kennachoil, he solemnly vowed that never again would he preach in Strathbran; and that, during his long incumbency, public worship was never afterwards held in that district.

<sup>2</sup> *Ibid.*, October 26, 1824.

<sup>3</sup> *Ibid.*, November 30, 1824.

affirmed that Gaelic was the common language of the parish, and that from time immemorial it had been used, though not chiefly, at Little Dunkeld, and at Lagganallachy, exclusively employed. It was also stated that after the rebuilding of the church of Little Dunkeld, about twenty-five years before, Mr Robertson, the minister, dispensed the Sacrament of the Lord's Supper on two successive Sabbaths, on one of which the services were conducted in Gaelic ; that at Communion seasons, during Dr Irvine's incumbency, Gaelic services in the churchyard proceeded simultaneously with the services in English in the church ; that at the close of the celebration of the Holy Communion in the church the dispensation in Gaelic began ; that nine out of the twelve Table-services were conducted in Gaelic ; that sermons in that language were preached on the Fast day, the Saturday before and the Monday after Communion ; and that when Dr Irvine was unable to preach at Lagganallachy in the ordinary course, on the following Sunday afternoon he preached in Gaelic at Little Dunkeld.<sup>1</sup>

The Synod of Perth and Stirling, on April 19, 1825, supported the action of the Presbytery. The case was brought before the General Assembly, and the following distinguished advocates were engaged in it :—Francis Jeffrey, Patrick Robertson, Robert Jamieson and Henry Cockburn. In his speech on behalf of the presentee, Jeffrey affirmed that Little Dunkeld was not in the Highlands, but only in the mouth of the Highlands. The retort of Dr Andrew Thomson, "Whoever heard of a Highland mouth without a Highland tongue," won, it is said, the votes of the majority of the Assembly for this motion (May 24, 1825) :—"That whereas it has been ascertained that the parish of Little Dunkeld is a Highland parish, and has enjoyed the benefit of a Gaelic ministry from time immemorial, and whereas it is admitted that Mr Nelson is unacquainted with the Gaelic language, the General Assembly instruct the Presbytery of Dunkeld not to proceed in the settlement of Mr Nelson as minister of Little Dunkeld ; and further instruct the Presbytery respectfully to communicate this decision to the Officers of the Crown, that a presentation may be issued to a qualified presentee within six months from this date."<sup>2</sup>

The united parishes of Dunkeld and Dowally became vacant on December 19, 1835, by the death of the Reverend Charles Murray Niven. On January 26, 1836, a petition, signed by sixty-one persons, nearly all of them said to be householders and communicants of the parish of Dowally, was presented to the Presbytery. It bore that a number of the people of Dowally could not speak English, and that the majority of them could

<sup>1</sup> *MS. Register of the Presbytery of Dunkeld*, March 29, 1825.

<sup>2</sup> *Ibid.*, June 28, 1825.

not understand a sermon in English ; and craved that, before the vacancy were planted, their case should be considered in order that provision might be made for their religious instruction through the medium of Gaelic. As no presentation to the cure had yet been placed before them, and as the petitioners had already approached the Patrons on the subject of their petition, the Presbytery resolved to take no action in the meantime. On February 23, 1836, a presentation "to the Church and Parish of Dowally and Church of Dunkeld," signed by Hugh, Duke of Northumberland, Algernon, Lord Prudhoe, Adam Hay<sup>1</sup> and George Forbes, bankers in Edinburgh, and Lieutenant-General Sir John Oswald of Dunikier, G.C.B., as Trustees of the deceased John, Duke of Atholl, in favour of Mr John Robb, a licentiate of the Presbytery of Lanark (September 30, 1829), was laid before the Presbytery. The petition by parishioners of Dowally was then read ; and Mr Duncan M'Lauchlan, writer in Dunkeld, presented a mandate from Robert Duff and Robert M'Nab, empowering him to appear before the Presbytery in their name, "to support a Petition presented by them and others for a Gaelic minister to Dowally, and to Object to any Presentation in favour of a Minister without Gaelic." It was proposed that the Presbytery, before sustaining the presentation, should meet at Dowally with the object of finding out "how far a knowledge of the Gaelic Language is necessary for the Minister of that Parish" ; but the Presbytery, by a majority, sustained the presentation and determined to proceed in accordance with the Act and Regulations of the previous General Assembly. Against that sentence, Mr M'Lauchlan protested and appealed to the Synod, while members of the Court dissented and protested for leave to complain to the Synod. A resolution of the Presbytery, on March 3, 1836, to meet to moderate in a Call to Mr Robb, and appointments to him to preach at Dunkeld and Dowally, were met by a protest and appeal by Mr M'Lauchlan, and a dissent and complaint by Mr Allan, minister at Little Dunkeld—the reasons of which, in neither case, were transmitted. The chief reason for the appeal against the judgment of the Presbytery sustaining the presentation to Mr Robb, who was admittedly ignorant of Gaelic, was :—"Because Many of the Parishieners of Dowally are altogether ignorant of the English language, and the greater part of them understand it so imperfectly, as not to be benefited by having the services of Religion performed in that Language." The reasons of dissent and complaint by the members of Presbytery were based on the procedure of the Presbytery.<sup>2</sup> The Presbytery, in their "Answers to Reasons of

<sup>1</sup> Designated Sir Adam Hay of Smithfield and Haystoun, Baronet, in the presentation in favour of Mr John Mackenzie to Dunkeld and Dowally, dated 21, 23, and 28 November 1838 (*MS. Register of the Presbytery of Dunkeld*, December 24, 1838).

<sup>2</sup> *Ibid.*, March 3, 1836.

Appeal and of Complaint," &c., stated that the charge of Dunkeld and Dowally had been served from time immemorial by a Lowland minister ; that the Presbytery were not aware that any complaint, except the present, had been ever made that the parishioners were unable to receive religious instruction through the medium of English ; that Mr Thomas Man, minister, 1732-85, who was ignorant of Gaelic, had been settled on a unanimous call, with the consent of the Heads of Families ; that presentations had been sustained by the Presbytery, and " harmonious calls " given by the parishioners to ministers ignorant of Gaelic, viz. : to Mr Yeaman in 1785, to Principal Baird in 1787, to Dr Niven in 1793,<sup>1</sup> and to Mr C. M. Niven in 1828, and that no objection had been raised against them on that ground ; that in 1833 " The Whole Heads of Families in the Parish of Dowally " had expressed their complete satisfaction with the manner in which The Reverend C. M. Niven had performed his ministerial duties, and their wish that he should resume his ministry among them ; and that the people of Dowally were so delighted with Mr Niven's Assistant, who was altogether ignorant of Gaelic, that, on the occurrence of the vacancy, " they immediately applied in his behalf for the Presentation, and actually certified him to the Patrons as the Person whom, from eighteen months' experience of his ministrations, they considered of all others the most eminently qualified to promote the spiritual improvement and edification of the Parish." <sup>2</sup>

The parishioners of Dowally withdrew their appeal.

On the occurrence of a vacancy through the death of Mr Robb, a petition, signed by seventy-two Heads of Families and communicants in the parish of Dowally, was laid before the Presbytery.<sup>3</sup> It stated that Public Worship was celebrated in Dowally only once in three weeks in winter, and once a fortnight in summer, and in a language imperfectly understood by the great majority of the people ; and craved that the Presbytery would endeavour " to procure a separate Minister for Dowally," or, if that could not be effected, to endeavour to obtain the appointment

<sup>1</sup> It was stated in 1798 : " The Gaelic language is spoken universally in this parish [Dowally], though all the people, at the same time, understand more or less perfectly the English " (*The Statistical Account of Scotland*, xx. 490).

<sup>2</sup> *MS. Register of the Presbytery of Dunkeld*, March 29, 1836.

Mr John Robb was ordained and admitted to Dunkeld and Dowally on July 14, 1836.

The minute of September 25, 1838, runs :—

" It was certified to the Presbytery that the Reverend John Robb, minister of Dunkeld and Dowally, had been on board the ' Forfarshire ' steamer when that vessel was lost on the Big Harkar Rock, Ferne Island, on the morning of Friday, the 7th September ; and that his dead body had been found on the wreck the same day, and was buried in Bamborough Churchyard on Friday, the 14th current."

The notice of the wreck of the " Forfarshire " recalls the heroism of Grace Darling.

<sup>3</sup> *Ibid.*, October 30, 1838.

to the cure of Dunkeld and Dowally of a minister able to officiate both in Gaelic and English.<sup>1</sup> Mr Robert Charles Carrington, Factor for the Atholl Trustees, submitted to the Presbytery, on November 27, 1838, a letter from twenty-one of the signatories to that petition stating that they were satisfied with a statement made to them on behalf of the Patrons, and authorising him to withdraw their names from the petition. The minute proceeds:—"The Presbytery, having reasoned on the subject, are deeply sensible how greatly it would conduce to the religious and moral improvement of the People, if Dowally were erected into a separate Charge. And till this most important object be obtained, they would most respectfully and earnestly recommend to the Atholl Trustees to provide a small salary for a Preacher having the Gaelic language to officiate as assistant to the Parish Minister at Dowally, so that there may be public Worship every Lord's day both there and at Dunkeld." The Presbytery also suggested that the seat rents, "exacted by the Trustees from the Sitters in the Church of Dunkeld," might be thus applied. In a Memorial transmitted by some members of Presbytery to the Committee of the General Assembly on the Employment of Probationers, and recorded on October 27, 1840, it was stated that Dowally contained a population of 500; that worship was celebrated there once a fortnight; that the erection of Dowally into a separate charge had been suggested to the Commissioners for Religious Instruction appointed by the Government, but that there was no immediate prospect of assistance either from the Government or the Atholl Trustees; and that in the circumstances the minister had offered to subscribe £10 and guarantee £20 toward the salary of a preacher with Gaelic at Dowally, on condition that the Committee should vote £20 per annum. The Committee agreed to do so. Mr Duncan MacIntosh, a Gaelic-speaking licentiate of the Presbytery of Dumbarton (October 23, 1832), was appointed missionary in the parish of Dowally.

### § 15. CATECHISING

Catechising is a part of the function of the ministry, and is defined as "a plain laying down the first principles of the Oracles of God or of the doctrine of Christ."<sup>2</sup> The General Assembly of 1598 ordained "that every pastor have ane weekly exercise of instructione and examinatione of ane pairt of his congregatione in the Catechisme."<sup>3</sup> The Archbishop of St Andrews (Gladstaines) at his visitations ordered his clergy "to teach on Sunday befor none, and efter none to catechise the people,

<sup>1</sup> *MS. Register of the Presbytery of Dunkeld*, November 27, 1838.

<sup>2</sup> *Confession of Faith, etc.* (1810), 568.

<sup>3</sup> *Peterkin's Booke of the Universall Kirk of Scotland*, 475.

quho ar appointit to be devydit in quarteris. Ilk Sabbaoth sa many to convein and be catechised as the minister may owertak.”<sup>1</sup> In October 1615, the Synod of St Andrews ordained the brethren to catechise once a week, and in 1622 permitted them to do so on any convenient day. The same Synod, in October 1630, enjoined ministers to “be cairful in their catechizing,” and to endeavour to explain yearly to the people the Lord’s Prayer, the Creed, and the Decalogue.<sup>2</sup>

If the minister were enjoined to hold diets of catechising, the people were compelled to be present at them under a penalty. The Archbishop of St Andrews at his visitation of Rascobie (Rescobie), on April 21, 1611, ordered that each person absent from the diet of the catechising of his district should be fined fourpence<sup>3</sup>; and at his visitation of Kilmainie, on May 7, 1611, that persons of the cottar class should pay one shilling, of the farmer class, two shillings, and that the gentry should pay six shillings and eight pence.

Under Presbytery (1638-61), the same rule of weekly catechising was enjoined on ministers. The General Assembly of 1639 enacted that every minister, in addition to his “paines” on the Sunday, should catechise a portion of his parish each week and not before the Communion only.<sup>4</sup> It was reported to the Synod of Perth and Stirling, in October 1640, that some ministers in the Presbytery of Dunkeld catechised weekly, and that others did not. The Synod ordered the defaulters to amend their ways. The General Assembly of 1649 renewed the Act of 1639, and enjoined ministers so to arrange their questions that the people present might “at every dyet have the chief heads of saving knowledge in a short view presented unto them”<sup>5</sup>; and, because many ministers were negligent in catechising, ordered Presbyteries to enquire, at least once in six months, whether the ministers of the bounds catechised weekly, and in the event of the failure of any brother to do so, for the first fault to admonish, for the second to rebuke sharply, and for the third to suspend, the delinquent.<sup>6</sup>

Attendance at the diets of catechising was still compulsory. The Synod of Fife, in April 1641, enacted that “whosoever keips not there dyetis of examinatioun, hour and place, laying all excuse asyde, be taken order with by the Sessioun.”<sup>2</sup> The Presbytery at Cupar, on October 25, 1649, ordered a parishioner of Darsy, “for being of a long tyme ignorant,

<sup>1</sup> *Selections from the Minutes*, 30 (Forgound), 27, 28, 63, 69, etc.

<sup>2</sup> *Ibid.*, 81, 97, 111, 126.

<sup>4</sup> Peterkin’s *Records of the Kirk of Scotland*, 208-9. v. 269.

<sup>3</sup> *Ibid.*, 18.

<sup>5</sup> The Synod of Perth and Stirling, in October 1649, appointed that ministers, at their weekly diets of catechising, should state the principal grounds of Religion “by way of discourse,” for the better instruction of the common people.

<sup>6</sup> Peterkin’s *Records of the Kirk of Scotland*, 549.

and slighting the dyetts of examination" . . . "to mak publik declaration of his repentance in sackcloth before the pulpit, and to keep the dyetts of examination when the minister shall requyre him"; and warned him that, "if betuixt this and Candelmes he shall not give evidence of more diligence to learne, they will proceed against him in the sentence of excommunication."<sup>1</sup>

During the Episcopal period (1661-89), the same practice was recommended or commanded to be observed. The Synod of St Andrews, in April 1664, ordained that ministers should catechise on one day of the week, save in seed time and harvest<sup>2</sup>; and the Archbishop and Synod, in October 1667, ordered them "to be diligent in weekly catechizing."<sup>3</sup> The Bishop and Synod of Dunblane, in September 1662, enacted "that the younger sort and the ignorant be duly catechized at fitt tymes all the year through": in October 1667, Leighton proposed that at least one day weekly should be appointed for catechising, and, in April 1669, recommended his clergy to catechise weekly throughout the year, "onelie seed tyme and harvest being excepted."<sup>4</sup>

The Bishop and Synod of Aberdeen, in April 1667, enjoined each minister to catechise all his people at least once a year, the diets of catechising to be recorded in the Register of the Kirk-Session, and the conclusion of them to be reported to the Presbytery.<sup>5</sup> From the minutes of the Presbytery of Perth, it appears that the members held weekly diets of catechising. The members of the Presbytery of Cowpar-Angus were expected to catechise all in capacity at least twice a year.<sup>6</sup>

The practice was maintained after the Revolution and to a comparatively late period.

#### § 16. VISITATION OF THE SICK

It was probably found necessary to emphasise that the minister was responsible for visiting the sick only when informed of their sickness. Modern clergymen can sympathise with the ministers of Perth in 1611 in their complaint "that no advertisement is maid to thame of diseas and sicknes of many within the congregatioune." To meet such carelessness, or indifference, or the assumption that illness in the parish must inevitably and immediately come to the notice of the minister, the Archbishop of St Andrews at his visitation of Strathbrock or Uphall, in July 1611, ordained that "in ilk house quhair any sick persoun is, the elder or

<sup>1</sup> *Selections from the Minutes*, 150.

<sup>2</sup> *MS. Register of the Presbytery of Dundee*.

<sup>3</sup> *MS. Register of the Presbytery of Perth*, January 15, 1668.

<sup>4</sup> *Register of the Synod*, 3, 50, 69.

<sup>5</sup> *Records of the Synod of Alford*, 93.

<sup>6</sup> *MS. Register of the Presbytery of Cowpar-Angus*, July 17 and 31, 1688.

deacone salbe advertised thair of, and if he be not, the sick persoun, or the maister of the house, pay xxs. The elder or deacone being advertised and refusing, or not advertising the minister, to pay fourtie shillings ; and the minister being advertised, and nocht visiting the sick, to pay for the first iij lib. ; and gif he neglect the visitatioun often, he salbe suspendit fra his ministrie."

The minute of the visitation of Innerkillour, on September 22, 1611, runs :—" Item, to the end that the sick persones be nocht defraudit of the comfort to be ministred vnto thame in the tym of thair diseas, It is ordained that the persones being in hous with the diseased sall mak advertisement, within thrie dayes at furthest after thei be bedfast, to the eldar or deacon having the cuir of that portioune of the parochine, quho sall immediatelie declair the same to the minister. And it is ordained that theis, quho ar in companie with the sick, failzeing, or eldar or deacone nocht doing, as said is, sall pay respectively xls. ; and the minister nocht visiting, being lawfullie advertised, and being found to continow thairin, sall be suspendit from the ministrie." <sup>1</sup>

#### § 17. MANSE : GLEBE : STIPEND

The right of the minister to a manse was given by Act of the Scottish Parliament, 1563, c. 8, which ordained that ministers serving at any church in the Kingdom should have the principal manse of the parson or vicar, or so much thereof as should be found " sufficient for staking of thame " ; or that a reasonable and sufficient house should be built for them beside the church by the parson or vicar, or others having the said manses in feu or on long lease. That Act was explained by Acts 1572, c. 5, and Act 1592, c. 10. In 1612, Parliament passed an Act (c. 8) ordaining all ecclesiastical persons to build, repair, and maintain their houses and manses in such a condition as might serve for their residence and the residence of their successors, and declaring that if they permitted the said houses or manses to go to ruin or to decay, their successors should have right of action against their executors for the same : as also that where the said houses, having fallen into decay, should be built and repaired by any beneficed persons at their own charges, the next successor should be bound to give satisfaction to their heirs or executors, always provided that the satisfaction should not exceed £1000 in the case of a Prelate, and of 500 merks in the case of an inferior clergyman. In 1663, Parliament, at the instance of the Church,<sup>2</sup> passed an Act (c. 31)

<sup>1</sup> *Selections from the Minutes*, 15, 22, 42.

<sup>2</sup> *v. Haliburton's Acts and Constitutiones*, chapter ii.

which for the most part revived, with the necessary executive alterations, Statutes of 1644 and 1649 swept away by the Rescissory Act of 1661. It provided that the heritors of each parish should build a competent manse for the minister at a cost neither exceeding £1000 nor less than 500 merks; that where a competent manse had been already erected, the heritors should relieve the minister, or his executors, of all charges for repairing it; and that when the manse had been thus built and repaired and the expense of erection or repair defrayed by the heritors, it should be maintained by the minister during his incumbency and during a vacancy by the heritors out of the stipend. That Act was declared to have validity as from March 14, 1649.

That Act was held not to apply to ministers of burghal-landward parishes until 1805.<sup>1</sup>

In very many cases the manse was the property of the minister, having been purchased from his predecessor or his executors. Thus, to take but one instance, Mr William Rattray, minister at Cargill, purchased the manse from Mrs Lilian Brown, widow of Mr John Anderson, his predecessor, at a cost of 1000 merks Scots. In such cases the Act of 1612 was operative. An outgoing minister, or the executor of a deceased minister, was entitled to claim from the successor the sum which he had originally paid for the manse to his predecessor or his executor, together with the sums he had expended on repairs, and to refuse to quit possession of the manse until that sum had been paid.<sup>2</sup> The *Register of the Presbytery of Meigle*, under date March 26, 1661, illustrates the operation of that Act. Mr John Nicolson, minister of Meigle, purchased the manse of Meigle from Margret Cam(p)bell, the widow of his predecessor, for 1000 merks; and the minute of the Presbytery bears:—"in case Mr Jhone Nicolson shall not obtaine repayment for the said manse fra the heritors, in that case, he, his relict, or executer, shall not bee bound to quite possession therof untill he or they respectivly shall gett repayment of the forsaid price therof, and of what he shalbe found to ware upon the convenient reparatiōne therof, fra him who shall succeed to the ministerie of this kirke." The heritors, however, did not purchase the manse from Mr John Nicolson: but on his translation to Errol, Bishop Guthrie, on or before July 5, 1666, bought it from him for 2000 merks Scots, and the heritors afterwards paid to the Bishop £1000 Scots for it, whereupon the Bishop declared it a free manse.<sup>3</sup>

<sup>1</sup> Duncan's *Parochial Ecclesiastical Law*, 1864, 337.

Ministers of second charges are not entitled to claim a manse. Ministers of burghal parishes may not legally claim that a manse shall be designated, but are entitled, it is considered, to an allowance in lieu of a manse. v. Duncan's *Parochial Ecclesiastical Law*, 343.

<sup>2</sup> *Ibid.*, 375-6. v. *The Booke of the Universall Kirk of Scotland*, 387-8.

<sup>3</sup> v. vol. i. p. 182.

The ordinary practice, however, was that either the minister or the heritors purchased the manse, at its value as determined by an appraisal.

The value of the various manses in the Presbyteries of Dunkeld, Cowpar-Angus and Meigle, so far as recorded in their Registers, was as follows :—

Dull (1682)	. . . . .	£346	11	4
Kenmore (1682)	. . . . .	£647	0	0
Kirkmichael (1687)	. . . . .	£922	13	8
Kinclaven (1687)	. . . . .	£1014	6	8
Meigle (1688)	. . . . .	£1395	19	4
Cargill (1688)	. . . . .	£797	12	0
Blairgowrie (1664)	. . . . .	1118	merks	
Newtyle (1664)	. . . . .	£1000	paid	
Airlie (1664)	. . . . .	£900	paid	
Bendochie (1664)	. . . . .	1206	merks	10/
Cowpar (1664)	. . . . .	1800	merks	
Essie (1665)	. . . . .	660	merks	
Ruthven (1666)	. . . . .	£306	1	8
Newtyle (1669)	. . . . .	£1043	12	0
Alyth (after the entry of Mr Thomas				
Lundie)	. . . . .	700	merks	
,, (1670)	. . . . .	£761	6	8
Meigle (1680)	. . . . .	£595	16	0
Essie (1681)	. . . . .	£1094	19	8
Newtyle (1685)	. . . . .	£633	6	8
Kingoldrum (1684)	. . . . .	£537	14	4

Because intransigent ministers were heavily burdened by payment of the sums due to their predecessors for building and repairing of their manses, the Synod of St Andrews, on April 10, 1621, agreed that ministers obtaining transportation to benefices of greater emolument should receive nothing for the manse they left.<sup>1</sup>

The Synod of Perth and Stirling, in October 1641, appointed Mr Robert Murray, minister at Methven, and Mr John Robertson, minister at Perth, to present to the Parliament a Petition to relieve intransigent ministers of payment for their manses and of the Annat. Robertson reported in the following April that the Commissioners of the General Assembly would not allow them to do so, "because they had many other supplications and great difficulties with them."

<sup>1</sup> *Selections from the Minutes*, 94.

The right of the minister to a glebe was conferred by Act of Parliament 1563, c. 8. By Act 1572, c. 5, the extent of the glebe was stated to be at least four acres, to be designated according to Act 1593, c. 8, out of the parson's, vicar's, abbot's, or prior's lands (with freedom of foggage, etc.), which failing, out of the bishop's and friars' or other kirk lands, within the parish, in default of which, according to Act 1644, c. 225, out of temporal lands.

In 1606 Parliament enacted (c. 6) that where there was no arable land adjacent to the church, there should be designated to the minister four sowmes<sup>1</sup> of grass for each of the four acres, of the most commodious and best pasturage of any church lands lying most contiguous to the church.

The Act of Parliament 1663, c. 31, generally accepted as reviving relative Acts of 1644 and 1649 annulled by the Rescissory Act, confirmed to ministers the right to fuel and foggage, etc., according to the Act of 1593, and conferred on them, in addition to their glebes, grass for a horse and two cows, to be designed out of church lands; and ordained heritors, if there were no church lands near the manse, or if they were arable, to pay to the minister £20 Scots yearly.

Those Acts conferred no rights on the minister of a royal burgh, or on the minister of a second charge of a landward burghal parish.

By Act of Parliament 1617 (c. 3), "Anent the Plantation of Kirks," Commissioners were appointed, "With power to thame, out of the saidis teyndis of everie parochin, to appoynt and assigne, at thair discretiounes, ane perpetuall locall stipend to the ministers present and to cum at all kirkis that salbe fund be thame ather as yit not prowydit at all with ministeris and stependis, or quhair the provisioun is les nor fyve hundreth merkis of yeirlie rent of money, or fyve chalderis victuell (by mans and gleib), or sick proportioun particularie of silver and victuell as will effeir and extend to fyve hundreth merkis or fyve chalderis victuell yeirlie." Power was also given to the Commissioners to unite churches where the benefice of one alone could not support a minister. Where the union of two such parishes was "found incommodious," the ministers were to receive "the fructis of the benefice itselffe, how meane soevir the same be." The maximum stipend which the Commissioners were permitted to grant was ten chalders victual or a thousand merks. They were expressly forbidden to deal with planted churches whose stipends already were of the value of five chalders or five hundred marks.

In 1633 Parliament (c. 8) ratified an Act of Commission of Surrenders

<sup>1</sup> A sowme or soun varied according to the district. It has been defined as "what will graze ten sheep or one cow," or what will pasture one cow, or five sheep; or what will pasture a cow with her calf till a year old.

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and Teinds, dated June 26, 1627, by which it was ordained that the stipends of ministers should be at least eight chalders of victual "quhair victuall is payed, or proportionallie in silver or victuall as the Commissioners sall appoint . . . except such particular kirkes occurre, quhairin there shall be a just, reasonable and expedient cause to goe beneath the quantitie now determined." This Act governed the amount of clerical stipends during the period 1661-89.

It was the custom for patrons on presenting a minister to obtain from him a tack of the teinds. That was permissible under Act of Parliament 1612 (c. 1), and was not accounted simony provided that the minister reserved a sufficient maintenance for himself and his successors; "but the Bischops were very zealous," Fountainhall wrote in a reference to an action for the reduction of such a tack, "and threatned they would have these tacks annulled as simony."<sup>1</sup>

### § 18. PATRONAGE IN THE PRESBYTERY OF DUNKELD<sup>2</sup>

*Patrons of the parish churches within the bounds of the Presbytery of Dunkeld.*

Auchtergaven	}	The Bishop of Dunkeld <sup>3</sup>
and		
Logiebride	}	The Earl (afterwards Marquis) of Atholl <sup>4</sup>
Blair-Atholl		
and		
Strowan		
Caputh		The Bishop of Dunkeld <sup>5</sup>
Cargill		" " " " <sup>5</sup>
Cluny		[Duke of Atholl or Ogilvie of Clunie] <sup>6</sup>
Dowally		[Bishop of Dunkeld] <sup>6</sup>
Dunkeld		" " " " <sup>7</sup>
Kinclaven		Stewart of Grandtully <sup>6</sup>

<sup>1</sup> Fountainhall's *Historical Notices*; ii. 490.

<sup>2</sup> [Mr Hunter had not completed this section. The Editors have been able to fill up a few of the blanks in his MS., but unfortunately there are still a few entries they have been unable to complete.]

<sup>3</sup> *Durie's Decisions*, 569.

<sup>4</sup> *Acts of Parliament*, viii. 103; *Retours* (Perthshire), 515.

<sup>5</sup> *MS. Register of the Presbytery of Dunkeld*, May 1, 1711.

<sup>6</sup> "List of Parishes in 1720 with note of Patrons before the Revolution" (*Laing MSS.*, No. 342, Edinburgh University Library).

<sup>7</sup> *Ibid.* The Crown presented to Dunkeld in 1646. One of the conditions on which Mr Alexander Lindesay was to be restored to the exercise of the ministry was "his prowyding of the Kirke of Dunkelden at the sight of the Presbeterie" (*Balfour's Annales of Scotland*, vol. ii. 311). The patronage of Dunkeld was vested in the Bishop in 1638.

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Kinloch	The Bishop of Dunkeld <sup>1</sup>
Kirkmichael	Spalding of Ashintully <sup>2</sup>
Lethendy	[Stewart of Grandtully] <sup>3</sup>
Little Dunkeld	The Bishop of Dunkeld <sup>1</sup>
Moneydie	Graham of Garvock <sup>4</sup>
Moulin	The Earl (afterwards Marquis) of Atholl
Ratray	Hay of Balhousie <sup>5</sup>
Dull	The Archbishop of St Andrews <sup>6</sup>
Fortingall	} The Bishop of Dunkeld <sup>7</sup>
and	
Killichonan	
Kenmore	Campbell of Glenorchy (afterwards Earl of Breadalbine). <sup>9</sup> Colin Campbell, writer in Edinburgh
Killin	} [Viscount Strathallan] <sup>10</sup>
Ardewnan	
Strathfillan	} [Campbell of Lawers] <sup>11</sup>
Logierait	} The Earl (afterwards Marquis) of Atholl
Weem	
Redgorton	} Sir Robert (afterwards Lord) Nairn <sup>14</sup>
Luncarty	
and	
St Serf	} } The Crown

<sup>1</sup> *MS. Register of the Presbytery of Dunkeld*, May 1, 1711.

<sup>2</sup> *Acts of Parliament*, viii. 277.

<sup>3</sup> "List of Parishes in 1720 with note of Patrons before the Revolution" (*Laing MSS.*, Edinburgh University Library).

<sup>4</sup> As heir of Graham of Balgowan (*Retours*, Perthshire, 899).

<sup>5</sup> *MS. Register of the Presbytery of Cowpar-Angus*, July 5, 1687. See vol. i. p. 492.

<sup>6</sup> "Provisio" of Archbishop Sharp (*Register of Great Seal*, xi. 127).

<sup>7</sup> *MS. Register of the Presbytery of Dunkeld*, September 5, 1721.

<sup>8</sup> *Ibid.*

<sup>9</sup> *Acts and Decrees (Dalrymple)*, March 21, 1682.

<sup>10</sup> *Retours*, Perthshire, 1030.

<sup>11</sup> *Ibid.*, 611; *Reports on the Statistics of Various Parishes*, Maitland Club, 180.

<sup>12</sup> *Retours*, Perthshire, 780. *MS. Register of the Presbytery of Dunkeld*, November 22, 1714. The patronage was claimed by both on that date. It appears that a bill of suspension at the instance of Lord Stormont was rejected by the Court of Session.

<sup>13</sup> *MS. Register of the Presbytery of Dunkeld*, February 1, 1682; *Dunkeld Commissariat Deeds*, August 9, 1690.

<sup>14</sup> *v.* § Patronage of Redgorton.

The Presbytery of Perth stated, on August 24, 1642, that the patronage of Regortoun and Luncarty belonged to the Crown and the heritor of Regortoun by turns.

The patrons of the various parishes, associated with those formerly in the Presbytery of Dunkeld, in the Presbytery of Cowpar-Angus, were:—

Abernyt	[Archbishop of St Andrews] <sup>1</sup>
Alyth	Bishop of Dunkeld <sup>1</sup>
Auchterhouse	Lord Strathmore <sup>1</sup>
Bendochy	The Crown <sup>1</sup>
Meigle	Bishop of Dunkeld <sup>1</sup>
Ruthven	Lord Panmure
St Martins	Bishop of Edinburgh
Tealing	[Maxwell of Tealing] <sup>1</sup>

### § 19. BURSARS OF THEOLOGY

That the Church might be served by ministers equipped with Theological learning,<sup>2</sup> it was proposed that the General Assembly of 1596 should enjoin each Provincial Synod to support a bursar, preferably the son of a minister, at the New College of St Andrews. The Assembly referred the subject to the Synods.<sup>3</sup> The General Assembly of 1616 ordained that 26 bursars, half of them at least to be the sons of poor ministers, should be supported by the Dioceses at “the Divinitie Colledge foundit at St Androis, quhilk sould be the seminarie of the Kirk within this realme.”<sup>4</sup> The Presbytery of Perth, on October 2, 1639, made a reference to the Synod “concerning a bursar to be maintained by the Presbytery,” on condition that they had the right of nomination. The minute of November 13, 1639, proceeds:—

“Concerning the bursar to be maintained by the Presbytery, he (*i.e.* Mr Alexander Petrie, Clerk to the Provincial Assembly at Stirling) declared the Assembly’s approbation of their intention in that, and that they did refer all particulars back to the Presbytery as the person, the stipend, and manner of payment. The Presbytery appoint the stipend to be £80; and for the manner how it should be paid they appoint Mr John Robertson, Mr David Weyms, Mr Alexander Petrie, and the laird of Balvaird to consider of it and make a stent.” The report of the Com-

<sup>1</sup> See note 3, p. 117 *supra*.

<sup>2</sup> Under the Concordat of Leith (1572), “all provestreis and prebendreis in colledge kirks, founded upon temporall lands or annuells, and all chaplanreis being of the like foundatioun,” when vacant, were to be devoted to the support of students of Grammar, Arts, Theology, Law and Medicine. Such benefices as were of the annual value of between £20-£30 were to be allocated to students of the Professions who had received the degree of M.A., and were to be tenable for six years (Calderwood’s *History*, iii. 177-8).

<sup>3</sup> Peterkin’s *Booke of the Universall Kirk of Scotland*, 432-3.

<sup>4</sup> *Ibid.*, 596.

mittee was approved on December 25, 1639.<sup>1</sup> The reference had been discussed by the Synod appointed to meet on October 8; and the proposal of the Presbytery that congregations should contribute to the support of a bursar was ordained to have the strength of an Act. The Presbytery of Stirling also had intimated their intention of maintaining a bursar, and other Presbyteries promised "to think upon the like and to take course for it before the next [provincial] Assemblie." In October 1640, it was intimated to the Synod that the Presbytery of Dunkeld had "taken order for keeping a student of Divinitie at St Andrews."

The General Assembly of 1641 ordered that each Presbytery of twelve ministers should support a bursar, and that Presbyteries smaller in number should join with the larger for that end.<sup>2</sup> That Act, however, was not observed, and, consequently, the General Assembly of 1644 appointed the Presbyteries "to put the same in practice with all diligence."<sup>3</sup> The General Assembly of the following year accepted certain overtures of a committee of their number to the effect that each bursar of Theology should be paid at least £100 yearly, to be uplifted from the church penalties, and that each parish should be stented for his support according to the number of its communicants.<sup>4</sup> In 1648, however, it was stated that many Presbyteries had not obeyed that Act.<sup>5</sup> The Presbytery of Dunkeld in 1651 supported two bursars; the one of Theology, the other of Philosophy.<sup>6</sup>

<sup>1</sup> The names of the bursars of the Presbytery of Perth, 1639-1660, are subjoined in illustration of the practice of the Presbyteries in maintaining a bursar:—

*December 25, 1639.*—Mr George Strachan, son of Mr John Strachan, minister of St Martins.

*August 2, 1643.*—Mr John Omay, son of the deceased Mr Alexander Cmay, minister of Errol.

*October 20, 1647.*—Mr John Cruikshank, son of Mr John Cruikshank, minister of Rogortoune.

*July 9, 1651.*—Mr David Moncrieff, son of Mr Archibald Moncrieff, minister of Abernethy.

*September 26, 1655.*—Mr James Row. (Died before August 25, 1658.)

*November 3, 1658.*—Mr John Weyms, son of the deceased Mr Mathew Weyms, minister at Halyroodhouse.

*June 19, 1660.*—Mr James Strachan, son of Mr Thomas Strachan, minister of St Martins. He graduated M.A. (St Leonard's College, St Andrews) in 1659. It was stated, on June 13, 1660, that "he gave very much satisfaction in his examination before the degree was conferred upon him."

<sup>2</sup> Peterkin's *Records of the Kirk of Scotland*, 294.

<sup>3</sup> *Ibid.*, 405.

<sup>4</sup> *Ibid.*, 421. The Synod of Perth and Stirling, in June 1653, ordered that each bursar should be paid £100 yearly according to the Act of the General Assembly; that Presbyteries should consider how arrears might be met, and that the names of ministers deficient in payment to the bursar should be noted in the Register that they might be known to and censured by the Synod.

<sup>5</sup> Peterkin's *Records of the Kirk of Scotland*, 511.

<sup>6</sup> *MS. Register of the Kirk-Session of Logierait.* The bursar of Theology received £6 yearly, that of Philosophy £2, from the Kirk-Session.

According to the *Register of the Synod of Perth and Stirling* the bursars of the Presbytery of Dunkeld during the period 1638-60 were :—

October 1648. Mr James Strawchane.  
 October 1650. Mr John Anderson.  
 October 1655. Mr William Bannevis.  
 April 1658. Mr John Murray.  
 October 1658. Mr John May.  
 April 1660. Mr John Strachan.

In October 1660, it was reported that the Presbytery had no bursar, but intended to appoint one shortly : in April 1661, they were enjoined to do so before the next meeting.

On the eve of the Restoration, the Presbytery of Meigle had a bursar, as is evident from the minute of November 8, 1659 :—

“ This day, compeired the bursar, and he desyred the Presbiterie wold pay him bygon rests : many of the bretheren gave him contentment and satisfaction : Mr David Paton advanced for the rest of the bretheren that had not payd him, and they promised to refund him shortlie.”

The custom of supporting a bursar continued under Episcopacy. The Archbishop and Synod of St Andrews, in October 1662, “ recommended to the several Presbyteries that they be careful to have the bursaries, which they maintain in the New College, filled with hopeful, able and pious young men ; and that they take care of the timeous payment of the proportions laid upon the parishes, and to be answerable for this the next meeting of the Synod ” ; and, in October 1675, enacted “ that each Presbytery within the Diocese have the money allotted for the maintenance of a bursar in readiness against the term of Martinmas, at which time the respective bursars shall have it delivered to them, and be ordained forthwith to repair to the New College of St Andrews, with a recommendation from the Moderator of the Presbytery to the Masters of the New College, where he is to continue at his studies during the space of five months at least ; and that at his return he bring with him a testimonial to the Presbytery, under the said Master’s hands, of his Virtuous carriage, obedience to the Masters, diligence in his Studies, and the evidence and fruit of his academical exercises ; and that, upon these conditions only, his place and benefit be continued to him, and have his recommendation yearly continued to him, while he stays in the said place.” <sup>1</sup>

The Bishop and Synod of Dunblane enacted that one bursar, to be nominated by the Bishop, should be maintained at the New College, St Andrews, by the Presbyteries of Dunblane and Auchterarder ; that he

<sup>1</sup> *MS. Register of the Presbytery of Perth*, January 14, 1663 ; November 10, 1675.

should reside nine months every year at St Andrews ; that at the beginning of the College session he should receive £100 Scots, and, annually in October, present to the Synod a certificate of his residence and proficiency ; and that he should neither assign his dues, nor, on pain of losing them altogether, permit them to remain unpaid for more than one year. In 1681 the Bishop and Synod resolved that persons who did not require the bursary should not be appointed to it, to the exclusion of others, especially ministers' sons ; and permitted the Presbytery, who had the right to elect for four years, to make a fresh appointment every year. In 1665 the Bishop of Dunblane, in 1668 the Presbyteries jointly, and in 1681 the Presbyteries alternately, nominated the bursar.<sup>1</sup>

The Bishop and Synod of Aberdeen, in October 1684, appointed that none should be nominated bursars unless found to be of ability, and without obliging themselves to prosecute their studies for the ministry. The Professors represented to the Synod of Aberdeen, in October 1685, that some of the Presbytery bursars were " very negligent in attending the profession." The Bishop and Synod, accordingly, appointed that all bursars should be present at their classes on the first of December, and continue their attendance until June 1, under penalty of a dollar for every week's absence after the first of December, and of the loss of their bursary for the year if they failed to be present before January 1. If they removed before June 1 the penalty was the loss of a dollar for every week's absence.<sup>2</sup>

From the *Register of the Presbytery of Dundee*, it appears that early in the period a bursar was maintained by the Diocese of Dunkeld. The parishes in the Dioceses of Dunkeld and Brechin within that Presbytery supported the Bursar of the Presbytery before September 26, 1666. On that date, it was intimated that the brethren of those dioceses refused to contribute to the bursary of the Presbytery, because they had been commanded to support their own diocesan bursars. The Presbytery referred the subject of the bursary to the Synod : but the Synod Record casts no light upon it.<sup>3</sup> In April 1671 the parish of Abernyte again contributed to the support of the bursar of the Presbytery of Dundee.<sup>4</sup>

The *Register of the Presbytery of Meigle*, on November 12, 1667, bears that " the Bishop off Dunkeld signified to the Presbitrie a transaction

<sup>1</sup> *Register of the Diocesan Synod of Dunblane*, 24, 66, 181.

<sup>2</sup> *Records of the Exercise of Alford*, 360, 367.

<sup>3</sup> In April 1665, it was noted by the Archbishop and Synod of St Andrews that the allowance to Presbyterian bursars might be considerably reduced, as the churches in a Presbytery were not necessarily in the same diocese, and every bishop claimed the right to the churches in his own diocese (*MS. Register of the Presbytery of Dundee*).

<sup>4</sup> *MS. Register of the Presbytery*, April 5, 1671. That parish paid £2, 10s., as did Strathmartine and Benvie. Dundie contributed £25, Monefueth, Monikie and Longforgund £6, 5/, Morros, Lundiffe and Fowels £5, and Rossie £3, 15s.

betwixt my Lord St Androis and him anent the bursar, that the Archbishop, for the churches in Fyff belonging to the Diocess off Dunkeld to concurr with the churches in Fyff off his Diocess, had ordaind the bursar in this Diocess to hav the churches in the Presbitrie off Meigle belonging to his Lordship's See ; wherupon the brethren wer ordaind to bring in ther severall proportions shortly." In the following year, the Presbyteries of Dunkeld and Meigle were appointed to support the bursar alternately. The minute of the latter Presbytery on 20th October 1668 runs :—" All the kirks of the Presbetrie bieng now to pay to ane bursar nominat by the Bishop and Synod of Dunkeld, with the Bishop's advice the Presbetrie thought fitt to nominat three of ther number, to witt, George Halyburton, David Paton, and Henrie Malcom, to meett att Cowpar to consider what might be a competent provision for the said bursar in all tyme coming." That Committee reported on November 17 as follows :—

" Anent the bursarie, the brethren appointed mett att Cowpar, who thought that ane hundred merks, for this and all years coming, might be a competent provision out of so many kirks ; which bieng represented to the Bishop, and he satisfied with it, the Presbetrie did appoint that the forsaid sume, to which all agreed, should be divided amongst the severall kirks as followes, to wit, to be paid out of

Elitt . . . . .	8 lib.
Cowpar . . . . .	6 lib.
Ketnis . . . . .	6 lib.
Benethie . . . . .	6 lib.
Blair . . . . .	6 lib.
Airlie . . . . .	6 lib.
Glenyla . . . . .	5 lib.
Megill . . . . .	5 lib.
Newtyll . . . . .	5 lib.
Essie . . . . .	4 lib.
Kingoudrum . . . . .	4 lib.
Glentrathen . . . . .	4 lib.
Ruthven . . . . .	1 lib. 13 shillings 4 pence."

The Presbyteries of Dunkeld and Meigle afterwards each maintained a bursar, appointed in the case of Meigle with consent of the Bishop.<sup>1</sup> Thus the minute of the Presbytery of Meigle on October 20, 1674, proceeds :—

" The bursarie of this Presbitry being now vacant, Mr David Paton pre-

<sup>1</sup> The arrangement was adopted apparently in October 1673. In the *Register of the Presbytery of Meigle* of November 11, 1673, space is left for the insertion of the Act of the Synod on the subject, after the words " Anent the bursarie."

sented a desire in behalf of his son, lately graduat and to enter to the New Colledge. The Presbitry found his desire most reasonable, and conforme to the constitution and practise of the Church ; yet they recommended it to the Moderator and Mr Hendrie Malcolm to acquaint the Bishop with his desire, that his concurrence and consent might be had therto."

The Bishop gave his consent, and the Presbytery appointed Paton bursar for four years from Martinmas 1674, and instructed him to present yearly a certificate of his attendance from the Masters of the Colledge.

The Register does not bear that the Bishop was consulted when Mr William Raite, son of the minister of Kingouldrum, was appointed bursar on March 5, 1678. On June 6, 1682, however, the consent of the Bishop was intimated to the appointment of Mr William Many, student of Divinity, to the bursary. The Presbytery, on March 2, 1686, presented Mr Henry Fyfe, son of the minister of Ruthven, to the bursary, on condition that the Bishop consented.

In April 1684 the Synod of Dunkeld enacted that bursars should stay five months yearly at the New Colledge, and should present to the Presbyteries a certificate of attendance, failing which, the brethren " had freedom to detain and deny the payment of ther several proportions." <sup>1</sup>

The Synod of St Andrews, however, in April 1687, ordained " that in all tyme coming, for the students' incuragment to wait better one in thee Colledge, the mony for the subsequent years be payed in November immediatly preciding, and the saids bursars report the Masters of the New Colledge testimony yearly at their returne."

On the erection of the Presbytery of Cowpar-Angus, it was arranged that one parish of that Presbytery at least, Rattray,<sup>2</sup> should contribute to the support of the bursar of Dunkeld. That arrangement terminated on January 1, 1689, when the Bishop intimated to the Presbytery that, in future, each Presbytery should deliver their contributions to their own bursar ; " and the extraneous churches heirafter, according to the Act of Synod, are to be divided equallie betwixt them."

The Bursars of the Synod were :—

1666. Mr William Malcolme (afterwards supported by Meigle).

1669. Mr Robert Campbell (supported by Dunkeld).

1671. Mr John Robertson, son of the laird of Downie (Meigle).

1672. Mr Gilbert Crockat <sup>3</sup> (Meigle, " for the next half year ").

<sup>1</sup> *MS. Register of the Presbytery of Meigle*, May 13, 1684.

<sup>2</sup> Mr Duncan Campbell was appointed bursar to the Presbytery of Dunkeld on November 4, 1685, and Mr Henry Fife to the Presbytery of Meigle on March 2, 1686. Fife was transferred to Cowpar-Angus (*Register*, June 7, 1687). The *MS. Register of the Kirk-Session of Rattray* on April 1, 1688, runs :—" Given to Mr Duncan Campble, Presbyterie bursar, four pound Scots for the year jaj vi<sup>c</sup> eighth."

<sup>3</sup> He was recommended by the Archbishop of St Andrews for appointment to

The Bursars of the Presbytery of Dunkeld during the period covered by the Register were :—

1682. Mr James Kinerish (for one year as from Martinmas 1681).<sup>1</sup>  
 1682. Mr John Peirson.<sup>2</sup>  
 1685. Mr Duncan Campbell.<sup>3</sup>  
 1689. Mr James Murray (as from Martinmas 1688).<sup>4</sup>

The Bursar of the Presbytery of Cowpar-Angus was Mr Henry Fife.

After the Revolution Presbyteries supported a Bursar. The Presbytery of Perth and Dunkeld appointed Mr John Crie to their bursary on August 6, 1691. At a later date, and before their disjunction, each division had a bursar.<sup>5</sup> There are references to the Presbytery bursar of Dunkeld certainly till October 30, 1737.<sup>6</sup>

The Synod of Perth and Stirling also appointed a bursar.<sup>7</sup>

#### § 20. THE PATRON OF REDGORTON

The Notices of the claim of Lord Nairn in the *MS. Register of the Privy Council (Decreta)* are these :—

June 9, 1681.—Anent a petition presented by Robert, Lord Nairne, shewing that the church of Regortoune, being a church of the Abbacie of Skoon, was in the erection of the Lordshipe of Skoon made a distinct

the Charge of Perth in succession to Mr Alexander Ross (*MS. Records, Perth City, June 18, 1683*). He was erroneously reputed the joint-author of *The Scots Presbyterian Eloquence*—“The authors are said to be Mr Gilbert Crockat and Mr John Munroe, confessors for the Scotch Bishops and pensioners to the English” (*Kirkton's History, 194*).

<sup>1</sup> *MS. Register of Presbytery, June 7, 1682.*

<sup>2</sup> *Ibid., October 5, 1682.*

<sup>3</sup> *Ibid., November 4, 1685.*

<sup>4</sup> *Ibid., January 2, 1689.*

<sup>5</sup> *E.g. November 5, 1701.* On August 21, 1706, the ministers of Little Dunkeld and Dull stated that the bursary of Dunkeld amounted to £74 Scots, paid by the various Kirk-Sessions as follows :—

Killine . . . £3 0 0	Mullion . . . £4 0 0	Lethindie . . . £2 10 0
Kenmore . . . 4 0 0	Blair . . . 4 0 0	Cluney . . . 3 0 0
Fortingell . . . 3 0 0	Kirkmichaell . . . 5 0 0	Kinleaven . . . 4 0 0
Dull . . . 4 0 0	Dunkeld . . . 3 0 0	Cargill . . . 5 0 0
Weem . . . 3 0 0	Little Dunkeld . . . 2 0 0	Auchtergaven . . . 4 0 0
Logiercat . . . 5 0 0	Caputh . . . 5 0 0	Moneidie . . . 4 0 0
Ratray . . . 4 0 0	Kinloch . . . 2 10 0	

It is probable that those were the sums paid by the parishes during the latter part of the Episcopal period.

<sup>6</sup> *MS. Register of Kinloch Kirk-Session.*

<sup>7</sup> *MS. Register of the Presbytery of Perth and Dunkeld, May 28, 1701; MS. Register of the Presbytery of Dunkeld, April 22, 1718; June 28, 1720; January 20, 1730.* Mr Adam Ferguson, afterwards minister at Killin, is designated Synod bursar on July 12, 1726 (*Ibid.*).

Rectorie in favoures of David, Lord Skoon, from whom the petitioner and his father had right ; likeas the said David, Lord Skoon, the petitioner's father, and he himself were in constant use to present the ministers of the said church, and particularly, in anno 1664, the petitioner did present Mr James Carnegy to the Bishop of Dunkeld, who, thereupon, was collated, institut, and served the cure, till of late that he was transported to the kirk of Barrie in Angus ; and albeit the undoubted right of patronadge and teinds of the said paroch of Rogortoune was by vertue of the foresaid erection established in the persone of the petitioner and his authores, the Lord Skoon, and that his Majesty and his predecessors was denuded of the right of patronadge and teinds by the erection foresaid, and that the petitioner, his predecessoures, and authores have been in constant use to present the ministers, and particularly the last incumbent, yet Mr Patrick Auchterlounie hes procured a presentation to the said kirk from his Majesty ; and though the petitioner did in due time present Mr James Lambie, yet the Bishop of Dunkeld intends to proceed to the tryall and admission of the said Aucherlounie, and refuses to accept of the presentation given by the petitioner to the said Mr James Lambie, or to admitt him conforme thereto, and hes appointed Edicts to be served for the said Auchterlounie, as instruments taken against the Bishop of Dunkeld produced testifies : likeas the petitioner, conforme to the prescript and appointment of the first act of the 21 par[liament] K[ing] Ja[mes] 6th, anno 1612, did apply himself to his Grace the Archbishop of St Andrew, within whose province the Bishoprick of Dunkeld is, Complaineing that the said Bishop of Dunkeld had refused to accept of his presentation, and craveing redres, which his Grace refused to grant in respect of Mr Auchterlounie's presentation from the King ; By which it may be evident to the Councill that the petitioner's right and possession is wrongously invaded, and he like to be prejudged therein except the Councill provide remead : And therefor humbly supplicating that the Councill would grant letters of horneing, chargeing the Bishop of Dunkeld to doe his duty, and to admitt and receive the said Mr James Lambie presented by the petitioner, or show a reasonable cause in the contrare ; and in the meantime to grant warrand to stope the admission of the said Mr Auchterlounie untill the same be considered before the Councill, that the petitioner be not unwarrantably put from his uncontraverted possession of patronadge and presentation, and, in caice any contraversy occurre in point of right, untill the Lords of the Session who are appointed Judges by the foresaid act of parliament to hear and discusse the same. The Lords of his Majesties Privy Councill, having heard and considered the foresaid petition, Doe Remitt to the Lords Archbishop of St Andrewes and Bishop of Edinburgh to meit and consider the grounds of the said

petition, and to report the same to the Council the next Council day ; and in the meantime, and until the council determine in the said matter, the said Lords do stop any farther procedure upon both the presentations above specified.

August 2, 1681.—Anent a petition presented by Robert, Lord Nairne, supplicating that where the petitioner having meant himself to his Royall Highness and his Majesties Privy Council after that he had used all order of law prescribed by the Acts of Parliament for stopping of the Edict to be served at the instance of one Mr Patrick Auchterlounie, who is alledged to have procured ane presentation from his Majesty as Patron to the Kirk of Regortoun (and as it would seem by misinformation), the Kirk of Regortoun being ane part of the Abbacy of Scoone and dissolved from the Crowne and now erected in ane temporall Lordshipe, and the said paroch kirk of Regortoun being ane Rectorie, and whereof the petitioner and his predecessours have been Patrones and titulars of the teinds by right and disposition from the Lord Scoon, as Lord of Ereccion of the said Abbacy and temporall Lordshipe thereof, and conforme thereto hes been in use to present ministers to serve the cure thereat, and who, accordingly, have been admitted thereto and hes served the cure ; while of late (and that albeit the petitioner had presented in due time, conforme to his right of Patronage, one Mr James Lambie against whom there is no objection as to his literature, qualification, and good education, and obedience to his Ordinary, and subjection to his Majesties authority and government) yet notwithstanding thereof . . . Bishop of Dunkeld admitted the said Mr Patrick Auchterlounie to passe upon his tryalls upon the presentation procured by him as aforesaid ; upon which complaint, and diligence in law used by the petitioner for verifieing thereof, it pleased his Royall Highness and remanent Lords of his Majesties most honourable Privy Council, having heard and seen and considered the foresaid petition, to remitt the same to the Lords Archbishop of St Andrewes and Bishop of Edinburgh to meet and consider the grounds of the foresaid petition, and to report the same to the Council the next Council day ; and in the meantime, and until the Council determined in this matter, His Royall Highness and the Council did stop any further procedure upon both the presentations above specified, as the Act made thereupon of the date the ninth day of June last bypast produced testifies. Notwithstanding whereof, the Presbitery of Perth, within whose bounds the parochine of Regortoun is comprehended, resolve to proceed toward the establisheing of the said Mr Patrick Auchterlounie in the said cure, but also intends (as it will seeme) to take advantage upon the time and thereby suffer the same to fall in the Bishops hands as Ordinarie *jure divoluto*, the Lords Archbishop of St Andrewes and Bishop

of Edinburgh not having made the report conforme to his Royall Highnes and Councillis ordinance, albeit the whole matter depends upon civill right and property of patronadge, His Majesty never intending to pre-  
 judge any mans right, but alwayes referres the same to the decision of  
 commone law, which is humbly conceaved the Bishops are not compitent  
 thereto, But only the Lords of Session as supream judges therein, and  
 where through the petitioner is heavily like to suffer unles His Royall  
 Highnes provide remead: And therefor humbly supplicateing that his  
 Royall Highnes would take the premisses to serious consideration, and to  
 ordaine the Ordinary to accept of the petitioner's presentation upon the  
 qualificationes aforesaid, or at least to continow the petitioner's right of  
 presentation, and not to suffer the samen to fall *jure divoluto* (seing the  
 petitioner is ever ready and willing to present ane qualified person) untill  
 such time as the right of presentation be civilly discussed before the  
 Lords of Session, who are only judges competent thereto in the like  
 caices; and in the meantime to grant letters discharging the Bishop of  
 Dunkeld as Ordinary, and the Presbitery of Perth, of any furdre pro-  
 ceedure of the said Mr Patrick Auchterlounie his admission and institu-  
 tion to serve the cure at the said kirk of Regortoune, with certification  
 as effeires untill such time as the same be discussed as aforesaid. His  
 Royall Highnes, His Majesties High Commissioner and Lords of His  
 Majesties Privy Councill, haveing heard and considered the foresaid  
 petition, Doe Remitt the matter of right anent the foresaid patronadge  
 in debate to the Judge Ordinar; and in the meantime discharges any  
 furdre procedure upon the presentationes given to Mr Patrick Auchter-  
 lounie and to Mr James Lambie untill the first of November nixt.

### § 21. VISITATIONS

The *MS. Register of the Kirk-Session of Cramond* contains the following notice of the visitation:—

“ July 4, 1683.—A visitation of the kirk was kept this day by the Bishop of Dunkell his order.”

In the accounts of the Kirk-Session the entry occurs:—

“ July 4, 1683, being Wednesday,—collected at a visitation of the kirk, 02 lib. 05s.”<sup>1</sup>

In October 1615 the Synod of St Andrews ordained that the Moderator of each Presbytery, with such a number of his brethren as should be thought meet, should visit all the churches within the bounds once a year.<sup>2</sup>

<sup>1</sup> Those references are given by the kindness of the Rev. G. Gordon Stott, B.D., minister of Cramond.

<sup>2</sup> *Selections from the Minutes of the Synod of Fife, 80.*

The General Assembly of 1638 also thought it expedient that "visitation of particular kirks within Presbyteries" should be held once a year.<sup>1</sup>

Visitation, however, was often hindered, sometimes by the minister, at other times by weather conditions, the disturbed condition of the land, and other causes. The minute of the Presbytery of Perth on September 28, 1631, proceeds:—

"Which day, the brethren considering that the visitation of kirks in their bounds has intermitted this year and half bygone through default of Mr Alexander Bannevis, minister at Tibbermoore, who almost at every meeting has been required thereto, whose excuses has been and are, alleging sometimes the Master of Stormonth behoved to be present, sometimes the kirk was down, sometimes my Lord Dunkeld behoved to be present, which excuses they remit to the Synod to be judged upon: the reason why the brethren would not pretermitt his kirk is because the passing by thereof was a preparative to pass by the rest, for every brother pretended the like excuses."

Near the close of the Presbyterian period (1661) the Presbytery of Meigle minuted as follows:—

"February 28, 1660.—The Presbiterie, having been hindred this bygone Winter (thorow the stormines therof and ill weather and farr distance of kirks in ther bounds) from having ane visitation, resolvvs now to goe on in ther ordinarie course of visiting; and the kirk of Alyt falling next to be visited, appoints this day month to have the visitation therof, and Mr Johne Ratra, elder, minister, to acquaint his Session therwith and have his Session book in readines." At the request of the minister, the visitation was delayed, because the schoolmaster, who was Session Clerk, was unable to get his Session book filled up on account of absence and other distractions, and for other reasons unspecified.

These references to that visitation are given for their local interest, and as an illustration of the procedure at the close of the period:—

Meigil, 1 May 1660.—Ther being a visitation of Alight condiscended on *ut supra*, the day therof to bee 14 June, Mr David Nevey to preach, Mr Thomas Small and Mr Jhon Robertson to visite the booke, and the Clerk to advertise Forfar Presbitrie, and Mr Jhone Simmer, Dundie, anent correspondents.

Alight, 14 June 1660.—This day, the Presbiterie mett for visitation

<sup>1</sup> Peterkin's *Records of the Kirk of Scotland*, 34.

The Synod of Perth and Stirling, in April 1639, ordained that parishes should be visited yearly, in that year before their next meeting, and in October, and having noted that visitations had been nowhere held, because of the disturbed condition of the land, renewed that Act. Mr William Menzies, Moderator of the Presbytery of Dunkeld, declared to the Synod, in October 1640, that he had been unable to continue the visitation of parishes on account of "the present tumultes in these boundes."

of Alight, non being absent but Mr William Raitt. After sermon had by Mr David Nevay, on . . . , it was found the visitation was duly intimate, correspondents advertised, and the Session book, as was appointed, duly delivered.

The names of the elders and deacons being given in, they wer, on by on, after having given ther oath for a faithfull testimonie, called in, and all declared they wer weel satisfied with the minister, his doctrin, discipline, and life : and the minister, after oath, also gave a testimonie of honestie and faitfulness to the severall members of the Session, only regrated some of them keepled not weel the dietts of the Session. They wer admonised anent this, and all of them to bee exemplarie in familie worship ; and, in respect this is a mercat towne, to take pains in the taking notice, delating, and censuring, drinking and swearing on the mercat days.

The Session book was visited, and in the generall approuven ; some failings and escaps, quhilk wer marked, wer appointed to bee sett down by the Clerk in the end of the Session book itself, and the Presbiterie's advise for mending the same for time coming.

The poor-stock remains as at last visitation.

The scoolmaster, upon some advertisment fra the eldership, was admonised and exhorted to wait better on ; and the Presbiterie, finding he had discouragements by the ill payment of his stipend, appoints and recomends to the Session that whenever occasion of Law offers, upon the Session's expenses, a course bee prosecute for getting the scoolmaster's maintenanc duly payed him.

A competent stipend ; but manse not payed.

Ther being a great pairt of this paroch lyand in the high land, its recomended to the minister often to visit them : and ther being a motion mad of exchanging some pairts of this paroch with Glenyla, they being neerer to Glenyla, and some pairts of Glenyla neerer to this kirke, the minister of Glenyla was appointed to declar this to his Session for thinking upon the same, and to see if all parties interested wilbe content.

In the period 1661-89 frequent reference is made to the Presbyterial visitation of churches. The Synod of Dunblane, in April 1663, enacted " that visitations of particular kirks for the ensuing half-year should be appointed, and accordinglie keepit where they were found to be most requisite " ; and, in April 1665, ordained " that the visitations of the several churches within the Diocese, where most need is, shall be keepit as manie as convenientlie may be betwixt and the next Synod " ; but in April 1678 the Bishop and Synod appointed, without stating any condition of necessity or convenience, that all the churches within the Presbyteries of Auchterarder and Dunblane should be visited before the next

Synod.<sup>1</sup> In April 1674, the Bishop and Synod of Aberdeen “ordered that Presbyteries be diligent in going about visitationes of the kirks within their boundes,”<sup>2</sup> an Act renewed in the following October when a “Direction for the Visitation of Churches” was appoven by the Synod.<sup>3</sup>

The Archbishop and Synod of St Andrews, in October 1670, nominated a Committee to draw up rules for the visitations of kirks; and, in April 1676, appointed that three churches in each Presbytery of the Diocese should be visited by the respective Presbyteries before the next Synod,<sup>4</sup> an ordinance renewed at the meetings of the Synod in April during Sharp’s tenure of office.

The minute of the Synod of St Andrews, in October 1685, continues:—

“Visitation of kirkes delayed till the nixt Synod; and then to be appoynted even of these kirkes within Presbitaries of this Diocie, which doe not belong to it, but are under the jurisdiction of other Bishops, since (as report was made) these other Bishops hade consented thereto.”<sup>5</sup>

In the *MS. Register of the Presbytery of Cowpar Angus* reference is made to “ane ordinance of the Lord Bishop and Synod of Dunkeld for holding of circular visitations of the churches within his Diocesse,”<sup>6</sup> in accordance with which Presbyterian visitations were held at St Martins and Cargill.

In the *MS. Register of the Presbytery of Dunkeld* printed above, there is no reference to the periodical visitation of churches by the Presbytery.

Bishops occasionally held visitations, associating with themselves the members of the Presbytery,<sup>7</sup> and sometimes specially appointed a Presbytery<sup>8</sup> or a commission<sup>9</sup> for the purpose.

The following minutes of an Episcopal, and a special Presbyterian, visitation are extracted from the *MS. Register of the Presbytery of Meigle*:—

*Meigill, March 2, '80.*—The Bishop of Brechin this day present, intending the visitation of the churches of Glen Ilo and Kingoldrum, within the Diocess of Brechin and presbitrie of Meigil, the on the last of March, to wit Glen Ilo, the other of Kingoldrum, the first of April, desird the Presbitrie’s concurrence with him therin; and Mr Thomas Robertson appointed to visit the Session book of Glen Ilo, and Mr John Lyon the Session book of Kingoldrum, and report; and Mr John Fiffe desird by

<sup>1</sup> *Register of the Diocesan Synod of Dunblane*, 6, 22, 132.

<sup>2</sup> *Records of the Exercise of Alford*, 213.

It was added—“and to beginne at those kirks whose ministers are most frequentlie absent from the Presbyterian meetings.”

<sup>3</sup> *Ibid.*, 219, 231.

<sup>4</sup> *MS. Register of the Presbytery of Perth*, November 9, 1670, May 10, 1676.

<sup>5</sup> *MS. Register of the Presbytery of Dundee*, November 4, 1685.

<sup>6</sup> *MS. Register of the Presbytery of Cowpar-Angus*, July 3, 1688.

<sup>7</sup> *Infra* (Glenisla).

<sup>8</sup> *MS. Register of the Presbytery of Dunkeld*, February 1, 1682.

<sup>9</sup> *MS. Register of Rattray Kirk-Session*, July 29, 1674.

the Bishop, as clerk to the said visitations, to writ the edicts to the respective ministers, who ar appointed to make timous and legal intimations of the said visitations upon an Sabbath day, in the forenoon, to all concernd, that none may pretend ignorance. Mr William Rait appointed to preach at Glen Ilo, and Mr David Nevay at Kingoldrum.

*Glenyla, last March, 1680.*—This day, after sermon be Mr William Raitt of Kingoldrum on 51 psalm 1 and 2 verses, convened in the kirk of Glenyla ane Reverend Father, George, be the mercie of God, Bishop of Brechin, the bretheren of the Presbetrie of Megill as assistants in the visitation, Mr David Nevay, minister, heritours, and sessioners of Glenyla.

And, after prayer be the said Reverend Father, Mr John Fyffe, minister att Ruthuens, was appointed Clerk to the visitation.

The meetting bieng constitute, the minister was enquired if he had, according to the edict, made timous and lawfull intimation of this meetting to all concerned, who by returning the edict legally indorsat answerd affirmative ; the which bieng read was approven.

The minister also gave in a roll of the heritours and present members of the session of Glenyla :—

Heritours : James Chrichton off Ruthuens, James Ramsay off Bamff, Thomas Ogilvy off Bellatie, James Ogilvy of Newton, William Farcher of Milton, Thomas Malcomtosh of Forther, James Farcher of Lednathie, etc. Sessioners : James Ogilvy, forsaid, of Newton, Colen Campbell, portioner of Inneraritie, Thomas Valentine of Darie, David Cargill, Andrew Donald, Andrew Sute, Colen Downay, William Bruce, David Macknicoll, David Hall, James Begge, James Macknicoll, William Begge, and Thomas Ogilvy, kirk-officer, who wer all present.

The minister being removed, the heritours and sessioners, with uplifted hands, did promise upon oath, as in the sight of God, according to ther knowledge, without feude or favour, to answer to the following questions ; who bieng removd wer severally calld and interrogat be the said Reverend Father :—If ther minister, Mr David Nevay, did faithfully, purely, sincerely, plainly, and edefiengly, preach the Word of God unto them twice every Lord's day. If he was diligent in visiting ther families, in catechising old and young, going from house to house. If he was carefull in the visitation of the sick, when therunto calld. If he did distribute the collections according to the necessities of the poor. If he did censure and punish scandalous persons according to ther offences without respect of persons. If he did celebrat, att least once a year, the Sacrament of the Lord's supper amongst them. And if, as ane good ensample to the flock of God, he went befor them in a pious, sober, peaceable disposition, ministeriall and Christian conversation. They all, *uni voce*, one be one, answerd he did and approved him in all, blessing

God for him ; but that in the winter season he could not preach twice on the Lord's day, both in regard of the spaciousnes of the paroch, of the stormines of the weather which with them was then great and frequent, as also because of many waters betwixt many of them and the kirk which in the winter wer often impassible.

The minister off Elitt who was appointd to visite the Session book, his judgment theranent was enquired, who produced and approvd it in all things. The clerk was appointd to approve it, which was judicially done.

The heritours and sessioners being all removd, the minister was called and compear'd, who being interrogat anent his provision, answerd, he had only sex hundred and fourtie merks Scots : Anent his glebe and grasse, answerd : it was according to law. Anent his house, answerd : it was insufficient. Anent the estate of the poor, answerd : that they had no stock, and that ther wer only five pounds Scots in the box. Anent his allowance for the Communion elements, answerd : ten merks Scots. If he had a reader, answerd : not, because ther was no provision for one ; and, therfor, the minister recommended it to the Bishop and visitation that they would desire the heritours to settle a provision for a reader in the place. Anent the quire of the kirk, why ther was no rooff theron, answerd : that the heritours, seven or eight years agoe, had pactioud with workmen for the building and reparation theroff, but because of divisions of late amongst some of the heritours the work ceased ; and desird that the Bishop and visitation would yet deal with the heritours now in the summer tyme to goe about the work.

The minister, also, declar'd that the heritors and others the parochioners wer observant of ordinances ; and did also approve the elders and diacons with the kirk officer that they wer men of good life and conversation, and wer all assistant in the exercise of disciplin.

The heritours bieng again call'd, compear'd ; the Bishop representing unto them the insufficiencie of ther minister's house, they all promised that, if the minister would repair his house, and not only so but build a new addition therunto, they would not only willingly concur with and assist him in the work, but would also instantlie, after the work done and apprisall theroff, pay him according to ther proportions.

The minister is appointd to goe about the work with all conveniencie. Anent a reader, the Bishop desird that they would take ane effectuall course for the provision of one in the place : they answerd they would willingly goe about such a pious work.

Anent the quire, the heritours declare that, with all diligence, they intend to repair it ; but because many of them live not within the paroch, four therin residing, to wit, Newton, Bellatie, Forther, and Lednathie,

in name of the rest, are appointd to repair it against Lambas next, and after the work done the rest of the heritours to repay them ; to which they all unanimslye condiscended.

The heritours representd to the Bishop that ther had been and wer some differences among them anent ther seats in the kirk ; the Bishop promisd that, when the quire was repaired, he would return unto them and divide the kirk according to ther heritadges, to which they all agreed.

The minister, heritours and sessioners, bieng all present, wer enquird att, if they had any thing else to represent concerning the good of this kirk ; they answered negative.

The Bishop approved minister, heritours, and sessioners, and exhordt them with unanimitie in thes perilous dayes to persist stedfast and unmoveable in the work of God, forasmuch as ther labour should not be in vain in the Lord.

After prayer be the Bishop the meetting dissolved.

M. JOHN FYFFE, *Clerk to the Visitation.*

*At Megill, July 23, 1667.*—The minister of Lentrathen having obtained from the Archbishops of St Andrews a warrant for visiting of the church of Lentrathen, And having shewed the same to the Presbitrie, therefore the Presbitrie appoints there meeting to hold at Lentrathen, Which is to be this day twentie dayes ; and withall the minister there is desyred to advertise the heretours of the paroshine and elders that they be present to meet the Presbitrie the said day.

*At Lentrathen, August 13, 1667.*—The brethren being all meet and none absent except Mr John Ratray, who was excused by reason of his seekness.

The minister of Lentrathen, being asked, did declaire that the visitation was tymously intimate to all the heretours and elders or persons concerned.

The Earle of Airlie, the maine Heretour, was present and My Lord Ogilvy, his son ; so was Peill, ane heretour and elder, Shannelie, ane heretour and elder, Auld Allane, ane heretoure and elder, James Farquharson, ane elder, James Lindsay, etc.

The several elders (the minister being removed) were examined anent the minister his cariadge and demeanure in all the points of his ministrie, and all of them declaired that he behaved himselfe holily and ministerially, and was faithfull in all points according to there knowledge. The minister also did approve the elders in their cariadge.

The minister, being also asked, declaires that there is a scoolmaister, James Gib.

Anent the Session books, the former being produced, which was the

register in Mr Thomas Small his tyme, being found deficient as to the upfilling of several years, the minister is desyred further to enquire anent that booke ; as also to fill up his own inserting the dead, baptised, and Married person's names, which he promised for to doe : other things being set downe already were approven.

The minister, being asked, declaires that the stipend of Lentrathen is two chalders of victuall, three hundreth merks and fourscore of money : quhereupon it is recommended to my Lord Airlie and the rest of (the) heretours, gentlemen of the paroshine, to be cairfull that the stipend be helped and the minister is appointed to seek augmentatione in a legall way.

Anent the Manse, it is found to be free, but insufficient : Therefore the Earle of Airlie and the rest of the heretours declaires that they are willing to take course for the bettering of it ; And (t)herefore the said Earle of Airlie and the rest of the Heretours appoints the morn eight days to meet at Lentrathen for the laying downe of some course for the repairing of the Manse (but failed in that).

In respect there is no provision for Communion elements, the heretours are to take this to their consideration also.

The minister being asked anent the gleib, and he declairing it was not according to the Acte of Parliament, the Earle of Airlie, with the other heretours, are content that it be made out so : quherefore the minister is to have the Acts of Parliament in readines against the day of meeting formerly appointed.

The minister being asked anent the provisione for a scoolmaister, he declaires it was not payed for the most part by those lyable in payment : quherefore they promise to take some course also hereanent.

The heretours also promise to take course for the repairing of the church as to any part found ruinous therein.

There is twentie punds of Scots money in the box, as the minister and elders being asked do declaire : no mortifications or money layed out belonging to it.

(The minister of Lentrathen, after longe delay till the former manse fell of its owen accord, having advysed with my Lord Airlie, did build up a new manse in another place upon his owen expenses, excepting some assistance made by the said Earle ; and he with the heretors condescending to pay the minister what he should depurese thereupon when it should be pryzed.)

The portions of the minute in brackets were added subsequently.

The practice is found after the Revolution. The Presbyteries of Perth and Dunkeld, having approved of " a motione for visitatione of Churches within their bounds," on June 19, 1695, appointed the first visitation to be held at Collace (Colese) ; and, on September 30, 1703,

adopted an overture to the effect "that the Presbytrie make conscience of proceeding in parochiall visitationes by circuite among them, as the affaires to be determined at place of their ordinary meetings will allowe." The Presbytery of Dunkeld, "considering that the Presbyterial visitations of paroches have been for some time delay'd," on January 28, 1729, appointed that the parish of Logirate should be next visited. The practice, however, dropped, and parishes were visited for some special purpose.

#### § 22. THE MERCHANTS OF MONTROSE

The North African Corsairs were the scourge of European commerce. The Records of the Ecclesiastical courts, and of the Privy Council, contain many references to contributions, and to collections authorised and made, for the ransom of prisoners "with the Turkes."

In the *Ratray Kirk-Session Register* this minute occurs under date September 14, 1656:—"Eodem, ther was given to ane Peter Clair, for to help to pay the ransome of his father and two of his bretheren who wer taken by the Turkes in the Ile of Tunnes, one lib. 10s."

Among the "referrs" from the Synod of Angus and Mearns to the Presbytery of Meigle, in April 1660, was the appointment of "a new collection for James Gardner, a Bruntiland man, prisoner among the Turks."<sup>1</sup>

On August 22, 1672, a petition was presented to the Privy Council, in name of the wives, children and friends of Thomas Finnie, John Lyon, John M'Lirie, Robert Rae, Gilbert Hamiltoun, John Taylor, and Thomas Gregory, seamen in Partouncraig, for themselves and in name of the ship's company after mentioned, bearing that the ship called "The Golden Salmund" of Glasgow, owned by William Anderson, provost of Glasgow, and his co-partners, and of which George Chalmer was Master and Archbald Crawford was merchant or supercargo, "being upon her first voyage bounding towards Cadiz in Spaine and sailed with eightein men and boyes in the moneth of March last, the said ship was taken by a Turkish man of warr near Salzie, and the said Thomas Gregory was also taken prisoner in another vessell a considerable tyme before; which hail persons are sold for slaves and continow ever since in cruell slavery and bondage, and for ever will remain so except by the Christian charity and compassion of their countrey men they be not ransomed, which will cost betwixt thrie or four hundreth dollours for each person"; and praying that a voluntary contribution for their ransom might be made throughout the kingdom. The Privy Council gave the desired permission and

<sup>1</sup> *MS. Register of the Presbytery of Meigle, May 1, 1660.*

ordered the collection to be transmitted to John Rowand, merchant in Greinok.<sup>1</sup>

The collection for the Merchants of Montrose was authorised by the Privy Council. The Act explains the circumstances :—

*November 15, 1677.*—Act appoynting a voluntar contribution for reliving some prisoners with the Turkes.

The Lords of His Majesties Privy Councill having considered a petition presented to them in behalfe of Robert Williamsons, skipper in Montrose, David Wood, his mate, William Williamson, Thomas Hog, David Simpsons, William Drimmie, James Bonar, William Woods, James Boutchart and John Millar, mariners, for themselves, and in name and behalfe of the remanent seamen and mariners of the good ship called the “ Issobell ” of Montrose, representing that, in the month of September last bypast, they, having the forsaid ship loaden from the Rotchell homeward with salt and brandie, were most unfortunatly encountred by a Turkish man of warr belonging to Algiers, and by him caryed up to the said port, and ever since there detained and imprisoned and most inhumanly and barbarously used as slaves in a most sad and miserable maner under the tyrannie and slavery of these infidells, not having any means left them to ransome or procure their liberty, and, therefore, humbly supplicating that order and warrant might be granted for a voluntar and charitable contribution to be collected throw the whole kingdome in order to their releiffe, the saids Lords of Councill doe hereby give order for a voluntar contribution to be collected throw the kingdome for ransoming of the forsaid persons, prisoners with the Turks, and recommends to the Archbishops and Bishops to cause intimation be made therof in the severall paroch churches within their respective diocesses ; and ordains John Gentleman, merchant in Montrose, to be collectour of the said contribution, and to find caution that he shall employ the same for the use forsaid, which caution is found for the said Collectour accordingly.<sup>2</sup>

<sup>1</sup> On May 27, 1674, the Moderator of the Presbytery of Dundee distributed among the brethren copies of the Act of the Privy Council authorising a collection “ for the ransom of our Christian brethren takn by the Turks.” On April 19, 1676, all the members of that Presbytery declared that they had “ collected a contribution for the releefe of our Christian brethren under the Turkish slavery at Algiers,” and were instructed to deliver the collection to Dr William Moore at St Andrews. On June 20, 1677, it was reported that all the members had given up their contributions save the minister of Maines, who would do so at the ensuing Synod.

<sup>2</sup> *Register of the Privy Council*, Third Series, v. 281-2. At Edinburgh, on November 18, 1677, John Gentleman appointed Thomas Butter, writer in Perth, his factor for receiving from the Diocese of Dunkeld, and the Presbyteries of the Diocese of St Andrews, and parishes within the Sheriffdom of Perth, the voluntary contribution on behalf of the merchants of Montrose.

Registered February 1, 1678 (*Perthshire Deeds*).

Thomas Butter, Town Clerk of Perth, was designated only lawful son now in

The Presbytery of Dundee, on March 5, 1684, appointed a collection to be made throughout the bounds, except in the Town of Dundee, where a collection had been already made, for the relief of Peter Smith in Dundee, who had been captured by the Turks.

The Kirk-Session of Alyth, on June 8, 1684, gave 20/ "to a supplicant, Robert Drummond, whose son has been under the Turkish gaillies"; and the Kirk-Session of Cowpar-Angus, on November 15, 1684, voted 36/ Scots to "One Mistris Pembrose, ane Irish gentlewoman, having ane honourable testimony, with his Majesty's recommendation, for supplie to her husband taken by the Turks."

The first notice of the collection in the *MS. Register of the Presbytery of Dundee* occurs under date January 16, 1678:—

"The Moderator produced ane order from the Lords of His Majestie's Privie Counsell for a voluntarie contributione to be collected thorrow the whol kingdome for the releefe of some of our countrey men, inhabitants in the Toune of Montross, who were taken captive by the Turkish pirratts at . . ., which was read, and the brethren ordered to make intimation thereof at ther several parish churches, and collect a contribution for that effect."

On May 1, 1678, the brethren who had not made a collection were life and heir apparent of the deceased George Butter of Clashbenie (*Perthshire Deeds*, April 15, 1686).

"This day, the Moderator produced a letter from the Lord Archbishop of St Andrews anent a contribution for several persons in Montrose, which were taken prisoners by the Turks. In obedience thereto, the several brethren are appointed to go about the said collection with their first convenience, after they have gotten the Council's Act for intimation of it to their people" (*MS. Register of the Presbytery of Perth*, January 16, 1678).

The gentlemen of Perthshire being in the West, the Presbytery continued the collection for the prisoners by the Turks till their return (*Ibid.*, February 13, 1678).

The gentlemen of Perthshire being returned from the West, the Presbytery appoints the collection for the prisoners taken by the Turks to be gone about. The brethren complaining that they had not the Acts of Council for intimating the said collection to their people, the Moderator promised to get them from the Sheriff-Clerk of Perth against the next day (*Ibid.*, March 6, 1678).

The brethren are appointed to intimate the collection for the prisoners of Montrose among the Turks with their first convenience, and to deliver in the same to Thomas Butter, writer in Perth, who is appointed to receive the same (*Ibid.*, May 8, 1678).

The brethren being enquired by the Moderator if they had collected and given in their contributions for the prisoners among the Turks, and likewise for the harbour of Eyemouth, most of them declared they had given in their collections already for both of them; and the brethren who have not as yet done it are appointed to take it along with them to the Synod (*Ibid.*, September 25, 1678).

The Lord Archbishop and Synod, understanding that the collection gathered for relieving the prisoners in Saly belonging to the town of Montrose was not employed that way, did appoint the Moderator of Arbroath and Mr George M'Gill and Mr James Carnegie to go to Montrose for getting information in that matter, and to give an account of it to the Lord Archbishop against the 11th of next instant (*Ibid.*, March 12, 1679).

v. Chapter III., Collections, and *supra*, Presbytery of Dundee.

again appointed to do so. On April 9, 1679, the minute proceeds :—  
 “ Some brethren, being asked be the Moderator whither they had collected for the fornamed harboures (*v. infra*), answered they had according to the order therannent : they were appointed to bring it to the Synod. Others of the brethren declared that they had that contribution (which was collected for relieving of the prisonners in Turkie belonging to Montross) yet in ther custody. The Moderator desired them (having made intimation to the Session that they would apply it for the use of thos peers off Stonhaiffe and Peterhead) to bring it along with them to the Synod.”

### § 23. THE PIER OF ANSTRUTHER

The petition of the magistrates is preserved among the Warrants of the Privy Council. It is as follows :—

*December 2, 1686.*—“ Unto the Right Honourabil The Lords of His Majesties Privie Councill. The humble petitione of the Magestrats of the Burgh of Anstruther Easter, Sheweth,

“ That the Harbor of the said Burgh haveing bein of great use not onlie to the inhabitants thairof but to all veshells comeing or goeing from the firth by a conveniencie of saiftie in tyme of storme, but by the occasione of the rewine of the peir the harbour is decayed (which is the great strength they have, both naturall and artificiall, for preserveing the housses of the toun against the ocean), and therby the Burgh is brought to miserie, the inhabitants to extream penurie and want, the housses decayed wheirby they are not able to reparaire the said peir, neither able to mentain their Royaltie nor pey his Majesties supplie and other publict burdings, lykas their is theirby great loss of a saiffe harbour for veshells comeing or goeing out of the firth.

“ May it, theirfor, please your Lordships to grant warrand for a voluntar contributione threwh the wholl kingdome for reparatione of the peir, so necessarie both for the preservatione of the said burgh from utter rewine, and for saiffe accomodatione of veshells comeing or goeing out of the firth.”

The Act in their favour runs :—

*Edinburgh, December 2, 1686.*—“ The Lords of His Majesties Privy Councill, having heard and considered the within written petition, doe herby give order and warrant for a voluntar contribution to be collected forth of the shires of Stirling, Clackmannan, Fiffe and Kinrose, Forfar, the three Loutheans and Berwickshire towards the repairing of the peir of the harbour within mentioned ; and recomends to the Archbishop and Bishop of the respective dioceses within which the saids shires ly to cause their ministers, on a Lord’s day imediatly after divine service, to cause

intimation be made hereof ; and appoynts Sir Philip Enstruther of that Ilk to cause the said collection be faithfully brought in and effectually employed for the use forsaid and that with all diligence.

*Perth. Cancell., I.P.D."*

The magistrates of Anstruther Easter afterwards represented that the contributions of the Counties, in which the Privy Council had permitted a collection to be made, would not pay one half of the expense of repairing the pier and harbour ; and, on the ground that the harbour had been of great service to the northern counties, prayed the Council to authorise a collection from all the shires north of the Tay. On January 27, 1687, the Council granted the prayer of the petition and recommended the Prelates to make the necessary intimations.

#### § 24. ACT IN FAVOUR OF JOHN REID, SKIPPER IN LEITH

The *MS. Register of the Privy Council*, 1685-88, has disappeared. The object of the Act in favour of John Reid cannot, therefore, be determined from that source.

Fountainhall refers to an action raised by Malcolm Macalla, skipper in Leith, against John Reid, skipper in Leith, for assault and mutilation. On July 2, 1685, Reid was fined 3000 merks and ordered to be imprisoned till that sum should be paid.<sup>1</sup>

### APPENDIX A

#### ATTENDANCE OF ELDERS AT PRESBYTERY MEETINGS (p. 29)

Elders were exhorted to attend the meetings of the newly-erected Presbyteries, but were not required to do so save upon special intimation.<sup>2</sup> Later, however, they were enjoined to be present under threat of censure, suspension, and deposition.

In 1640 the General Assembly, which met at Aberdeen, passed the following " Act for Ruling Elders keeping of Presbyteries " :—

" The General Assemblie ordaines that in everie Sessioun four or five ruling elders be chosen of the ablest men in the Session, who shall from Synode to Synode keep by course, everie man his moneth, to attend the Presbyterie ; and if at any tym his businesse will not suffer him to attend, that he deal with another to supplie his absence, and the absentes to be censured as if they were ministers : and whosoever shall despise the employment, that he be declared incapable of his charge " <sup>3</sup> (August 4, Sessio 9).

<sup>1</sup> Fountainhall's *Historical Notices*, ii. 650-1.

<sup>2</sup> Peterkin's *Booke of the Universall Kirk*, 249.

<sup>3</sup> *MS. Register of the Synod of Perth and Stirling*, April 1642. Extracted by James Murray, appointed by the Assembly Depute to the Clerk, Mr Archbald Johnstoun,

It was reported to that Synod, in April 1641, that the ruling elders of the Presbytery of Dunkeld attended the meetings not "at all or very seldom," and that those of Perth were also remiss. The Synod requested the General Assembly to consider how elders might be compelled to be present at such meetings.

The Act of 1640 was reported to the Synod in April 1642, and when it appeared that ruling elders seldom attended their meetings, the Presbytery of Dunkeld were enjoined to enforce it. The Presbytery of Perth, on May 11, 1642, ordered each minister to bring his representative elder to the next meeting, or at least shew diligence. On the 18th, the only elder present was the laird of Bachiltoun; of the others it was reported that they were "presently in the civil court at the service of Annandale and Bavaird." The elders present on the 25th were Leys, Fyngask, Easter Moncrieff, Kincarrochie, Bachiltoun, William Kerr, and David Brown: it was stated that the other elders "would not keep." On December 28, the Presbytery resolved to enforce attendance; and on January 4, 1643, the ministers were appointed "to advertise ruling elders to be present this day 15 days that course may be taken for their attendance." No elders are mentioned in the sederunt of January 18: on that day, Mr John Robertson, minister at Perth, undertook to produce the Act of the General Assembly on the subject.

The Presbytery seem to have proceeded no further.

Among the Recommendations of the General Assembly of 1643 was one "to the Lord Marquesse Argyle, to move the ruling Elders in Argyle to be more observant of Presbyteries and Synods."<sup>1</sup>

The Synod of Perth and Stirling, in April 1647, considering the absence of elders from ecclesiastical judicatories to be "ane commune evill" throughout the country, ordered that the advice of the General Assembly should be obtained on the matter; and in October 1649 enacted: "That the severall ministers sall deall seriouslie with their ruling elders for exact keeping of Presbyteries and provincial meetings; and, in case of absence, that they be gravely admonisht; and gif efter admonition they shall be found absent 3 several days without a lawful excuse, that they shall be cited to the Presbytery and Provincial respective and there sharply rebuked; and if after rebuke they shall againe be found absent three severall days, they sall be suspendit till they evidence their repentance; and if they sall be found to despise the said censure, by not seeking to be relaxit therefra, they shall be deposed from their eldership in face of the Congregation."

The Synod, in May 1651, renewed that Act; and appointed that representative elders should be elected immediatly after the meeting of the Synod; and that elders who failed to attend the Presbyterial meetings should be censured by the following Synod.

Elders were required to attend the Synodal meetings.<sup>2</sup>

The Synod of Perth and Stirling, in October 1639, enjoined that three or four Sundays before each Synod, ministers, with consent of their Kirk-Sessions, should choose one of the ablest resident elders to be a commissioner and inform him of the date and place of meeting, under pain of censure: but in October 1640 minuted that "the Act anent the establishment of ruling elders is continowed till more peaceable tymes." In October 1641, the ruling elders requested the Synod to deal with absentees. "Some of meaner qualitie" stated that they were unable to attend

<sup>1</sup> Peterkin's *Records of the Kirk of Scotland*, 361.

<sup>2</sup> *v. p. 35 supra*, Synod of April 1639.

because of lack of means and the claims of their business. The Synod remitted to Kirk-Sessions to consider how the elder might be refunded his expenses, and if he be unwilling be forced to attend the provincial meetings. In the Register of that Synod, it is stated that no ruling elders were present from the Presbytery of Dunkeld at Dunblane in April 1653. Members of the Presbytery declared that none had been chosen inasmuch as in their congregations they had not "such as are in a capacitie." The Synod, in October 1659, having noted that few ruling elders were present, asked each minister whether he and his Kirk-Session had chosen an elder for that meeting—"yea or not." Most of the clergy stated that elders had been chosen. The Synod ordered them not only to choose elders, but to require them to be present at the meeting of the Synod and, if they failed, to enforce the Acts of the Synod against them.

## APPENDIX B

## MR JOHN HALL (p. 82)

Mr John Hall matriculated at St Leonard's College, St Andrews, as a student of the second year, on March 5, 1666, and graduated Master of Arts on July 25, 1668.

He studied Theology at the New College, St Andrews.

He was proprietor of the estate of Newtyle (Newthill), in the parish of Caputh.

*References to him in (1) Register of Sasines for Perthshire and (2) Register of Deeds of the Sheriff Court of Perthshire.*

Mr John Hall of Newtyle, as attorney for Thomas Bissat, portioner of Dungarthill, gave sasine, December 2, 1680, to Margaret Brydie of a  $\frac{1}{8}$ th part of the lands of Dungarthill, and another part of the said lands, in warrandice, proceeding on a marriage contract.

Registered December 10, 1680.<sup>1</sup>

John Hall, student of St Andrews, witnessed, November 2, 1667, an Instrument of Factory (valid till November 24, 1669), by Marie Merser, daughter of the deceased Mr James Merser, minister at Cluny, with advice and consent of Mr George Haliburton, minister at Cowpar-Angus, in favour of Mr James Merser, her brother-german.

Registered November 24, 1667.<sup>2</sup>

Mr John Hall of Newtyle, and Mr James Rattray, minister at St Minnans, witnessed, at Cluny, September 25, 1676, the signature of Mr James Rattray as consentor to a disposition by Anna, youngest daughter of John Rattray of Milnholl, of her share of her father's estate.

Registered April 17, 1677.<sup>3</sup>

Mr John Hall, as one of the curators of James Bryddie, son of the deceased William Bryddie of Mackliemore, consented, May 2, 1679, to the appointment of Thomas Robertson in Dungarthill, and William Moncrief, fiar of Marsland, as factors on the lands of Mackliemore.

Registered August 6, 1679.<sup>4</sup>

<sup>1</sup> *Perthshire Sasines.*

<sup>3</sup> *Ibid.*

<sup>2</sup> *Perthshire Deeds.*

<sup>4</sup> *Ibid.*

Mr John Hall of Newtyle (Neutyil) signed at Melginsh, September 13, 1672, an obligation to deliver to Mr James Mercer of Melingsh, or any having his authority, the following books, in as good a condition as he received them, and that before Whitsunday 1673, under a penalty of £50 Scots:—

The Second volume of the *Inglish Noatts* in folio: the first volume of *Perkins* in folio: Amesius on the *Psalmes* in quarto: *Maresii Matrologi* in quarto: *Theminci Examen Consilii Tridentini* in folio: *Darens in Genesis Mathæum*, and *A of the Minor Prophets* in folio: Calvin's *Harmonii in Evangelistas* in folio.

The bond was assigned, October 2, 1679, to James Blair of Spoutwells.

Registered November 12, 1679.<sup>1</sup>

<sup>1</sup> *Perthshire Deeds.*

## CHAPTER VI

### FASTI OF THE PRESBYTERY OF DUNKELD, 1661-89

#### AUCHTERGAVEN AND LOGIEBRIDE

##### 1. Alexander Anderson, 1628-1665.

He matriculated at St Salvator's College, St Andrews, in 1612, and graduated Master of Arts in 1615.

He was minister at Dunkeld and Dowally on February 10, 1627.<sup>1</sup> In 1618 the Commissioners anent the Plantation of Kirks, appointed by the Parliament of 1617, united Auchtergaven and Logiebride. Ignoring that enactment, the Bishop of Dunkeld, in 1628, resolved that the parishes should continue to be served each by its own minister, and, with the advice of the Presbytery, translated Anderson to Auchtergaven, dividing the stipends, amounting to 80 bolls victual, between him and Chrystison, minister at Logiebride. The two ministers also contracted with each other to divide the stipends as modified at the union of the parishes.

In 1629,<sup>2</sup> however, the Bishop presented Chrystison to both benefices. The result was that a dispute arose between the ministers concerning the stipend, Chrystison claiming the whole of it, in virtue of his presentation, and Anderson affirming his right to the half of it, under his translation by the Bishop and Presbytery, which he alleged to be equivalent to presentation, and his contract with Chrystison. The subject came before the Court of Session. On February 15, 1631, the Lords delivered judgment on the case. They awarded the whole stipend to Chrystison, holding that a union of benefices appointed by Parliament could be annulled only by Parliament and not by the Bishop, and that the contract did not bind the parties, inasmuch as a presentation to the united parishes had been subsequently issued. Chrystison had alleged that Anderson continued to serve the parish of Dowally, and to uplift the stipend. The Lords remitted the allegation to probation, finding it unreasonable

<sup>1</sup> *Perthshire Sasines*. February 18, 1627. *v.* Cunison, senior, Chapter VI. *infra*.

On August 6, 1623, the Presbytery of Perth granted a request by Mr Adam Anderson, designated lawful son of umquhile Mr Henrie Anderson, burgess of Perth, for a certificate to be addressed to the Presbytery of Dunkeld, to the effect that he had exercised before them privately on three occasions, and had been approved.

<sup>2</sup> *Acts and Decrees*, vol. 442, 122. Christison claimed the stipend for 1629.

that Anderson should enjoy the whole stipend of Dowally and at the same time endeavour to obtain the half of another benefice.<sup>1</sup> The Lords, however, did not enforce their judgment. The *Register of Acts and Decreeets* bears, under date March 31, 1631, that they continued the case, and recommended it to the Bishop and Synod for settlement.

Anderson, however, continued to be minister at Auchtergaven. He was appointed Moderator of the Presbytery of Dunkeld after the meeting of the Synod in October 1641.<sup>2</sup>

In 1643 he was a member of the General Assembly.<sup>3</sup> On the union of Auchtergaven and Logiebride,<sup>4</sup> before March 7, 1650, he became minister of the united parishes, prebendary of Fordischaw, and Master of the Hospital of St George at Dunkeld.<sup>5</sup>

On July 24, 1650, at Dunkeld, he, with other members of the Presbytery, signed an obligation to pay to Mr Alexander Ireland, minister at Kincleven, and Mr Robert Campbell, minister at Mullin, his proportion of £1000 imposed on the churches of the Presbytery for "advancing and reaching forth ane regement to this presentt leavie and expedition."<sup>6</sup>

His son, Mr John Anderson, was admitted his colleague and successor before October 13, 1657.<sup>7</sup>

He conformed to Episcopacy, and died in 1665.

A Tombstone in Auchtergaven churchyard bears the following inscription:—

Here lyes Alexander Anderson, minister of the Gospel at this charge of Ochtergaven, who departed this lyfe 30 of January 1665, and of his age 72, and of his ministerie here 38 years.

Here lies the corps of Grissal Ballendene, his spouse, who departed the 11th of July 1665, and of her age 68.

Thy dead men shall live together, with my dead body shall they arise. Awake and sing ye that dwell in the dust.

*Hodie . Nobis . Vobis.*

#### 1. *References in the Register of Sasines for Perthshire.*

Mr Alexander Andersone, minister at Dunkeld, witnessed at Dunkeld, May 22, 1627, a charter by Robert Stewart in Gay, and Margaret Stewart, his wife, in favour of Donald Robertstone, fiar of Killchawie, and Isobella Stewart, his wife, of the lands of Dalnazuderone.

Registered June 6, 1627.

<sup>1</sup> Morrison's *Dictionary of Decisions*, 7946.

<sup>2</sup> *Synod Register*, April 1642.

<sup>3</sup> *MS. Acts of Assembly* (Library).

<sup>4</sup> *v.* Appendix A, vol. i. p. 325.

<sup>5</sup> *Perthshire Sasines*, March 18, 1650. On November 25, 1652, he was cautioner for Mr Robert Anderson, eldest son and excutor of the will of Mr John Anderson, minister at Cargill.

<sup>6</sup> *v.* Appendix A.

<sup>7</sup> *Synod Register*.

Mr Alexander Anderson, minister at Ochtergaven, as attorney for Isobella Creichtoun, second daughter of the deceased John Creichtoun of Haltoun, and promised spouse of William Stewart, fiar of Airleywight, son of Sir William Stewart of Grantullie, received sasine, in liferent, May 20, 1639, in presence of John Stewart, prebendary of Fongorth, of the lands of Airleywight, etc. ; proceeding on a precept in a charter granted by her husband, dated at Murthlie, May 20, 1639.

Registered May 31, 1639.

Mr Thomas Robertson, son of the deceased Thomas Robertson, citizen of Dunkeld, had sasine, March 7, 1650, of the lands called the croft of the prebendary of Fordischaw, etc. ; proceeding on a precept by the superior, Mr Alexander Anderson, minister at Logybryd, prebendary of Fordischaw and Master of the Hospital of St George within the Cathedral church of Dunkeld.

Registered March 18, 1650.

*2. References in the Register of Decreets of Perthshire Sheriff Court.*

Mr Alexander Anderson, minister at Ochtergavin, raised an action against the following persons, viz. :—David Duff in Nether Bleloch for two bolls of bear for crops 1650 and 1651, and 16s. yearly for vicarage for years 1650-52, for his occupation of the quarter lands of Bleloch : Andro Crichtone in Ochtergavin for one-half boll meal and one-half boll bear for his occupation of the one-eighth part land of Bleloch for crop 1648 : Duncan Ferguson in New Mylne of Logie for 4 bolls victual for Tullibelton for crop 1647 : David Haggart in Luncardie for 24s. vicarage for years 1647-48 : Patrick Fogoe in Bleloch for 1 boll victual for crops 1651-52 : Jonet Davidson in Lemoos 3 firlots 2 pecks victual for 1651-52 : Alexander Millar in Coustoun for 6 pecks victual for occupation of the mylne lands of Loack for crop 1646. He obtained decree as craved, save against Crichtone, whom the sheriff ordered to pay 40s.

Registered October 20, 1652.

Mr Alexander Anderson, minister at Ouchtergavine, raised an action against the following persons, viz. :—John Campbell of Seat for (a) 1 chalder victual for years 1646-52, as teind for the lands of Haltoun due to pursuer, as superior, in respect that the lands had fallen to him because of the defender's non-entry and non-payment of feu-duty for 7 years past, and (b) for £20 Scots for Gallow-hill, as superior thereof : Thomas Valentine, fiar of Drumbowie, James Bisset, Alexander

M'William and James Valentine, tenants and occupiers of the lands of Auchagowne, for £64, 13s. 4d. yearly for years 1646-52, due to him as superior in respect they had fallen into his hands by reason of their non-entry and non-payment of feu-duties for 7 years: Grissell Glas, life-rentrix, and Agnes Guild, tenant, of the lands of Drumnachrye, for £40 for years 1646-52, due to him as superior (*as above*): Thomas Young at the milne of Tullibelton for 1 boll teind victual for crop 1646, or 10 merks: John Malcome in Hill of Keiriellands for 3 firlots 2 pecks teind victual for crop 1652 at £10 per boll: John Dow in Craighaid, for his occupancy of Hill of Keiriellands, 3 firlots 2 pecks teind victual for 1652 at £10 per boll: David Duff in Neither Blelock, 2 bolls bear for 1652 at 20 merks per boll, 16s. vicarage for the said year, and 40s. yearly for 1646-47: William Dow, there, for 2 bolls bear for 1640, 1651-52 at 20 merks per boll, 2 firlots meal for 1652 at 11 merks, and 16s. vicarage for years 1649-53: William Whyt, 8s. yearly as vicarage for years 1646-53, and 1 firlot teind bear for 1652 or 5 merks: Robert Leitmane (?), six pecks bear for 1651-52 at £10 per boll: John Caithles, 6 pecks of teind victual for 1652 or 5 merks: James Duncan in Caidhauch (?), 1 boll teind victual for 1652 or 20 merks, £4 as rest of a compt, and 2 marks of vicarage for 1651-52: John Rioch, there, £21 as rest of a compt, 2 firlots 6 lippies for 1652 at £4, and 20s. vicarage for 1653: Patrick Fogoe, there, 1 boll teind for 1652 at 20 merks, 2 bolls victual for the same year, and 20s. vicarage for 1653: Margaret Reid, 1 merk yearly for 20 years due to pursuer as minister of Ouchtergavine: Andrew Webster in Inscrivie, 30s. yearly as vicarage for years 1639-53: William Dow, there, 33s. yearly for years 1648-53: William Sprunt and Bessie Fleymyng, there, each 13s. 4d. vicarage for years 1649-53.

John Gellathie in Meikill Obney, 20s. as vicarage for years 1649-53. He obtained decree as craved.

Registered August 19, 1653.

William M'Omie in Preistone of Auchtergaven, in name of the ministers, elders, and Session of Ouchtergavine, and with authority of Mr Alexander Anderson (given November 15, 1657), obtained decree against Alexander Stewart of Little Tullibeltan, ordaining him to exhibit the evidents and securities subscribed by the deceased Andrew Burt, sometime heritor of the lands of Tullibeltane, in favour of the defender concerning those lands, and to pay to him as factor £4 payable out of the said lands for years 1646-58; which sum was mortified by the said Andrew Burt to the poor within the parish.

Registered August 13, 1658.

2. John Anderson, *c.* 1657-1664.

John Anderson, son of Mr Alexander Anderson,<sup>1</sup> graduated Master of Arts at the University of Edinburgh on July 26, 1649.<sup>2</sup>

In October 1650, he was bursar of the Presbytery of Dunkeld at the New College, St Andrews, and continued to hold the bursary in June 1653. He was licensed before March 26, 1654, when he preached at Logierait.

On July 24, 1650, he witnessed the signatures of members of the Presbytery of Dunkeld to an obligation to pay £1000 towards the expense of a regiment "for our awne proportiones of our awne Kirks within our Presbitrie."<sup>1</sup> He was Clerk to the Presbytery of Dunkeld on June 20, 1655, when, in name of the Presbytery, he subscribed a letter to the Presbytery of Perth, acquainting them that the Presbytery had been informed that two members of the Presbytery of Perth, Mr John Murray, minister at Methven, and Mr John Cruikshank, minister at Redgorton, had taken a leading part in the "disorderly, scandalous, and unwarrantable" admission of Mr James Strachan to the church of Dunkeld on June 11, 1655, and asking if those ministers had a commission from the Presbytery of Perth, and, if not, that their conduct should be reviewed.<sup>3</sup> He was admitted colleague with and successor to his father before October 13, 1657.<sup>4</sup> On May 12, 1658, he appeared before the Presbytery of Perth, as a commissioner from the Presbytery of Dunkeld, with the request that they would appoint some of their number to meet with the Presbytery of Dunkeld at Moneydie, on May 19, to assist them in their endeavour to compose differences which had arisen among the heritors of that parish, regarding the stipend of Mr David Drummond, the minister.

Mr William Row, minister at Forgandenny, died in April—before the 28th—1658.<sup>5</sup> A Call to the vacant charge had been given by the Kirk-Session to Mr Hairie Auchinleck, minister at Mayns, but the Presbytery of Dundee declined to translate him.<sup>6</sup> On March 16, 1659, Mr William Oliphant of Colceuchar, Laurence Bonar in Forgundenie, and James Richardstone, younger, elders of the parish, appeared before the Presbytery, in name of the Kirk-Session, with a petition to the effect that, as on March 13 they had duly called Mr John Anderson, minister at Ochtergewin, to be their minister, the Presbytery would endeavour to obtain his speedy transportation. When "the right reverend Mr

<sup>1</sup> *v.* Appendix A.

<sup>2</sup> *Catalogue of Edinburgh Graduates*, 68.

<sup>3</sup> *v.* Chapter VI., Strachan, Weem.

<sup>4</sup> *MS. Register of the Synod of Perth and Stirling*.

<sup>5</sup> *MS. Register of the Presbytery of Perth*, April 28, 1658; *Perthshire Testaments*, Sheriff Court, November 1658 (p. 150).

His Testament and Inventory were given up by Thomas, his second son.

<sup>6</sup> *MS. Register of the Presbytery of Perth*, March 2, 1659.

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William Barclay, minister at Forteviot," met with the Kirk-Session on the 27th to hear objections against the nomination of Anderson, Laurence Oliphant of Condie declared that the call was informal, inasmuch as commissioners had not been appointed to hear him preach. It was replied that most of the Kirk-Session had heard him preach, though not at Auchtergaven. At the meeting of Presbytery on March 30, however, Oliphant passed from that objection, and the Presbytery appointed Mr Alexander Balneavis, minister at Tibbermure, to join the commissioners from Forgandenie in prosecuting Anderson's translation before the Presbytery of Dunkeld. Balneavis reported on August 3, 1659, that the Presbytery of Dunkeld, having considered the answers of the parish of Ochtergavin to the reasons of the parish of Forgoun for the translation, "did appoint Mr John Anderson not to transport, whereunto the said Mr John submitted." In October 1659, the Synod appointed him their commissioner to the Synod of Angus and Mearns.

On December 19, 1660, he was Clerk to the Presbytery of Dunkeld.<sup>1</sup>

He refused to conform to Episcopacy in 1662. Deprived of his cure, and enjoined to remove from his parish and Presbytery by the Act of Glasgow, he yet continued to discharge ministerial functions at Auchtergaven, and in consequence was reported to the Privy Council, as one of the ministers in the Diocese of Dunkeld who, in contempt of the Acts of Council, did "persist in their wicked practises, still labouring to keip the hearts of the people from the present government of Church and State by their pernicious doctrin."<sup>2</sup> On March 24, 1663, the Council ordered letters to be issued charging him to remove from Auchtergaven and the bounds of the Presbytery, to cease to exercise his clerical office either in public or in private, and to appear before them to answer for his disobedience. There is no evidence that those letters were served upon him.<sup>3</sup> That he remained at Auchtergaven, discharging the duties of his cure, appears from a reference to him in the *MS. Register of the Presbytery of Meigle* on August 11, 1663, when the minister of Cowpar-Angus was appointed to write to him in connection with a case of discipline. He was one of the ministers suspended by the Bishop at the Synod in October 1663, and deposed at the Synod in October 1664.<sup>4</sup>

<sup>1</sup> *MS. Register of the Presbytery of Perth*, December 26, 1660.

<sup>2</sup> *Register of the Privy Council*, Third Series, i. 351.

<sup>3</sup> No reference to letters following on that Act has been found in the *Register of Hornings for Perthshire*, or in the *General Register of Hornings*.

<sup>4</sup> Row's *Life of Blair*, 455. The reference to Mr John Robertson is regarded as a mistake for Anderson. There was no Mr John Robertson in the ministry in the Diocese of Dunkeld at the period (*Ibid.*, 473).

v. p. 153 (§ 7) *infra*. A Mr John Anderson, an outed, unlicensed minister, is stated to have been one of the preachers at conventicles held at Inverkeithing from September 1679 till May 1680 (Wodrow's *History*, iii. 196).

In 1685 Anderson became minister at Antrim in Ireland.<sup>1</sup>

During the Episcopal period many of the parishioners of Auchtergaven continued to hold Presbyterian principles, and retained their attachment to their former minister. Immediately after the Revolution—toward the close of 1688—a deputation of them crossed to Antrim, and invited Anderson to resume his ministry at Auchtergaven.<sup>2</sup> He consented to do so, and was one of the twenty-five clergymen whose action in leaving their charges in Ireland at that time to settle in Scotland met with the disapproval of the Synod of the Irish Presbyterian Church.<sup>3</sup> His return to Auchtergaven was not, of course, welcomed by the Episcopal incumbent, who, as was alleged by the parishioners, declared “that he would rather a popish preist hade preached ther” than Mr John Anderson.<sup>4</sup>

Anderson remained at Auchtergaven only for a few months. Messrs Adam Barclay and David Andersone, the ministers of Perth, were deprived<sup>5</sup> by the Privy Council, on September 3, 1689, for their failure to read the Proclamation of the Estates, dated April 13, and to pray for King William and Queen Mary in terms thereof.

On September 24, 1689, the Privy Council, on the grounds that the vacant church of Perth had not yet been supplied by the Magistrates, and that the meeting-house was unable to contain the ordinary worshippers and the large body of troops quartered there, authorised Archibald, Earl of Argyle, then commanding the forces at Perth, to employ such Presbyterian ministers as he should think fit to conduct public worship there during the vacancy; and ordered the magistrates to deliver the keys of the church to him as they would be answerable at their highest peril.<sup>6</sup>

To the regret of the parishioners, Anderson was called by the Earl of Argyle to officiate at Perth, and was formally translated thither by the Synod. The attachment of the vast majority of the people of Perth to their deprived Episcopal ministers, and their consequent antipathy

<sup>1</sup> West's *Historical Sketch of First Antrim Presbyterian Church*. In the Congregational Register of that Church there is no reference to Anderson.

<sup>2</sup> *MS. Register of the Presbytery of Dunkeld*, August 24, 1708.

Anderson continued minister at Antrim till 1688 (*Historical Sketch, supra*). His name does not appear in a list of the Irish Presbyterian clergy at or about the middle of March 1689 (Reid's *History of the Presbyterian Church in Ireland*, ii. 519-20).

<sup>3</sup> *Ibid.*, iii. 17-18.

<sup>4</sup> *v. Aison*, p. 158 *infra*.

<sup>5</sup> The petition for their deprivation was presented by James Browne, John Dow, and James Dewar, merchants in Perth. It was alleged that the ministers had prayed for King James, and for Viscount Dundee and his troops, and for the confusion of their adversaries.

Much light is thrown on the ecclesiastical history of Perth at that time by a document found in the archives of the city of Perth, and printed in Appendix B.

<sup>6</sup> *MS. Register of the Privy Council, Acta*.

to Anderson, their Presbyterian successor, were such, it is averred, that the services of the military were required for his protection even in the celebration of public worship.<sup>1</sup> The Town Council also objected to the exercise of his ministry, and declined to regard him as other than an intruder upon the Church and Parish. The minute of that body on January 20, 1690, runs :—

The Counsell, considering the absolut necessitie of sending over some of their number to Edinburgh to solicit my Lord Duke Hamiltone and other members of the Lords of Privie Counsell for indevoring to restore them of their liberties against Master John Andersone, the Presbyterian minister, his incrotchments one their ministrie and church, and other affairs of the Toune, have unannimously appoyntit the Provest, Dean of Gild, Baillie Flemying, and Deacon Conveiner as their Commissioners in the said mater; and appoynts the Thesaurer to provyde money for defraying their expenses, and the same to be allowed in his accompts."

On February 3, the Commissioners gave in a report with which the Council expressed themselves as "verie weill pleased."

On February 27, 1690, the Town Council subscribed presentations to the vacant cures in favour of Mr John Andersone, minister at Dysert, in succession to Mr Adam Barclay, and Mr William Poplay, minister at the Rind, in succession to Mr David Andersone. They were offered on the following day. On March 10, it was reported that Anderson did not wish to leave his charge, and that Poplay could not be prevailed upon to accept office. It was further reported that the Commissioners of the Town Council had, in each case, taken instruments in the Clerk's hands on the offering of the presentation; and had protested that, as the Town Council had made an appointment to the ministry within six months of the vacancy, their "*jus devolutum* might not fall," and that their right to present should be respected. At a meeting of the Town Council, the Kirk-Session, and the heritors, on August 14, Messrs James Lundie, minister of North Leith, and Robert Anderson, preacher of the Gospel, were elected ministers of Perth. Lundie, however, declined the office. Anderson was not then admitted. He became minister of Leuchars. On the refusal of Mr William Mitchell, minister at Edinburgh, to accept a presentation, the Town Council again called him to the ministry at Perth, and, on March 2, 1691, appointed Commissioners to

<sup>1</sup> Lawson's *History of the Scottish Episcopal Church*, ii. 135.

Perhaps he was the "Mr Anderson, a fanatic," noticed in *Scotch Presbyterian Eloquence Displayed* (96).

sue for his translation. It was reported, on May 4, that the Presbytery of St Andrews and Coupar had loosed him from his charge at Leuchars, and that his admission to Perth had been fixed for Thursday, June 4.<sup>1</sup>

On September 17, 1690, Anderson was appointed a Commissioner from the Presbytery of Perth to the first post-Revolution Assembly. At the next meeting, he requested the Presbytery to nominate him a representative member from the Presbytery of Dunkeld, within whose bounds his former parish lay, rather than from that of Perth. The Presbytery declined to do so, because he had been transported by the Synod from Auchtergaven to Perth and had since ministered there.<sup>2</sup>

On October 20, 1690, the Privy Council considered a petition by him. It bore that, since April 1689, he had officiated at Perth, at the desire and with the consent of the town and people; that the stipend, amounting to four chalders of victual (half meal and half bear), with £600 in money, and the small vicarage tithes of the landward part of the parish belonging to the Town, was based on an Act of the Town Council; that there was no decret of locality for it; and that James Oliphant, the Town Clerk, had refused to give him an extract of the Act anent the locality of the stipends of the ministers and the precentor. He craved the Lords to declare that he had right to half of the stipend payable to a minister of Perth for 1689, and to the whole stipend for 1690, and thenceforth during his incumbency; and to grant Letters of Horning charging the Town Clerk and his deputes to give him the required extract of the Act concerning the locality of the minister and precentor, and other documents, and also charging those in whose custody the Registers of the Church were to deliver them up. The Town Council opposed the petition. Among the archives of the City of Perth is an illuminative document containing their objections to it. It is as follows:—

“Answers for the Magistrats and Toun Counsell and Inhabitants of the Brugh of Perth, To the Petitione Given in by Mr John Andersone, preacher, To the Lords of Privy Counsell against them.

“WHEREAS the said Mr John Andersone represents in his bill that he did exercise his ministeriall functione at Perth since Apryll 1689, at the desyre and with the consent of the people of that Brugh, conforme to ane certificat under the hand of Mr James Inglis and Mr Robert [Gilbert] Melvill, alleadged Moderator and Clerk of the Presbitrie of Perth; and

<sup>1</sup> *MS. Records, Perth City.*

<sup>2</sup> Petitions by Anderson and the elders of Perth, with reference to the constitution of the Kirk-Session of Perth submitted to the Presbytery on October 8, 1690, and by them referred to the General Assembly, were remitted by that Court to a Commission.

that the former ministers in that Brugh being deposed in September last 1689, and Mr Andersonne haveing exercissed his ministeriall functione in that Brugh ever since, and that the stipend dew to the ministers in that place, consisting of 4 chalder victuall, 600 libs. money, and the small viccarage, is only settled by ane Act of the Toun Counsell, and that the Clerk refuses to give Mr Andersonne ane extract therof; and therupon craving that the Magistrats may be decerned to make payment to him of the half of the said stipend for the cropt 1689, and of the whole stipend for the cropt 1690, and in tyme comeing, and that the Clerk may be decerned to give him extracts of the forsaid Act of Counsell:—

“ 1. Itt is answered for the Magistrats that it is truly admired with what confidence such a petitione cane be presented to Their Majesties’ High Comissioner and Lords of Privy Counsell, because albeit it be notourly known that in the Toun and parochine of Perth ther be 2000 communicable persones at least, yet the supplican can never pretend that ther was above 30 of the parishoners that ever gave him the least call or invitatione to come and preach in that place<sup>1</sup>; and as he did only preach at the desyre of these persones in a privat meetting house, so these 30 persones are so mean and insignificant that never on of them was ever so much as upon the Counsell, or upon the Kirk-Sessione, except only two, who were ane year since, so it is strange how Mr Andersonne can pretend that he came to preach either at the desyre, or with the consent, of the people, the word (people) being only aplicable to the greater number.

“ 2. It is also strange how Mr Andersonne can pretend that his certificat produced is from any Prisbitrie legallie constitute, ther being no Presbeterian ministers within the Prisbitrie of Perth but only Mr Inglis, the pretendit Moderator, and Mr Alexander Pitcairne, minister at Drone; and they two haveing meet with other two young expectants who were never settled in any church, Mr Pitcairne, upon the accompt of Mr Inglis’ too great humor against the Toun of Perth, did actuallie desert them, notwithstanding wherof Mr Inglis and the other two expectants continowed to sit as a constitut Presbitry, and, haveing appointed on of the two expectants to be his Clerk, he and the other expectant did pass ane vote for granting of the said certificat; and your Grace and Lordships are to consider whither Mr Inglis, who received ordinatione from Bishops, and continowed under that Government peaceable untill he was deprieved for certain misdemeners not fit to be heir represented, sitting with two expectants who never hade a church, and on of which two was his Clerk,

<sup>1</sup> “ At Perth (or St Johnstown), where now a Presbyterian Minister is most illegally possessed of the Church, the tenth Man does not go to hear him, and particularly, not one of the Magistrates, though they were elected by Poll ” (*An Account of the Present Persecution of the Church in Scotland*, 58).

can either deserve the authoritie or reputatione of a Prisbitrie legallie constitute.

“ 3. Mr John Andersone did so farr prevaill with that pretendit Presbitrie, and the said Prisbitrie did so farr usurp, as to nominat certain persones to be members of the Kirk-Sessione of Perth, and all which are nominat out of these 30 insignificant persones from whom Mr Andersone alleadges he hade his first invitatione to come and preach in that meeting house at that place ; and albeit the Magistrats did compeir and give in ane protestatione against the same, foundit upon the unanswerable grounds and reasones therin contained, and which protestatione is heir with produced (and humblie desyred to be read), and albeit Mr Alexander Pitcairne did think the reasones therin contained just and reasonable, and sufficient to have stopt the procedor at the tyme, yet the said Mr Inglis and his two expectants did brisklie reject the same, and it is referred to any judicious persones whither or not such a procedor in electione of elders of a Kirk-Sessione was practised under Presbeterian Goverment in any tyme bygone.

“ 4. Mr Andersone neither haveing a call from the people nor major pairt therof, nor from the Magistrats nor any of the Toun Counsell, he cane have no pretence to any part of the stipend.

“ 5. Befor the leat Act of Parliament resinding of patronages, all vacant stipends did by law belong to the patrons, and by that Act they are applicable to peious uses at the sight of the patrone, and whatever by law did not belong to the last incumbents, the same is appointed to be bestowed by the patrons upon peious uses ; and the Magistrats offers to prove that whatever stipends did not belong to the last incumbents by law is actually applied conforme to the said Act of Parliament.

“ 6. The greatest pairt of the stipend paycable to the ministers of Perth being payable out of the Toun's lands of Blackfriars and Chartorhouse, the haill grouth of these lands, both of the cropt 1689 and this cropt 1690, were eatten up and destroyed by their Majesties' forces, so that if any pairt of the stipends be not yet disposed of as said is, the same is upon the acompt of the said tottall devastatione, wherby the Toun is totallie depryved of the two yeares rent of these lands.

“ 7. The said Mr John Andersone being formerly minister at Auchtergavin befor the year 1661, which hath about a 1000 pound Scots of stipend, and being tourned out for not complying with Episcopassie, he hath reentred to the said church, and by Act of Parliament hath right to the half of that stipend 1689, and haill cropt 1690, so that it is most absurd in him to pretend to the stipend of ane parish for these terms ; and seing he hath no intrest in the stipend of Perth, for the

reasones above writtne, he had no intrest to crave ane extract of the Act of the Toun Counsell wherby the same is payable.

“ 8. And as for Mr George Monrro, the precentor, he neither doeth nor will complain against the Magistrats, and his parochiners are readie to declaire the same, and the suplicant cane have no intrest in the Registers of the Sessione for the reasones forsaid : in respect wherof, the desyre of the bill aught to be refused and the Magistrats and Toun Counsell assilozied.”

The Lords of the Privy Council found that Anderson had been employed by the Earl of Argyle to preach at Perth by virtue of an Act, dated September 24, 1689, and granted the prayer of his petition so far as regarded the stipend.<sup>1</sup>

The hostility toward him of the Council of Perth, who had previously complained of his encroachment on their church and ministry and on other affairs of the Town, deepened with the success of his petition. They endeavoured to obtain an Act of the Privy Council for his removal. The minute of the Town Council of date December 8, 1690, is as follows :— “ The Counsell agrie and condescend that the Provest wreit to James Rollo to bill the Counsell anent the removeing of Mr John Andersone from this church ; and, he being removed and discharged from preaching any more heir, the Counsell condescends that the vaccancie of this church shall be supplied by the Presbitrie *per vices* untill the same be legallie filled up.”

At the same meeting, the Town Council appointed a committee to “ commune with Mr John Andersone,” with the object of obtaining a composition of the stipend awarded to him by the Privy Council. The committee reported on December 15 “ that he will not condeshend to quyt one farthing therof.” The Council, accordingly, in obedience to the Act of the Privy Council, instructed Charles Stewart, late Treasurer, to pay to him the stipend legally due for 1689 and 1690.<sup>2</sup>

The Presbytery, on January 14, 1691, at the request of Lord Kinaird and other heritors of Erroll, for supply, in order to the admission of a minister, appointed him to preach there. At the following meeting, February 4, it was reported “ that Mr John Andersone did not preach at Erroll, according to appointment, by reasone that the Lord Kinaird and other heretores did send Mr Francisce Raite, pedigoge to the Lord Kinaird’s children, together with a nottare publict, to make intimatione

<sup>1</sup> The Town Council were permitted to retain the stipend of the second minister during the vacancy (*MS. Records of Perth City*, December 8, 1690).

<sup>2</sup> Viz. : £300, and 2 chalders half meal, half bear, at £6, 6s. 8d. for each boll of bear, and £6 for each boll of meal, for crop 1689 : and £600 money, and 4 chalders victual, as above, for 1690. The victual was to be paid by the Laird of Balhousie between Yule and Candlemas out of the parsonage teinds due by him to the Town (*MS. Records of Perth City*).

to Mr John Anderson, that they discharged him to preach the morrow at Erroll, and thereon took instruments; and that this was done notwithstanding they desired the Presbytrie to send on of their number to preach at Erroll: as also that the saids persones did goe to the church of Erroll, and took instruments that Mr John Anderson did not come there to preach, albeit they had desired it, and the Presbytrie appointed it. This they did, notwithstanding the Saturneday before they by way of instrument discharged him to come."

He opened the first meeting of the Synod of Perth and Stirling after the Revolution, March 4, 1691, with prayer, and was elected Moderator; and on April 7, 1691, opened the meeting of the Synod with a sermon on Isaiah 62. 6.

On June 30, 1691, he was admitted to the charge of Leslie in Fife<sup>1</sup>; and, on August 11, 1691, was awarded by the Privy Council the second half of the stipend of Auchtergaven for 1690.<sup>2</sup> He was Commissioner from the Synod of Fife to the Synod of Perth and Stirling in October 1691.<sup>3</sup>

On December 15 of the same year, he, as Moderator of the Presbytery of Kirkcaldy, Mr Arthur Shepherd, minister of the Gospel, David Christall and William Chaplane, bailies of Burntisland, and Sir William Lockhart, their Majesties' Solicitor, were complainers in an action before the Privy Council concerning the conduct of certain bailies and others in Burntisland, in delivering the keys of the church to Mr George Johnston, the deprived minister, and refusing access to the church to the minister appointed to preach there by the Presbytery. The Lords discharged Johnston from further preaching at the church until the ensuing General Assembly had considered his case, and ordained the keys to be delivered up to the Moderator of the Presbytery of Kirkcaldy.

The Town Council of Perth refused to pay him the stipend due at

<sup>1</sup> *Selections from the Minutes of the Synod of Fife*, Appendix, 232.

<sup>2</sup> The other half of the stipend was given to Mr William Aison (*q.v.*).

<sup>3</sup> The following references to Anderson are found in the *Scroll Minutes of the Synod of Fife*, preserved in the Library of the Church of Scotland:—

*October 1, 1691*: Appointed a Correspondent with the Synod of Perth and Stirling. *April 1692*: Appointed Moderator of Synod. *October 1692*: A member of a Committee on the settlement of a minister at Burntisland, on the "affair" of Dunfermline anent Mr Coupar, incumbent, and of Kinghorn anent Mr Patrick Lyon, incumbent, and on the disjunction of the Presbyteries of St Andrews and Coupar. Appointed to revise the Book of the United Presbyteries of St Andrews and Coupar. *September 1695*: Elected Moderator of Synod. *April 1697*: One of a Committee to confer with the Presbytery of Dunfermline, some heritors, and some of the Town Council regarding the filling of a vacancy in that Church. *September 29, 1702*: Mr John Anderson, Principal of St Leonard's College, stated to the Synod that the money yet received for rebuilding the burnt portion of that College was insufficient for the purpose, and requested the Synod to recommend the members to urge their Congregations to contribute to the expense of the work. The Synod granted his request, and asked him to deliver copies of the Act of Privy Council on the subject to the Moderators of the several Presbyteries.

Whitsunday 1691, on the grounds that he had received no call from them to the ministry at Perth, that he deserted his charge in April, and that they had already paid the stipend claimed to Mr Robert Anderson, who, as was averred, began to serve the cure in April, but who was not admitted till after Whitsunday. Anderson raised Letters of Horning against them, which were duly suspended. On February 22, 1692, it was reported that an agreement had been made between Anderson and representatives of the Town Council, under which he was to receive 570 merks.

He remained minister of Leslie till September 1, 1697, when he was translated to St Andrews as minister of St Leonard's Church and Principal of St Leonard's College.<sup>1</sup>

Principal Anderson died in February 1708.<sup>2</sup> He married Anna Waugh. They had children: Mr Alexander, in 1707, Minister at Falkland, and afterwards Minister at St Andrews, George, Jean, Ann (who married Mr James Nairne, Minister at Forgan), Mary, and Margaret.<sup>3</sup>

On a mural tablet at the south-west corner of the churchyard of St Andrews these words are carved:—

In  
Terra Sacrata  
Juxta Hoc Monumentum  
Conduntur reliquiae  
Reverendissimi viri  
In Academia Andreana  
Collegii Leonardini  
Prefecti  
Qui obiit A.D. MDCCVIII  
et ejus conjugis Annae Waugh  
Dè Schaws in Cumbria  
Quae obiit A.D. MDCCXXVI.

Necnon eorum filii  
Allexandri Anderson de Kingask  
Ecclesiae Andreapolitanae Ministri  
Qui obiit v ID Nov. A.D. MDCCXXXVII

<sup>1</sup> *Selections from the Minutes of the Presbyteries of St Andrews and Cupar*, 98.

<sup>2</sup> *MS. St Andrews Com. Testaments*, September 1, 1708.

Mr James Nairne, minister at Forgan, was cautioner for Anna Wach, the widow and executrix.

<sup>3</sup> *Edinburgh Com. Testaments*, August 27, 1707. George died abroad.

Lord Nairn was "very willing" to have Anderson's son, Mr Alexander, settled in the ministry at Auchtergaven; but he had already accepted a call to "Kemoch" (Kemback) (*MS. Register of the Presbytery of Perth*, September 25, 1700).

He had been "occasionally present" at the admission of Mr Alexander Glass to Kinclaven on April 30, 1700, and had been requested by the Presbytery of Perth and Dunkeld to supply Auchtergaven on the two following Sundays.

et Isabellae Hay de Struic  
 ejus conjugis  
 Quae obiit A.D. MDCCXX.  
 Necnon et Jacobi Anderson de Kingask  
 Inclytae facultatis Juridicae Socii  
 Qui obiit iii Cal Jun MDCCXCIV  
 aetatis suae LXXV  
 et ejus conjugis Janettae Lindesay  
 filiae Patricii Lindesay M.P.  
 Quae obiit v Cal Oct. A.D. MDCCXCII  
 aetatis suae LXXV.

1. *Reference in the Register of Inhibitions for Perthshire.*

Mr Johnne Andersone, sometime minister at Awchtergavine, obtained letters of inhibition, June 14, 1677, against Donald Robertsons of Tulliebeltane, who, by bond for 1000 merks Scots, dated November 5, 1667, became bound to infest Andersone and his heirs in a yearly annual rent of £40 Scots to be uplifted from the lands of Tulliebeltane, and undertook to sign and deliver all needful documents for his security, and to pay the principal sum when required, on receiving due notice. The letters of inhibition were executed September 27, 1677.

Registered October 22, 1677.

2. *Reference in the Register of Deeds of Perthshire Sheriff Court.*

Mr John Anderson, minister of the Gospel at Leslie, subscribed at Perth, January 8, 1692, in presence of Thomas Whitson, notary in Rattray, Andrew Rattray, writer there, and Lauchlan M'Intosh, Collector of Their Majesties' Customs, a commission of factory in favour of Mr William Fraser, preacher of the Gospel, then at Auchtergaven, to uplift from the heritors and others liable in Auchtergaven the half-year's stipend for 1690, assigned to him by decret of the Lords, August 11, 1691.

Registered May 4, 1692.

3. William Aison, c. 1666-1689.

He matriculated at St Leonard's College, St Andrews, on February 7, 1640, and graduated Master of Arts in 1643.

He was admitted to Auchtergaven after May 27, 1666,<sup>1</sup> and, as Prebendary of Fordischaw, became a member of the Cathedral Chapter.<sup>2</sup>

The Register of the Presbytery contains a reference to a process of witchcraft brought before them by him, and closed by the death of the

<sup>1</sup> MS. *Register of Rattray Kirk-Session.*

<sup>2</sup> *v.* vol. i. p. 308.

person libelled.<sup>1</sup> He proved himself inconsistent in his attitude, however, if the allegation of his parishioners, in a petition to the Privy Council, be substantiated.

On April 13, 1689, the Estates of the Kingdom ordered a Proclamation, owning King William and Queen Mary as King and Queen of Scotland, to be read from the pulpits of the parish churches throughout the land, and enjoined that public prayer should be offered for their Majesties in terms of the Proclamation. Aison failed to obey; and, in consequence, a petition for his deprivation, signed by Patrick Gellitlie and James Dow in Obnie, James Grimmond in Belstoune, and John Gellitlie in Jackstoune, for themselves and in name of the rest of the parishioners, was presented to the Privy Council. The petitioners affirmed that "Mr William Easone, minister of Ochtergiven, casting off all fear [of] God, alledgance and dutie to ther Majesties, was so far from reading the said Proclamatiōne, and praying for their Majesties, that, on the conterare, he prayed that the Lord would exalt King James' horne above his enemies, and would confound and defeat them in their purposes and designes, and was so unconcerned for the begun glorious deliverance of this Kingdome from popery and slaverie and arbitrary power, that, when his parishioners came to the church to have joyntlie returned thanks to God Almighty for so remarkable a mercie, he, the said Mr William Eason, kept the church doors closs, and would neither enter the church himself, nor sufer the parishioners so to doe, for which they protested against him; and when Mr Andersone, who was formerly the petitioners' minister, was invited by the petitioners to preach in the said paroch, the said Mr William Eason said that he would rather a popish preist hade preached ther; and when his wyfe was sick and disparing of her recoverie, he actually consulted with a woman who is suspected by every on that knowes her to have ane familiar spirit; and, also, hes actually kept correspondance with the Viscount of Dundie, especially about the meall that was seized on those parts, wheranent he said, he wondered that Dundee was so long a calling for the meall, seing he was readie to assist those he should send."

The petition was considered by the Privy Council on October 8, 1689. Aison had been cited to appear and was present. He confessed that he had neither read the Proclamation of the Estates, dated April 13, nor prayed for their Majesties in the terms thereof, and, accordingly, was deprived of his benefice, forbidden to exercise the ministerial function in the parish, and ordained to remove from the manse and glebe at Martinmas.

In 1691 he presented a petition to the Privy Council, stating that for some years he had served the cure of Aughtergaven with great accept-

<sup>1</sup> *MS. Register of the Presbytery of Dunkeld*, November 2, 1681.

ance, and that by his deprivation, he had been "reduced to a miserable and near to a starving conditione, he being old and well stricken in years, and having a family of childrein and nothing to mantaine them with"; and craving the Lords to extend to him the clemency and bounty they had shown to others in his condition, by granting him the vacant stipend of his late charge of Auchtergaven for the year 1690. In support of the petition, he declared that, at the instance of the heritors, he had, for a considerable time, arranged for the discharge of ministerial duties to the parish by qualified clergymen, and that the heritors, as a declaration submitted by them shewed, were willing that he should receive the vacant stipend. To grant his crave would, he affirmed, be a most charitable act, he "being reallie ane object of pitie and compassion." The Privy Council, on August 11, 1691, granted the first half of the vacant stipend to him, and conferred the second on Mr John Anderson, minister at Leslie.

He continued to preach at Auchtergaven, if only occasionally.

The Presbytery, on February 6, 1695, instructed the Moderator to obtain letters of horning against him, Lord Nairn, Mr William Frazer, intruder at Aughtergaven, and the beadle, for delivery of the keys of the church; and, on May 11, 1698, ordered that letters of ejection should be raised against him. They were obtained and duly executed, as was reported, on June 8, 1698.

Aison died in 1700. From his will, given up by his only son, Mr John, decerned executor-dative on May 2, 1702, it appeared that David Campbell of Kethick and portioner of Litle Kethick, Mr William Maine, portioner of Litle Kethick, and David Coupar, there, were in his debt. Thomas Williamsone in Dunkeld became cautioner for the executor.<sup>1</sup>

He married Anna Ogilvy.<sup>2</sup> Their children were:—

1. John, who matriculated at St Leonard's College, St Andrews, on July 4, 1682, and graduated Master of Arts on April 17, 1685. On July 10, 1686, he witnessed an instrument of sasine in favour of Edward Paton, glover in Perth, of the land called Preistoun, parish of Ochtergavine, proceeding on a precept in a disposition by Margaret Paton.<sup>3</sup> A complaint was laid before the Presbytery, on April 3, 1700, to the effect that he did "violently possess" the grass of the Churchyard of Auchtergaven.

The Presbytery, on August 7, 1700, appointed Mr John Easson to appear at their next meeting to deliver up the Kirk box, bason, Kirk-Session books, and other property of the church. He failed to appear,

<sup>1</sup> *Dunkeld Com. Testaments*, May 2, 1702.

<sup>2</sup> *Perthshire Deeds*, March 3, 1697.

<sup>3</sup> *Perthshire Sasines*, August 28, 1686.

and disregarded other citations. The Presbytery, on October 23, adjudged him contumacious, and appointed him to be represented to the Sheriff. He was in Holy Orders, and, on April 24, 1706, was designated by the Presbytery an intruder in the parish of Cargill.

2. Jean, who, on February 21, 1689, had sasine of an annual rent of 500 merks to be uplifted from the lands of Pitnacree, in terms of a matrimonial contract between her and Adam Reid of Pitnacree.<sup>1</sup>

3. Catherine. At Balmacollie, on July 11, 1692, in presence of Mr William Smith, minister at Monydie, a matrimonial contract was entered into between Henry Moone of Forddie, with consent of Patrick Grant of Bonhard and Patrick Gray of Ledloch, his cousins, on the one part, and Mr William Aiesone, late minister of Auchtergaven, Anna Ogilvy, his spouse, and Catharine Aiesone, their second lawful daughter, with consent of Mr John Aiesone, her brother german, on the other part, by which the said Henry Moone and Catherine Aiesone bound themselves to solemnise their marriage before a certain date; and Henry Moone obliged himself to provide the said Catharine, in liferent and conjunct fie, in the lands of Forddie, her liferent being restricted if there should be heirs to one half. Mr William Aison became bound to pay with the said Catharine the sum of £1000 Scots in name of tocher-good, it being provided that if she died within a year and a day after marriage, without leaving children, only the first 500 merks should be paid, and that £500 should be at her disposal at her death, if without heirs, the liferent of her husband being reserved.<sup>2</sup>

*Reference in the Register of Sasines for Perthshire.*

Mr William Aissone, minister at Ochtergaven, and James Nicoll, schoolmaster there, witnessed, November 9, 1674, a renunciation by Andrew Bulzeons and others, in favour of Donald Robertsons of Mikle Tullibeltane, granting that the third part lands of Little Tullibeltane were lawfully redeemed.

Registered November 10, 1674.

BLAIR ATHOLL AND STROWAN

1. Mr Colin Campbell, 1647-c. 1666-7.

A son of Archibald Campbell of Lagvinshoch, and Christian, daughter of Alexander Robertson of Inchmagranoch, his second wife,<sup>3</sup> he matriculated at St Leonard's College, St Andrews, on February 15, 1638, and

<sup>1</sup> *Perthshire Sasines*, March 1, 1689.

<sup>2</sup> *Perthshire Deeds*, March 3, 1697.

<sup>3</sup> *The Scots Peerage*, ii. 187; *Perthshire Sasines*, November 24, 1625. Archibald Campbell was the fifth son of Sir Duncan Campbell of Glenurchy.

graduated Master of Arts on June 6, 1640, a year before the usual period.<sup>1</sup>

He was minister of Killin on April 8, 1643,<sup>2</sup> and was a member of the General Assembly of 1644.<sup>3</sup>

He served as a military chaplain with the army in England. On January 20, 1647, the Commission of the General Assembly charged the Presbytery of Dunkeld "to have a care that the Kirk of Killie be provyded and all ministeriall duties done there in the absence of the minister, who is now at the army in England."<sup>4</sup> The same body, on February 12, 1647, appointed a committee "to consider on the best way for provyding . . . Robert and Coline Campbells,"<sup>5</sup> and on February 15, in recognition of his services as an army chaplain and as minister at Killin, recommended him to the special consideration of the Presbytery of Dunkeld and the brethren associated with them,<sup>6</sup> for appointment to one of the vacant charges in Atholl.<sup>7</sup> He was minister at Blair Atholl on November 5, 1647.<sup>8</sup> The Synod, in April 1649, appointed him a member of a Committee associated with the Presbytery of Perth for the purpose of considering certain charges brought against Mr Edward Richardson, minister at Forteviot and Clerk to the Synod, but his name does not occur in the sederunt of that Committee. In April 1650, he and Mr Robert Campbell, minister of Moulin, his brother, were members of a Committee of the Synod appointed to request the Earl of Perth to destroy the Chapel and the tree, and to deface the well, of Struthell, which had become objects of superstition<sup>9</sup>; and were also nominated Commissioners for the visitation of the Presbytery of Ochterarder. In June 1651, the Synod nominated him and Mr George Haliburton, minister at Perth, members of a Committee "for trying the scandal on Sir William Bruce . . . of seeming compliance with the Sectaries." A month before, he had been reported

<sup>1</sup> The *Register of Graduates* contains this note :

"Sexto Junii Anno Domini 1640: Ante statutum tempus per supplicationem Decani facultatis Artium et reliquorum istius facultatis professorum per literas suas pro-cancellario significato Andreas Malloch gradum adoptus est: et hic etiam Colin Campbell per supplicationem similiter."

<sup>2</sup> *Perthshire Sasines*, October 26, 1643.

Mr Colin Maclachlan was translated from Killin to a charge in the Province of Argyle soon after October 13, 1640 (*MS. Register of the Synod of Perth and Stirling*). In April 1641, Killin was reported to the Synod as having been long vacant. It was stated that the heritors had been unable to find a minister with Gaelic, but were then "in terms" with one, and expected that he would be soon admitted to the parish.

<sup>3</sup> *MS. Acts of Assembly*.

<sup>4</sup> *Records of the Commission*, 1646-7, 180.

<sup>5</sup> *Ibid.*, 195.

<sup>6</sup> *v. vol. i. p. 367.*

<sup>7</sup> *Records of the Commission*, 199.

<sup>8</sup> *Perthshire Sasines*, November 22, 1647.

<sup>9</sup> The Earl stated that he was willing to accede to the request of the Synod, but that none would undertake the work of destruction. In that answer the Synod "saw only delay."

to the Synod as one of the brethren in the Presbytery of Dunkeld dissatisfied with the Public Resolutions; and on March 10, 1652, he and the other Protesters within the bounds separated from their brethren and sat in Presbytery by themselves, but rejoined them between October 1660 and April 1661, being re-admitted to their seats in the Presbytery on articles of agreement which the Synod of the latter date did not deem satisfactory.<sup>1</sup>

On July 31, 1651, he was appointed a member of the Commission.<sup>2</sup> On August 7, 1656, he preached at Logierait in connection with a congregational Fast appointed to be kept especially for "the great abounding of the sin of uncleanness" in the congregation, and with his brother, the minister of Moulin, assisted at the celebration of the Holy Communion in the same parish on July 29, 1660.<sup>3</sup>

In 1662 he conformed to Episcopacy.

He married, before May 8, 1649, Jean, daughter of James Stewart of Foncastell and Cecill Merser, his wife,<sup>4</sup> and died before August 2, 1667,<sup>5</sup> leaving children, of whom the eldest son,<sup>6</sup> Robert, succeeded him in his charge.

Mrs Campbell afterwards married John Stewart of Urrard.<sup>7</sup>

#### 1. *References in the Register of Sasines for Perthshire.*

Mr Colin Campbell, minister at Killin, and Mr Robert Campbell, student, witnessed at Finlarg, April 8, 1643, a charter of the lands of Kyllaterbeg and others, granted by Sir Robert Campbell of Glenorquhey, knight, and John Campbell, fiar thereof, in favour of William Campbell, third son of Sir Robert.

Registered October 26, 1643.

James Campbell, brother german of Mr Colin Campbell, minister of the Word of God at the church of Blair in Atholl, in name of Isobell Campbell, daughter of the deceased Archibald Campbell of Lagvinschache, and widow of Patrick Drummond of Culcreif, received sasine, November 5,

<sup>1</sup> *v.* vol. i. pp. 390-1.

<sup>2</sup> *Records of the Commission*, 1650-2, 500.

A Mr Colin Campbell was appointed chaplain to General-Major Dalyell's Regiment on June 12, 1651. At the same time, Mr Robert Campbell, identified with the minister of Moulin, was appointed chaplain to the regiment of the Earl of Atholl (*Ibid.*, 463). The former is not identified with the minister of Blair-Atholl: it is improbable that the Commission would appoint for such service, at the same time, the ministers of two neighbouring Highland parishes.

<sup>3</sup> *MS. Register of the Kirk-Session.*

<sup>4</sup> *Perthshire Sasines*, December 31, 1657, and September 15, 1681.

<sup>5</sup> *Ibid.*, August 3, 1667. In 1669, the stipend was £466, 13/ (*MS. Records of Perth City*).

<sup>6</sup> *Perthshire Sasines*, April 2, 1675.

<sup>7</sup> *Ibid.*, June 22, 1682.

1647, in presence of the said Mr Colin, of an annual rent of 200 merks Scots, to be uplifted from the lands of Pittindynie, proceeding on a marriage contract between her and Mr John Irland of Mylnehoill, dated October 12, 1640.

Registered November 22, 1647.

Mr Colin Campbell, minister at Blair, and Jean Stewart, his wife, had sasine, June 14, 1649, of the five merk lands of Nether Easter Tullypouries, proceeding on a precept of sasine in a charter granted by James Stewart of Foncastell, with consent of Robert Stewart, son of John Stewart in Dundavie, at Island of Granich and Dundell, May 8 and 10, 1649, in presence of Mr Robert Campbell, minister at Mulling, and Patrick Campbell, brother german of Mr Colin Campbell.

Registered June 20, 1649.

Mr Colin Campbell, minister at Blair in Atholl, received sasine, November 26, 1657, from John, Earl of Athol, of the lands of Foncastell, Clune, Alleane, and the four pound land of Edintyane, with its sheiling, formerly belonging to the deceased James Stewart of Foncastell, which were appraised, May 28, 1657, by virtue of letters of poiding, at the instance of the said Mr Colin, from John Stewart in Dundawie, brother and heir of the said James Stewart, for payment of £3972, 12/8: proceeding on precept of sasine in a charter (containing provision of reversion) granted by the Earl, on November 6, 1657, in obedience to letters of horning.

Registered December 30, 1657.

Mr Colin Campbell gave sasine, November 26, 1657, to his wife, Jean Stewart, daughter of the deceased James Stewart of Foncastell, in life-rent, of the lands of Foncastell and others, in terms of their marriage contract.

Registered December 31, 1657.

Mr Colin Campbell, minister at Blair in Athoill, and Mr Robert Campbell, minister at Mulling, witnessed, March 7, 1661, a charter by Robert Robertson of Fascallie, in favour of John Robertstone, portioner of Pittigoune, of the half lands of Pittigoune.

Registered July 31, 1661.

## 2. *References in the Register of Deeds of Perthshire Sheriff Court.*

Mr Colin Campbell witnessed, February 16, 1655, a bond for 1000 merks by John Cunison, elder, of Ardie, and John Cunison, younger,

his eldest son and apparent heir, in favour of James Robertson, portioner of Dunavord.

Registered May 5, 1666.

Mr Colin Campbell witnessed, February 13, 1666, an assignation by Cicell Merser, widow of the deceased James Stewart of Fancastell, of 300 merks, and a portion of 500 merks, in favour of Margaret Stewart, her daughter, and Alexander Moone, her husband.

Registered December 3, 1667.

### 3. *Reference in the Register of Inhibitions for Perthshire.*

Letters of Inhibition were obtained by Mr Colin Campbell, minister at Blair in Atholl, and Jean Stewart, his wife, on January 11, 1656, against the executors of the deceased James Stewart of Fancastell, narrating (1) that the said James Stewart, with consent of Robert Stewart, son of John Stewart in Dundavie, under a contract of alienation for 2500 merks, dated May 8 and 10, 1649, had promised to infest them in the 5 merk lands of Neither Eister Tulliepouries: (2) that the said James Stewart, as principal, and Mr Gilbert Stewart of Polcak, and Johnne Stewart of Killiechassie, his cautioners, had obliged themselves, in the marriage contract of the said Colin and spouse, to pay the sum of 2000 merks Scots as the tocher of the said Jean Stewart; and (3) that the said James Stewart, as principal, with John Stewart of Bonskeid and John Stewart of Balnakeillie, as cautioners, had signed a bond on November 10, 1647, for 1000 merks in favour of James Robertson, portioner of Danavourd, and Elizabeth Williamesone, his wife, now deceased,—of which bond the said raisers had been constituted cessioners, on February 16, 1655.

Registered March 7, 1656.

### 2. Robert Campbell, c. 1673-1699.

Robert Campbell, eldest son of his predecessor in the cure, and Jean Stewart, daughter of James Stewart of Fancastell,<sup>1</sup> matriculated at St Leonard's College, St Andrews, on February 13, 1665, and graduated Master of Arts on July 25, 1668. He studied Theology at the New College, St Andrews, and from Martinmas 1669 held the bursary of the Presbytery.<sup>2</sup>

On December 18, 1673, he was minister of Blair Atholl.<sup>3</sup> He was

<sup>1</sup> *Perthshire Sasines*, May 12, 1673; April 2, 1675; June 22, 1682.

<sup>2</sup> *MS. Register of the Kirk-Session of Rattray*, May 1, 1670.

<sup>3</sup> *Perthshire Sasines*, January 6, 1674.

The Scottish Parliament, on September 10, 1672, granted John, Earl of Atholl, a warrant to uplift the vacant stipend for the repair of the Church, which was stated to be then vacant, and "altogidder rwinous; And if the same be not presentlie repaired will altogidder decay" (*Acts of Parliament*, viii. 97).

appointed by the Presbytery, on February 1, 1682, to intimate a sentence of suspension against Mr James Strachan, minister at Weem.<sup>1</sup>

He died minister of Blair Atholl in December 1699.<sup>2</sup> He was survived by a widow, Anna Murray, daughter of Mr James Murray, minister at Logierait,<sup>3</sup> with whom he was contracted in marriage on July 22, 1675,<sup>4</sup> and who died in 1717; by sons, of whom Mungo, admitted a member of the Royal Company of Archers on June 8, 1715,<sup>5</sup> was the eldest<sup>2</sup>; and by daughters, Isabell, who married Gilbert Stewart of Fincastle, and Cecil, who married Mr Patrick Robertson, chamberlain of Lovat.

In his Testament, given up by Mr Mungo Murray, minister at Logierait, as tutor to Mungo Campbell, his eldest son, and confirmed May 3, 1700, the following persons were declared to be addebted to him:—Donald Robertstone of Achlieks, by assignation from the Marquess of Atholl, and under his own band, the laird of Lude, Alexander Stewart of Foss, Donald Robertstone of Calvine, Alexander Robertstone of Kinraigie, (Laird of) Shuirglass, Duncan Robertson of Achlieks, the laird of Killichangie, Duncan Robertstone, brother to Auchlieks, Alexander Campbell of Fonab, Alexander Culbert in Dalginross, Charles Robertstone in Clune, John Caldall in Carricke, Robert M'Lachlan in Munzie, Donald Robertstone of Kendrochet, Alexander Robertstone in Cultalok, Mr Lawrence Brown, schoolmaster at Blair, Gilbert Stewart of Tarvie, John Cunnison of Belnacrie, Duncan Campbell, son of the deceased Mr Patrick Campbell, minister at Kendmoir, John Rattray in Edradour, and Donald Robertstone of Tullybeltane.

1. *References in the Register of Sasines for Perthshire.*

Mr Robert Campbell, "sone lauffull to umquhile Mr Collin Campbell, late minister of Blair," and Mr Patrik Campbell, minister at Kenmuir, witnessed, May 10, 1673, a Renunciation by Patrik Campbell and his spouse in favour of Colin Campbell of Monzie of the lands of Donlaverik and others.

Registered May 12, 1673.

Mr Robert Campbell, and Mr Patrick Campbell, brother german of Colin Campbell of Monzie, witnessed, May 10, 1673, a contract of wadset of the lands of Fornoch between Sir William Murray of Ochertyre and

<sup>1</sup> *MS. Register of the Presbytery of Dunkeld.*

<sup>2</sup> *Dunkeld Com. Testaments*, May 3, 1700.

<sup>3</sup> *Playfair's Family Antiquity*, viii., Appendix, vii.

<sup>4</sup> *Perthshire Sasines*, July 2, 1679.

<sup>5</sup> *Laing Charters*, 3076.

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Patrik Campbell, son to Archibald Campbell of Lagvinshoch, and Cathrine Murray, his spouse.

Registered June 10, 1673.

Mr Robert Campbell, minister at Blair in Atholl, witnessed, December 18, 1673, a contract of marriage between Alexander Robertsons of Faskallie and Margaret, eldest daughter of Alexander Robertson of Luid, containing a precept of sasine for infefting her in the lands of Dysart in liferent.

Registered January 6, 1674.

Mr Robert Campbell, minister at Blair in Atholl, eldest son of Mr Colin Campbell, formerly minister at Blair in Atholl, had sasine, March 23, 1675, of the lands of Fancastle, Glun [Clunie], Aloan, with the shealing called Rothaill, the four pound lands of Edintyane and its shealling in Glengarie called Altonsheivie, and others, proceeding on a precept of Clare Constat, signed by John, Earl of Atholl, at the Abbey of Haliruidhous on March 8, 1675.

Registered April 2, 1675.

Jean Stewart, relict of Mr Colin Campbell, minister at Blair in Atholl, on October 31, 1678, in presence of Patrick Murray, eldest son of Mr James Murray, minister at Logirait, granted a renunciation in favour of Mr Robert Campbell, minister at Blair, her son, of all right to the lands of Fancastle, Clunie, Alleane, and others.

Registered December 27, 1678.

Mr Robert Campbell, minister at Blair in Atholl, gave sasine, June 3, 1679, to Anna Murray, his spouse, of a life-rent annual-rent of 300 merks Scots (to be increased to 350 merks in case there were only heirs female born of the marriage, and to 400 merks if there were no children), to be uplifted from the lands of Fancastle; proceeding on a precept in their contract of marriage, signed, July 22, 1675, in presence of Mr William Balnaves, minister at Muling, and Mr John Stewart, schoolmaster at Logirait.

Registered July 2, 1679.

Mr Robert Campbell, minister at Blair in Atholl, on January 2, 1677, witnessed a disposition by Gilbert Stewart, eldest son to Patrick Stewart, in favour of Robert Stewart, his brother, of the lands of Tomachellie, parish of Logirait.

Registered June 10, 1680.

Mr Robert Campbell received a disposition and assignation (dated August 10, 1681) from Cicill Mercer, his grandmother, relict of James Stewart of Fancastle, of her liferent right in the four merk lands of the

Mains of Foncastell, the ten shilling lands of Sockach, the lands of Balmoe, Cragamoir, Mouslettoch, the ten shilling lands of Belinald, the merk land of Belinchapell, the two merk lands of Dundagoune, the forty shilling land of Clunie, the merk land of Nether Pitfeolane, the forty penny land called Croftdowes, and the milne and milne land of Foncastle. Witnesses, Mr James Campbell, student of divinity in Balnagow, and others.

Registered September 15, 1681.

Mr Alexander Campbell, student of Divinity at Weyme, as bailie for Mr Robert Campbell, minister at Blair, gave sasine to John Stewart of Uart and Jean Stewart, his wife, relict of Mr Colline Campbell, minister at Blair, during her lifetime, of the forty shilling lands of Cluny and Tombuy, the merk land of Alean, and the forty shilling lands of Dundavie in the parish of Doull, and lordship of Kinclaven; proceeding on a precept of sasine in a contract between them (signed, June 1, 1682, in presence of Mr William Balneaves, minister at Mulling), following on an obligation to pay to Jean Stewart £200 Scots yearly, contained in a contract of marriage between her and John Stewart, signed on November 1, 1678. Witnesses to sasine, Mr James Campbell, preacher of the gospel, Thomas Stewart, son of James Stewart, schoolmaster at Muling, and others.

Registered June 22, 1682.

Mr Robert Campbell witnessed at the Castle of Blair, March 1, 1684, an instrument of sasine, in favour of the Lady Æmelia, Marchioness of Atholl,<sup>1</sup> proceeding on a precept of sasine in a bond of provision signed by the Marquess, at Holyrood, February 1, 1684.

Registered April 2, 1684.

Mr Robert Campbell had sasine, November 29, 1684, of the twelve merk lands of Clunie, and others, within the Earldom of Atholl, proceeding on a precept of sasine in a charter by the Marquess of Atholl, signed November 22, 1684.

Registered December 2, 1684.

Mr Robert Campbell witnessed at Fincastle, March 27, 1685, an instrument of sasine in favour of Helen Stewart, of the miln of Fincastle, etc.; proceeding on a precept of sasine in a bond of provision by Robert Stewart of Fincastle, her husband, to which Campbell was also a witness.

Registered April 7, 1685.

<sup>1</sup> Lady Æmelia Stanley, daughter of James, Earl of Derby.

Stanley House and the village of Stanley in Perthshire took their name from her (Parker Lawson's *Hist. Scot. Episc. Church*, ii. 527).

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Mr Robert Campbell witnessed, March 27, 1685, an instrument of sasine in favour of Robert Stewart of the lands of Fincastle, proceeding on a precept of sasine in a charter, signed by the Marquess of Atholl on May 17, 1684.

Registered April 30, 1685.

Mr Robert Campbell gave sasine, April 30, 1685, to Anna Murray, his wife, in liferent, of parts of the lands of Clunyes, within the regality of Atholl, declared to be worth 350 merks Scots yearly; proceeding on a precept of sasine in a bond of provision of the same date.

Registered June 1, 1685.

Mr Robert Campbell gave sasine, October 8, 1687, to Jean Stewart, his mother, and John Stewart of Urrard, her husband, of the two merk land of Clunybeg and others, in the parish of Blair, valued at £168, 6s. 10d. yearly; proceeding on a precept of sasine in a contract between them, signed, February 18, 1686, before Mr William Balneavis, minister at Mulling, and Duncan Menzies, schoolmaster, there.

Registered October 10, 1687.

Mr Robert Campbell witnessed at Mulleing, May 22, 1686, a disposition by Gilbert Stewart of Pitcastle and Dorathie Stewart, his wife, in favour of Mr Robert Stewart, minister at Killin, and Agnes Campbell, his wife, in conjunct liferent, and James Stewart, their son, in fee, of the half of the lands of Pitcastle; and of the other half of the said lands in favour of the said Mr Robert and his son.

Registered March 9, 1688.

### *2. Reference in the Register of Deceets of Perthshire Sheriff Court.*

Mr Robert Campbell, minister at Blair, proprietor, assigned, June 30, 1681, to John Stewart of Urrard the silver duty of the 40s. land of Findavie, the 2 merk land of Pitfollan, the 10s. land of the Stoikioch of Pitfoillan, the merk land of Allaine, and the Easter 20s. land of Clunie, extending to a 52s. land, for crop and year 1681.

Registered March 29, 1682.

### *3. Reference in the Register of Testaments of Dunkeld Commissariat.*

Mr Robert Campbell, minister at Blair, wrote and witnessed at Urquhillbegg, November 25, 1695, the Testament of Alexander Steuart of Urquhillbeg. Other witnesses were James Steuart of Urrard, Patrick M'Glashan in Blair, and Neill Steuart, eldest lawful son of the said Alexander Steuart.

CAPUTH<sup>1</sup>

## 1. Hew Ramsay, 1653-1662.

Hew Ramsay, son of Hew Ramsay in Dunbarnie,<sup>2</sup> matriculated at St Salvator's College, St Andrews, on April 28, 1643, and received the degree of Master of Arts in 1646. His Theological course was passed at the New College, St Andrews. On July 10, 1650, the Presbytery of Perth agreed to enter him upon trials for licence. He was approved on December 18, 1650.<sup>3</sup> During the invasion of Scotland by Cromwell, the Committee of Estates, with some ministers, among them being Messrs Robert Douglas, James Sharp, the future Archbishop, John Rattray, minister at Alyth, George Haliburton, minister at Cowpar-Angus, and George Pitillo, minister at Newtyle, were captured at Alyth, on August 28, 1651, by Colonel Matthew Alured, one of Monk's officers, who, as he stated in a letter written on the following day from his "Tent at the Leagure before Dundee," with about 800 cavalry had "marched on a darke rainey night in rough and tedious way to a Towne neere the High-lands called Ellit, where wee had intelligence that most of the Scots Commanders lay." Ramsay was among the prisoners.<sup>4</sup> He was

<sup>1</sup> It was stated in an action, *Glass v. Heritors of Little Dunkeld* (*v. Glass, Perth Sheriff Court, infra*), that the minister of Caputh was vicar-pensioner of the Diocese, having right to the vicarage teinds of Little Dunkeld.

<sup>2</sup> *Perthshire Sasines*, August 4, 1642. He married Agnes Mores, who died on October 3, 1626 (*St Andrews Com. Testaments*, November 3, 1626).

<sup>3</sup> The date is that of the approval of trials, exclusive of the Exercise and Addition. At this and former periods, the Exercise and Addition, which usually were at once prescribed, seem to mark admission to the public Exercise, not to be a part of the trials for such admission: *e.g.* September 6, 1643.

"Mr William Weemes, student in Divinity, desires the Presbytery that he may give a proof of his proficiency in his studies in his private trials, to the end he may afterward (being approved in all his private trials) be admitted to the public Exercise."

Later it was otherwise: *e.g.* June 22, 1659.

"Which day, Master Mongo Weyms exercised . . . as the close of his trials."

June 19, 1672.—". . . Mr David Oliphant exercised . . . and the said Mr David appointed to get a testimonial of his approbation in this and all the rest of his trials."

<sup>4</sup> *Scotland and the Commonwealth*, 320-9; Nicoll's *Diary*, 57.

The statement that they were seized "by a party sent by General Monk, immediately after his taking of Dundee" (Reid's *History of the Presbyterian Church in Ireland*, ii. 484), is incorrect. Dundee was captured on September 1. "While the Committee of Estates, and some ministers meeting with them for the public good, were busy to get some forces together for the relief of Dundee, they were woefully surprised by a party sent from Perth upon the 20th of August. Having sitten late at a committee in the town of Elliot (Alyth), they resolved to lie there that night, having out some horse guards towards Dundee, whence they apprehended danger. But the party from Perth came in upon the town of Elliot in the morning, and did take noblemen . . . , many gentlemen . . . , ministers . . . All these were presently conveyed to their ships lying before Broughty" (Row's *Life of Blair*, 281). The prisoners were "bot mainlie used. After that, they were

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taken to London with the captured clergy, and incarcerated in the Tower for about a year.<sup>1</sup>

The Presbytery of Perth, on March 2, 1653, granted him a testimonial to the effect that he had passed his trials before them, and that, during his abode among them, his conduct became one aiming at the ministry. That certificate was evidently granted in connection with the appointment of a colleague with, and successor to, Mr Thomas Glas, minister at Caputh.<sup>2</sup>

In 1650, Mr Thomas Glas, minister at Caputh, received permission to obtain a colleague and successor. Difficulties arose: and on an appeal from a deliverance of the Presbytery, the Synod, in May 1651, advised the Presbytery "to send one of their number to the elders and parishioners of Keppett, and to desyre them to take some effectuall course to go on with the Presbytery in planting of their kirk before the next Synod . . ., with certification that if they fail the Presbytery will goe on to the planting thairroff notwithstanding of the appellation." No progress was made, however, and some parishioners appeared before the Synod, in June 1651, with an appeal from a sentence of the Presbytery, only to hear that ordinance renewed in all points. The parish of Caputh (Keppett) called Ramsay, designated expectant in the Presbytery of Dunkeld, to be their minister, and he was duly entered on the usual trials. The parish of Dunblane, however, desired him as their minister, and signed a call in his favour. The Presbytery of Dunkeld refused to allow him to accept it, and an appeal was made from their decision to the Synod. The case was brought before that Court, in June 1653, by Hairie Blackwood and Robert Caddell, Commissioners from the parish of Dunblane. Mr Alexander Ireland, minister at Kinclaven, denied that there was any appeal before the Synod, because no formal appeal had been delivered to the Presbytery within ten days, as the Act of the General Assembly required. It was replied by the Commissioners from Dunblane that they had sent a formal appeal, enclosed in a letter signed by both, to the Moderator of the Presbytery of Dunkeld, and, though it had not been subscribed, had yet been written by one of them. Ireland admitted that he had seen a paper which the parties styled an appeal, but that it had not been delivered to him in due time. The Synod did not support Ireland's position, and he protested for leave caried to England, first to Tinnmouth Castell and then to London" (*Chronicle of Fife*, 41).

The papers and the minutes of the meetings of the Commission of the General Assembly after May 12, 1651, fell into the hands of the English (*Records*, 1650-2, 513).

<sup>1</sup> v. p. 172 *infra*.

<sup>2</sup> Mr Thomas Glas had allowed to him £100 yearly, conform to an Act of the Commission of the Church, May 3, 1650 (*Decreets of the Sheriff Court of Perthshire*, March 28, 1655).

to appeal, if necessary. The Synod nevertheless determined to proceed with the case—Ireland consenting, yet claiming that any part he might take in the discussion of it should be without prejudice to his former protest. The Synod requested the members of the Presbytery “to submit their interests to the Synod for the good of the Kirk,” as the Commissioners from Dunblane were willing to do, but, as was reported, they either would not, or could not, do so; and the Synod proceeded to consider the case. They found it doubtful that the parishioners of Caputh had been legally cited to appear before them, and that, therefore, they were unable to proceed to a judgment. They advised the Presbytery to proceed to the consideration of the reasons given, and to be given, by the Commissioners of the parish of Dunblane for the call to Ramsay, and the answers of the parishioners of Caputh, and to decide the case before the meeting of the General Assembly, that the protracted vacancies of both churches might be ended.

Ramsay was admitted to Caputh after June 29, and before October 11, 1653,<sup>1</sup> and succeeded to the full charge on the death of Glas in May 1654.<sup>2</sup>

His hardships during the earlier period of his incumbency are mentioned in a petition to the Estates of Parliament in 1661, and the fact that he found himself compelled to raise actions against the heritors added to his troubles.

The Synod, in October 1653, appointed him and Mr Hairy Stewart their commissioners to the Synod of Angus and Mearns. He was again appointed a Commissioner to that Synod in October 1660, but was unable to be present at their meetings on account of sickness.

On April 11, 1654, he was one of the commissioners appointed by the Presbytery of Dunkeld to meet at Perth with the Moderator of the previous Synod, and to adjourn the meeting of the Synod to a more suitable time or place: and also, by appointment of the Presbytery, was present at Perth on June 13, to which place and date the Synod had adjourned their meeting. He was again at Perth, on June 13, 1655, as a representative of the Presbytery of Dunkeld, at a meeting, of which he acted as Clerk, for consultation regarding the assembling of the Synod.<sup>3</sup> He preached at Stirling on the second day of the meeting of the Synod, April 13, 1659. In 1661, he presented a supplication to the Estates for

<sup>1</sup> *Synod Register.*

<sup>2</sup> Mr Thomas Glas had allowed to him £100 yearly, conform to an Act of the Commission of the Church, May 3, 1650 (*Decrees of the Sheriff Court of Perthshire*, March 28, 1655).

<sup>3</sup> *MS. Register of the Presbytery of Perth*, May 23, 1655; *MS. Register of the Synod of Perth and Stirling*, June 13, 1655.

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reparation of his loss and suffering on account of his loyalty. Their deliverance of March 15, 1661, was as follows :—

*Edinburgh, 15 March, 1661.*

The Estats of Parliament, now presently conveyed be his Majestie's speciall authority, haveing heard a supplicatioun presented unto them be Mr Hew Ramesay, minister at Capoth, shewing that ther is ane Act latelie past in Parliament ordaining all the vacand stipends of this Kingdome to be bestowed & satled upon loyall and faithfull ministers who have caried themselfs as became Christianes and good & duetifull subjects ; and true it is that the petitioner wes taken prissoner at Alyth, caried to the Toure of London and therin deteaned for the space of 12 moneths or therabouts ; And after his homecomeing, the malice & hatreid of the English continewing fresh against him, his stipend wes sequestred & collected by ane English collector for the space of one or tuo yeers, wherby his sufferings for his loyaltie have bein exceding great<sup>1</sup> ; and seing the stipend of the kirk of Keinnoire [Kenmore] within the Presbetrie of Dunkeld is vacand be the space of tuo yeers, Humbly, therfor, desyreing ane warrand & order to the parichoners of the said paroche of Kainnoire, ordeaning them to mak payment to the petitioner of the stipend therof for the yeers 1658 & 1659, in satisfaction of a parte of his great sufferings, and to find out some other way as should be thought fit for reparatioun of his saids great losses, as the supplicatioun beares : which being taken into consideratioun be the saids Estats of Parliament, they doe heirby give warrand to and ordeine Mr Johne Wilkie, Collector of the Vacand Stipends, to mak payment to the supplicant of the vacand stipend of the said kirk of Kainnoire for the yeers 1658 & 1659, and doe seriously recommend to the Lords of His Majestie's Privie Counsell to take the petitioner's great sufferings to consideratiouns, and to appoint and allow him such reparatioun for the same as they shall find him to deserve.<sup>2</sup>

<sup>1</sup> " Our Churches are in great confusion : no intrant gets any stipend till he have petitioned and subscryved some acknowledgment to the English " (Baillie's *Letters*, iii. 244).

The signatories to A Solemn Testimony against Toleration (October 1658) affirmed :—" In the last place, we do also, as ministers of the Gospel, testify our dislike, that the civil powers, who now bear rule over this nation, should engross into their treasury, the legal settled maintenance of all the vacant churches into the land, and put the disposing thereof into the hands of a civil judicatory, without whose intervening approbation and warrant (notwithstanding of their being called by the congregation, and approven and admitted by the Presbytery) none shall be authorized or admitted to any such vacant living or benefice, as is due to the ministry in Scotland, and that they do not allow them this approbation and warrant, until first they do declare under their hands their purpose and resolution to live peaceably under the present Government " (*Faithful Witness-Bearing Exemplified*, 1783, 112).

<sup>2</sup> *Supplementary Parliamentary Papers* (Register House), vol. ix., part ii., 152.

His attitude toward Episcopacy was not considered doubtful, for on August 7, 1662,<sup>1</sup> at Holyroodhouse, he was presented by Charles, Duke of Lennox and Richmond, on the recommendation of the Earl of Middleton,<sup>2</sup> to the Provostry and church of Methven, and the modified stipend, manse, glebe, and vicarage thereof. He was collated by the Archbishop of St Andrews on October 17, 1662, and, by order of the Archbishop, was admitted to the ministry at Methven by Mr William Bell, minister at Errol, on November 16. At the meeting of the Presbytery of Perth, on the 19th, "The said Mr Hugh, being present, was accepted by the brethren as one of their fraternity and number." Thenceforth he is frequently designated Provost of Methven. He admitted Mr Mongo Weymys to the ministry at Abirdalgie on Sunday, August 23, 1663.

He obtained an augmentation of stipend before the Commissioners on the Plantation of Kirks, and on January 25, 1665, William Moncreiff of Teppermalloch and others obtained a reduction of the decree of locality, raising his stipend from 9 to 12 chalders and imposing 20 bolls of victual on their lands.<sup>3</sup>

At the meeting of the Synod of St Andrews, held on April 25, 1666, he was nominated a member of the Privy Conference.<sup>4</sup>

He admitted Mr John Murray to the ministry of Kinfauns on July 18, 1667, and was appointed by the Presbytery, on April 9, 1668, to preach before the Synod on the second day of their meeting in October.

The Archbishop and Synod of St Andrews, in April 1669, appointed him, Mr John Nicolson, minister at Errol, and Mr William Lindsay, minister at Perth, to confer with the Laird of Gormock, younger, a papist.<sup>5</sup>

He preached at the admission of Mr Alexander Ross to the church

<sup>1</sup> *MS. Register of the Presbytery of Perth*, October 29, 1662.

<sup>2</sup> *Chronicle of Perth*, 45.

<sup>3</sup> Connell's *Treatise on the Law of Tithes*, ii. 162.

<sup>4</sup> *MS. Register of the Presbytery of Perth*, August 8, 1666.

<sup>5</sup> "As concerning the laird of Gormock, who is Papist, the minister of Errol declared that the process was at a close. The Lord Archbishop and Synod thought it fit that the sentence of excommunication should not be pronounced till the Lords of His Majesty's Privy Council give order to inflict the civil penalty upon him, but as concerning the laird of Gormock, younger, who is also Papist, the minister of Errol declared that he seldom stayed in these bounds. The Lord Archbishop and Synod appoints the minister of Errol, Mr Hew Ramsay, and Mr William Lindsay to confer with him before they enter in process against him" (*Synod of St Andrews*, April 22, 1669—*MS. Register of the Presbytery of Perth*, August 18, 1669). The minute of the Synod in October 1672 runs:—"Anent the Laird of Gormok, younger, the Lord Archbishop and Synod think that his proces is to be continued in the case it is in, seeing that the old lady and the rest of this familie keep the Church" (*Selections from the Minutes*, 188).

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of Perth on November 14, 1672.<sup>1</sup> On August 13, 1673, he and Mr John Omev were excused for absence from the meeting of the Presbytery, "being sent for to the young Laird of Methven, who is in a dying condition."

The Archbishop and Synod of St Andrews, in April 1676, appointed him to moderate at a visitation of the church of Perth, and also instructed the Presbytery of Perth to visit Methven. The latter visitation was held on September 7, 1676, and the minute of it is here inserted, not only on account of its interest in connection with the minister, but also as a specimen of the visitations within the Presbytery of Perth.

*At the Church of Methven, the 7th of September, 1676.*

The which day, after sermon preached by Mr James Carnegie, convened for a visitation of the church of Methven, according to the appointment of the Lord Archbishop and Synod of St Andrews, and by virtue of a commission direct from the Lord Archbishop for that effect, Mr William Lindsay, Moderator, . . . After invocation upon the name of God, they enquired of the minister if due intimation had been made of the edict of the visitation to all concerned, who answered it had been made the Lord's day was eight days: whereupon he was required to give in a list of the elders; which being done and they removed, first, the elders were called, every man of them, man by man, all alone, and interrogated, whether or no their minister was faithful and diligent in all the parts of his ministry, particularly whether or not he did preach sound doctrine, and that constantly at all the ordinary and accustomed diets; and whether or no he was careful to visit the sick, to keep home, to catechise the people, and administer the Sacrament of the Lord's Supper at least once in the year; as also whether or no he was exemplary in his life and conversation amongst them; to all which questions every one of them answered, giving their minister an ample testimony that he was faithful and diligent in the above specified, and all other parts of his ministerial functions, and that he was exemplary amongst them in the piety and blamelessness of his life and conversation: And being interrogated, every one of them, whether their minister and fellow elders were careful and diligent in the exercise of discipline against scandalous persons, answered that they were careful as much as in them lay to repress vice; and being further interrogated, whether their minister and the rest of their fellow elders were careful of the poor, particularly whether money was carefully collected for their behoof, and conscientiously

<sup>1</sup> November 14, 1672.

"After Sermon, the Presbitrie being invited by the Magistrats' order, the Counsel and they together dyned at Alexander Cruickshanks house, according to the accustomed manner in such cases" (*MS. Records of Perth City*).

distributed according to their exigencies, answered that what was collected on the Lord's day, and otherwise given, they were careful to distribute conform to the several necessities of the poor, according to the best of their knowledge.

And being furthermore enquired, whether there were any mortifications, or other set rents, among them appropriated to the poor, or other pious uses, answered that they know of no mortifications; but that there was about eight hundred marks upon bond in responsible men's hands that belonged to their poor, and that what was received of annual rent thereof was carefully bestowed and distributed to the poor according to their necessities.

As also being interrogated, whether or not their schoolmaster was faithful and diligent in all the parts of his office, and if he was provided with a sufficient maintenance, answered that he had a sufficient maintenance, and well payed, and that they had nothing to say against him, but gave him a good testimony that he attended well upon the school and was faithful and diligent in his office.

And then were called the heritors; whereupon compeared the Laird of Methven, the Laird of Tippermalloch, Mr John Ireland of Millhole, Alexander Ireland of Drumsey, and all the former interrogations being put to them, they answered upon the matter the same things that the elders had done before them; and withal the Laird of Methven represented that there was much of the annual rent of the money which belonged to the poor which was yet resting. After this the minister was called, and being interrogated concerning the elders, whether or no they were men of circumspect and blameless lives, and useful and assistant to him in the exercise of discipline, and faithful in representing the necessities of the poor, answered that he had nothing to say against either of them, but that he was bound to give them a good testimony as men that were careful to do what was incumbent to them in their places. And being further interrogated concerning the patrimony of the poor, and how it was improved and employed, answered that what was collected weekly was distributed according to the necessity of the poor, and that there was about eight hundred merks upon bond, and what they received of the annual rent thereof was bestowed for the maintenance of the poor; and being enquired if there were any mortifications, answered that there was five hundred merks left by Mr John Murray, late minister of the said church, for the behoof of the poor, and the annual rent thereof to his relict during her life time. And being further interrogated concerning the fabric of the church, if it was sufficiently upheld, and if it was furnished with requisite utensils for the Holy Communion, answered that they had none of their own that belonged to the church, but that they

were very decently furnished by the heritors with all things requisite for the Holy Communion, and that the fabric was very well upheld by the laird of Methven, patron thereof.

After all this, the church officer called three several times publicly at the church door, if there were any person or persons that had any thing to object against their minister, either as to his doctrine, or as to his life and conversation, or against any of the elders, either as insufficient for their employment, or scandalous in their lives, that they might forthwith compear and make these their objections before the visitation. But none compeared. Last of all, an account of the Session Book was called for from Mr John Nicolsons and Mr John Blair, that had been appointed to visit the same, who reported it very well kept, formal, and exact ; only they find therein that the Session, these several years bygone, hath expended of the poor's money for keeping and repairing the fabric of the church.

The minister being again called, and enquired at why the poor's money was employed for repairing the fabric of the church, and not for the use of the poor, declared that what was given out upon that account was but lent, in regard the heritors could not stent the parish at all occasions when the church stood in need of repairing, such as the glass windows, and other necessaries, and that what was expended that way was reimbursed again by the heritors when it came to any considerable sum.

The visitation, having considered the same, desired the minister that the Session should not expend of the poor's money for the said use above fifty merks, or forty pounds Scots money, at most, and that when it came to such a sum, they should call for it again, and improve it for the use of the poor. And in regard that some of the heritors had represented that the annual rents of the poor's money was not so very well payed, and that they thought the Session was somewhat neglective in using diligence against their debtors for the same, the visitation appoints the minister and Session to use all diligence for gathering in of the annual rents when due in law.

The visitation appoints the Clerk to subscribe the Session book as approved by them. The minister and elders, together with the heritors, were again called all together, and the Acts of the visitation intimated to them, and it was declared what good testimony they had mutually given to each other ; and they were exhorted to go on in the way of strengthening one another's hands in the work of the Lord.<sup>1</sup>

<sup>1</sup> The references to " the provist " in the letter of Anne Keith, wife of Patrick Smythe of Methven, printed in the notes to Kirkton's *History* (355-6), are to Ramsay, provost of Methven. For the dispersion by Anne Keith of an intended conventicle in the parish of Methven, *v. Ibid.*, 356-7.

After December 1677, he was frequently absent from the meetings of the Presbytery through ill-health.<sup>1</sup> He was alive on February 14, 1679,<sup>2</sup> and was buried before March 12, 1679.<sup>3</sup>

He married Cristiane Kinloch before June 2, 1657.<sup>4</sup> They had children, John<sup>5</sup> and Gilbert.<sup>6</sup>

<sup>1</sup> *MS. Register of the Presbytery of Perth*, passim.

"Mr Hew Ramsay sent his excuse that he was waiting upon the Lady Balgowan, being dangerously sick" (*Ibid.*, September 25, 1678).

<sup>2</sup> *Perthshire Deeds*, May 15, 1695.

<sup>3</sup> *MS. Register of the Presbytery of Perth*.

He is not mentioned among the absentees from the meeting of Presbytery on February 19, but he may have been dead.

<sup>4</sup> *Perthshire Sasines*, July 30, 1657.

Cristiane Kinloch, spouse to Mr Hugh Ramsaye, sometime minister at Capeth, and then at Methven, after the production and reading (outwith the presence of her husband) of a letter of alienation granted by her said husband, with her consent, on May 15, 1665, in favour of Mr Patrick Keir of Kinmouth (under provision of reversion), of the whole lands of Wester Rind, with the salmon fishings, teinds, etc., in open court judicially ratified and approved thereof; and took oath that it was her voluntary act, and that she would never oppose the same in time coming (*MS. Register of Bonds, etc.*, May 20, 1665, Perthshire Sheriff Court).

<sup>5</sup> He was admitted a member of the Faculty of Advocates on January 21, 1685; he became one of the Sheriff-Deputes of Perthshire. On September 1, 1685, by warrant of the Archbishop of St Andrews, addressed to Mr David Anderson, minister at Perth, he was married at Edinburgh by Mr Alexander Ramsay (*Edinburgh Marriage Register*) to Catharine Sydserff (Sydeserfe: Saint-Serff), daughter of Dr John Sanctserffe, physician, the son of Bishop Sydserff, who married, April 27, 1658, Catharine Moncrieff (*Chronicle of Fife*, 137; *Acts and Decrees*, Mack, December 19, 1678), widow of John Fyfe, the eldest son of Mr Nathanaell Fyfe, one of the Sheriff-Deputes of Perthshire (*Acts and Decrees*, Dal, February 24, 1688), who was appointed Advocate of the City of Perth in place of Sir Roger Hog, preferred to be a Lord of Session (*MS. Records of Perth City*, April 9, 1678).

It has been written of him: "Ramsay, the Sheriff-deputy, left an unsavoury remembrance of himself among the old inhabitants of Perth for his cruelty in distressing those whose consciences would not allow them to conform and attend the Kirk. This gentleman is said to have outlived himself, until he was universally despised in Perth. He lived beyond the twenty-seventh year of the next century" (*Peacock's Perth: Its Annals and Archives*, 317).

Mr John Ramsay, son to the late minister of Methven, appointed William Moncrieff, fiar of Mairsland, his factor, at Perth, November 26, 1681 (*Perthshire Deeds* [Nov. 26, 1681]).

Mr John Ramsay, eldest son of Mr Hugh Ramsay, obtained decree for 500 merks, etc., against Elizabeth Murray, widow of Mr Patrick Coupar, notary in Scone, due under a bond (dated June 25, 1673) by Mr John Murray, minister at Kinfauns, as principal, and the said Mr Patrick Coupar, his cautioner, in favour of the said Mr Hugh Ramsay (*Perthshire Deeds*, June 1, 1681).

He was one of the curators of Charles Stewart of Tullineddies (*Dunkeld Commissariat Deeds*, June 20, 1688).

<sup>6</sup> Gilbert Ramsay, second son to Mr Hew Ramsay, on November 18, in presence of the Commissary of Dunkeld appointed Thomas Blair of Pitindrich, John Nairne of Craigie, and Mr John Ramsay, his curators (*Perthshire Deeds*, November 26, 1681).

Mr Gilbert Ramsay, son of the deceased Mr Hugo Ramsay, minister of Methven, at Edinburgh, June 20, 1688, assigned to Mr John Ramsay, his elder brother, (1) a bond for 300 merks granted to his father by John Stewart of Tullineddies, November 25, 1669, and assigned to him on February 14, 1679; (2) a bond for

1. *References in Register of Sasines for Perthshire.*

Matthew Moncreiff, portioner of Kintullocht, as bailie for George, Earl of Kynnoull, gave sasine, December 6, 1633, to Laurence Oliphant of Pitkeithlie, as bailie for Hugh Ramsay, son of the deceased Hugh Ramsay in Dumbarney, of the fourth part of the town and lands of Dunbarney, proceeding on a precept of clare constat, signed November 22, 1633.

Registered December 31, 1633.

Matthew Moncreif of Barnehill, bailie of George, Earl of Kynnoull, gave sasine, July 19, 1642, to Hugh Ramsay, son and heir of the deceased Hugh Ramsay in Dumbarney, and to William Moncreif of Kintullo, Hugh Craigie of Dunbarney, Thomas Barclay in Wallistounne, and Alexander Lennox in Grange of Elcho, his tutors, of the sunny fourth part of the lands of the Mains of Kinfauns; proceeding on the precept of sasine in a charter, granted with consent of Sir Patrick Ogilvie of Inchmartine, May 31 and June 7, 1642.

Registered August 4, 1642.

Mr Hugh Ramsay, with advice and consent of William Moncreiffe of Kintullo, and John Barclay, merchant, burgess of Perth, his curators, on payment of 5500 merks, signed a renunciation, May 20, 1648, before John Nairne, Commissary Clerk of Dunkeld, of his right in the sunny quarter of the mains of Kinfauns and parsonage teinds thereof, in favour of Sir Thomas Blair of Balthyok, heritable proprietor of the said lands, who acquired right to same from George, Earl of Kinnoull, and Sir Patrik Ogilvie of Inchmertine.

Registered June 1, 1648.

Mr Hew Ramsay, minister at Capeth, had sasine, January 10, 1654, of an annual rent of £120 Scots, to be uplifted from the lands of Wester Rynde; proceeding on a precept of sasine in a bond, granted by Sir John Moncreife of that Ilk, with consent of Mr Hew Moncreiffe of Tibbermalloch, Mr David Moncreiffe of Balcaskie, William Moncreiff of Kintullo, Mr Johnne Patersone, dean of gild of Perth, and Mr James Moncreiffe of Eister Moncreiffe, his curators, on November 17, 1653.

Registered February last, 1654.

Mr Hew Ramsay, minister at Capeth, and Cristiane Kinloch, his spouse, in liferent, had sasine, June 6, 1657, of the half lands of Wester

550 merks granted to his father, whom failing to himself, the said Gilbert, by David Kinloch of Gourdie, February 20, 1673; and (3) an action against — M'Intoch of Aberarder, for payment of 100 livres, lent to him in France (*Perthshire Deeds*, May 15, 1695).

Rynd and others, redeemable on payment of 6000 merks Scots, and 2000 merks Scots already due; proceeding on the precept of sasine in a charter by Sir John Moncreiff of that ilk signed, at Wester Moncreiff, June 2, 1657.

Registered July 30, 1657.

Mr Hugh Ramsay, minister at Capeth, witnessed, March 8, 1658, an instrument of sasine in favour of Johne Eldge, younger, portioner of Capeth, of the "thrid pairt" of the lands of Capeth-M'Caythill and others, proceeding on the precept of sasine in a charter, dated at Bridgend of Eschindie, February 10, 1658, granted to John Eldge, elder, with consent of Janet Pringill, his spouse.

Registered April 30, 1658.

Mr Hugh Ramsay witnessed, May 2, 1661, an instrument of sasine in favour of John, Earl of Midletoune, of the lands of Inschstuthill, proceeding on a precept of sasine in a charter by Sir James Strachane of Thornetoune, with consent, dated at Halyrudhouse, April 20, 1661.

Registered May 29, 1661.

Mr Hugh Ramsay, Provost of Methven, witnessed, March 27, 1665, an instrument of sasine in favour of Patrick Smyth of Braco of the lordship and barony of Methven, proceeding on a precept of sasine in a charter by Charles, Duke of Lennox, signed on the "quadracesie" of November and December 1664.

Registered May 2, 1665.

Mr Hew Ramsay, Provost of Methven, Mr David Drummond, minister of Monydie, and Mr William Smith, brother of Patrick Smith of Methven, witnessed, at Westwood, August 24, 1668, a precept of sasine by Mr John Omey, minister at St Madois, in favour of his future spouse, Marie Smith, sister of Patrick Smith of Methven, of the half lands of Monydie, etc., in liferent, on which sasine was given, August 26, 1668, to Mr William Smith in name of Marie Smith.

Registered September 2, 1668.

Mr Hugh Ramsay, Provost of Methven, and Mr David Drummond, minister at Monydie, witnessed, September 9, 1669, an instrument of sasine in favour of Patrick Smith of Braco of the lordship and barony of Methven, etc., proceeding on a precept of sasine in a charter under the testimony of the Great Seal, signed August 4, 1669.

Registered September 10, 1669.

Mr Hugh Ramsay witnessed, December 28, 1674, a precept of sasine by Patrick Smith of Braco in favour of John Wyllie in Methven and

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Elsbeth Glasse, his future spouse, of the manse, and east yard thereof, in the Kirktoone of Methven.

Registered February 18, 1675.

### 2. *References in the Register of Deeds of Perthshire Sheriff Court.*

Mr Hew Ramsay, Mr David Drummond, minister at Monedie, and Mr Alexander Balnavis, minister at Tibbermuir, witnessed, at Methven, the subscription of James Lindsay to a disposition by Katherine Maloch, widow of David Lindsay of Keavill, and James Lindsay, her son, in favour of David Maloch in Moneyvaird, brother of the said Katherine, of the lands of Easter and Wester Cairnzies and others.

Registered August 4, 1674.

William Stewart of Arditie (at Methven, December 24, 1670) signed a bond for 500 merks Scots in favour of Mr Hew Ramsay, minister at Methven, and the remanent members of the Kirk-Session, in name and behalf of the poor of the parish.

Registered April 13, 1680.

Mr Hew Ramsay consented, at Perth, April 27, 1671, to a disposition and assignation by Patrick Smith of Braco in favour of John Grahaim of the teind sheaves of Balgowan and others.

Registered July 15, 1681.

### 3. *References in the Register of Decrets of Perthshire Sheriff Court.*

Mr Hew Ramsay obtained decree against John Tyrie of Busbie for 40 merks yearly, for years 1662-65 and in time coming, as tack teind duty of the lands of Busbie, payable to him as provost of Methven.

Registered March 23, 1666.

Mr Hew Ramsay had an action against Henry Reid of Pitnacrie on November 12, 1669.<sup>1</sup>

Mr Hugh Ramsay, Provost of Methven, obtained decree against William Stewart, Robert Walker, James Gray, John Stalker, James Donaldson, John Moncreiff, Patrick Lowrie, William Tailzeor, William Donaldson, James Whyt, and William Robertstone, tenants and occupiers of the lands of Mecksin, and Alexander Robertson of Invar, taking burden for the heritor, for stipend for years 1669 and 1670, amounting to 15 bolls meal and 10 firlots bear at £6, 13s. 4d. the boll, and £3 Scots of vicarage for each of the years 1662-1670.

Registered July 5, 1671.

<sup>1</sup> *Minute Book.*

Mr Hugo Ramsay and Walter Bonar in Perth, executors and creditors of David Murray, litster, burgess of Perth, obtained decree against Margaret Campbell, widow and executrix of Mr William Ramsay in Gairntullie, for £243, 15s. Scots, as price of 18 bolls 3 firlots bear, for crop and year 1674, at £13 the boll.

Registered February 21, 1677.

Mr John Murray, minister at Kinfauns, and Mr Patrick Coupar, notary in Scone, his surety, granted, June 25, 1673, a bond in favour of Mr Hew Ramsay, for payment of which Mr John Ramsay, his eldest son, obtained decree against Elizabeth Murray, widow of Mr Patrick Coupar.

Registered June 1, 1681.

4. *References in the Register of Hornings for Perthshire.*

Mr Hugh Ramsay, minister at the kirk of Capeth, raised Letters of Horning (signed November 25, 1656, and executed June 1, 2, and 3, 1658) against the heritors for payment of stipend under which James Hagart, Abraham Mitchell, Thomas Shiperd, and James Blair and others, were denounced, on August 27, 1658, for failure to pay the proportions of stipend due by them since the term of Martinmas 1653.

Registered August 27, 1658.

On November 26, 1656, Mr Hugh Ramsay obtained Letters of Horning against the heritors of the parish of Caputh. The Letters narrate that, under an Act of 1649, heritors, at the sight of three ministers and three ruling elders appointed by the Presbytery, are bound to erect competent manses at a cost not exceeding £1000 and not less than 500 merks, and where manses have been built, they are bound to relieve the present ministers of all charges and expenses for building and repairing them; and that since his entry to his church he had paid 600 merks Scots to the widow of Mr Thomas Glas, his predecessor, and had expended a further sum to make the manse sufficient. He complained that the heritors would not meet to stent themselves for those sums. Thomas Irving of Meiklrie and others, heritors, were charged on June 1, 2, and 3, 1658, and for failure to obey were denounced.

Registered August 27, 1658.

5. *References in the Register of Inhibitions for Perthshire.*

Mr Hugh Ramsay obtained Letters of Inhibition, January 19, 1675, against Alexander Robertson of Lude, as principal, and Thomas Menzies

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of Carss, his cautioner, who by bond (dated July 28, 1655) obliged themselves to pay 800 merks before Martinmas 1665.

Registered February 26, 1675.

Mr Hew Ramsay, for himself and in name of the remanent members of the Kirk-Session, obtained Letters of Inhibition against William Stewart of Arditie, as principal, and Alexander Ireland of Drumsey and James Campbell of Turrigh, his cautioners, who had granted (December 24, 1670) a bond for 500 merks to be paid at Martinmas 1671.

Registered February 26, 1675.

### 6. *References in the MS. Records of the City of Perth.*

On July 13, 1674, the Town Council of Perth granted a bond for 2000 merks in favour of Mr Hew Ramsay, and cancelled a bond dated June 29, 1674; and on August 24 inserted the name of his son in the bond.

On November 29, 1675, the Town Council granted a bond for 4000 merks in favour of Mr Hew Ramsay and John Ramsay, his eldest son, the former bond being cancelled.

### 2. John Blair, 1663-1667.

John Blair, son of John Blair, second baron of Pittendreich, also designated of Lethendy,<sup>1</sup> and Jean, daughter of Sir John Blair of Balgillo,<sup>2</sup> matriculated at St Salvator's College, St Andrews, on January 31, 1653, and received the degree of Master of Arts on July 28, 1656.

He was minister of Caputh on June 4, 1663<sup>3</sup>; and, as vicar-pensioner of the Diocese, granted tacks of the small tithes of Little Dunkeld.<sup>4</sup>

By appointment of the Bishop and Synod of Dunkeld, a visitation of his church was held on November 1, 1665.<sup>5</sup>

The church of Kilspindie became vacant by the resignation of Mr Henry Guthrie, Bishop of Dunkeld. Blair was presented to the charge before July 18, 1667, when a letter from the Archbishop of St Andrews, enclosing an Edict in order to his admission, was laid before the Presbytery of Perth. He was admitted to the ministry at Kilspindie on Wednesday, September 25, 1667, Mr John Nicolson, minister at Errol, preaching the sermon. On May 6, 1668, he preached at the admission of Mr John Omev to the cure of St Madois.

<sup>1</sup> Douglas' *Baronage*, 192; *Retours* (Perthshire), 680.

<sup>2</sup> Douglas' *Baronage*, 192. She is designated sister of Patrick Blair of Denhead (*Perthshire Sasines*, December 9, 1627).

<sup>3</sup> *Perthshire Sasines*, June 24, 1663.

<sup>4</sup> *Decrees of the Sheriff Court of Perthshire*, August 9, 1678.

<sup>5</sup> *MS. Register of the Presbytery of Perth*.

The Archbishop and Synod of St Andrews, on April 15, 1681, selected Kilspindie as one of the churches to be visited by the Presbytery of Perth before the next Synod.<sup>1</sup> The visitation was held on August 3, 1681: the minute of it is not recorded in the *Register of the Presbytery*.

The Archbishop and Synod of St Andrews, on October 6, 1687, appointed him, Dr John Nicolsone, minister at Erroll, Mr Hary Chrystie, minister at Kinrosse, and others to assist the Presbytery of Kirkcaldy, on October 19, in a visitation of the church of Auchterderen, "to enquire after the rights of the ministers of that church to their manse, and the pretensions of the laird of Balmuto to the same."<sup>2</sup>

A complaint against him and other Episcopal incumbents was laid before the Presbytery of Perth and Dunkeld, on November 26, 1690, by several of the elders of Perth. The Presbytery cited him to appear at their next meeting. He failed to be present, however, and, with the witnesses against him, was ordered to be cited to appear on December 31, 1690. Neither he nor the witnesses, viz. : Mr James Mackie, reader, James Ewan [Swan], beadle, and James Brown in Kilspindy, David Brown in Draickmyre, David Duncan in the Myre, Robert Wallace and Patrick Whythead in Pitrodie, and Robert Steell in Rate, appeared on the day specified. Evidence, however, was given against him.

"Thomas Aillieson in Begrie, in the paroch of St Martines, compeared, and deponed upon oath that Mr John Blair did baptize his chyld, and likewaies baptized John Young in Melginsh his child, none of them being in his paroch. John Young in Melginsh being called, compeared, and deponed upon oath that the said Mr John Blair baptized his child, and also Thomas Ailliesone's in Begrie, none of them being in his paroch.

"Mr Andrew Pettrie, precentor at Kinfaunes, . . . depones that Mr John Blair in Kilspindy did not keep the Fast for the said expeditione" [of King William to Ireland].

John Murray, kirkbellman in Perth, and John Davidstone, kirk officer in Perth, bore testimony that Blair had baptized children in the church of Perth.

Blair and the absent witnesses were again cited to appear at the next meeting—January 14, 1691. Blair did not appear, but Alexander

<sup>1</sup> *MS. Register of the Presbytery of Perth*, June 23, 1681.

<sup>2</sup> *MS. Register of the Presbytery of Dundee*. Light is cast on the case by the following notice:—

"3 Decembris 1687.—Boswell of Balmuto's case is debate. He being patron of Auchterdiran Kirk, and haveing taken 1000 lb. Scots from one Mr John Wood, for presenting him, on the death of Mr Thomas Kinninmounth, the last minister, under the pretext of giving him liberty of duelling in the Manse, which was said to be the patron's oun house; this was complained upon by ane bill, 1° As *velata et palliata simonia*. 2° That the Manse was the Minister's, and was no more the patron's then all the rest of the Heritors who contributed to build it" (*Fountainhall's Historical Notices*, ii. 835-6).

Robertsone, "vintiner" in Perth, and John Smith, son of the Provost of Perth, were present, and declared that they were commissioned by him, but, as they declined to submit their commission to the inspection of the Presbytery, they were not heard. Witnesses were examined. Their testimony was as follows:—"David Mar depones that he usually kept the church, but never heard Mr John Blair read the Proclamations for Thanksgiveing, and did not read the Proclamatione of the Fast; and there was no preaching at the church that day, therfor he went to the chape of Inchlasly: he saies he read a Proclamatione long since.

"William Brown [depones] he is ane ordinary hearer, and he one day heard him read a peaper, and preached after the first Proclamatione: he heard men say the Proclamatione for Thanksgiveing was not kept: he depones on Thursday last there was no preaching, nor intimatione made the Sabbath before of the Fast.

"Peter Cuthbert depones there was no preaching on the Thanksgiveing day for the victory in Ireland, nor preaching on Thursday last, nor intimatione of the Fast Sabbath before.

"David Brown, being ane ordinary hearer, depones that Mr John Blair kept the first Fast, but made no mentione of success to the Protestant army in Ireland, and that he had no preaching on Thursday last, nor intimatione of the Fast on Sabbath before: and there was no peaper read for the first Fast day.

"David Duncan, ane ordinaire hearer, depones Mr John Blair did not pray for success to King William or his Protestant army in Ireland, and that there was no Proclamatione read for the Thanksgiveing; and that he did not preach on Thursday last, nor made intimatione of the Fast the Sabbath before.

"Robert Wanlass depones the same. James Swan, beddell, the same.

"David Sim depones the said Mr John Blair prayed for the Protestant Releigione, but kept none of the forementioned daies, nor read any Proclamatione.

"Gilbert Hony, ane ordinary hearer, depones he was not at church the first Fast day: but Mr John Blair kept none of the forementioned daies.

"William Bruce depones he never heard Mr John Blair read a Proclamation, nor keep any of the forementioned daies.

"James Brown depones the same."

The Presbytery, with whom two clergymen were associated, suspended Blair from the exercise of his ministry, and referred his further punishment to the Synod; and appointed Mr William Ried, minister at Rattray, to intimate the sentence of suspension at Kilspindie. Ried did so, but preached not in the church, but at the church door.

Blair was duly cited to appear before the Synod on March 4, 1691. He failed to obey the summons. Alexander Robertson, vintner in Perth, appeared, however, and, in his name, offered a paper to the Synod. As he declined to produce his commission from Blair, they declined to receive it. The Synod approved of the action of the united Presbyteries in suspending Blair, but delayed to pronounce sentence on him till their meeting in April. It was reported that Blair had preached after the sentence of suspension had been intimated, and had otherwise slighted the authority of the Church. The united Presbyteries, accordingly, were enjoined to inquire into the truth of the report.

The Synod appointed the Presbytery to cite Blair and witnesses against him to appear before themselves on April 1, and before the higher court on the first Tuesday of April. Blair was duly cited but did not appear. The witnesses cited were present, however, and gave evidence as follows:—

“ David Ranken depones that ther was children Christianed within this moneth, but knowes not by whom they were baptized.

“ John Murray, kirk beddell, depones that Mr John Blair did baptize the child of David Stewart, maltman in Perth, . . . within this moneth or therabout.

“ John Davidstone, kirk officer in Perth, depones that Mr John Blair did baptize the child of David Stewart, maltman in Perth.”

Blair, though duly summoned, failed to appear before the Synod. On April 7, it was discussed whether he should be deposed simpliciter, or his case referred to the Commission for advice. The majority voted “Depose.” On the following day, the sentence was formally pronounced. He was deposed because it had been clearly proved that he contumaciously exercised his ministry by preaching in Kilspindie, and by baptising children, after the sentence of his suspension from the ministry had been intimated.

The sentence was duly intimated at Kilspindie, and the church declared vacant.

Blair, however, treated the sentence of the Synod with contempt, and continued to preach and exercise the ministerial office at Kilspindie and elsewhere. A complaint to that effect, and particularly of “baptizing children within the Town of Perth, and within the great church therof, to the great contempt of the Government and Lawes now established, and of the minister now settled in that place,” was laid before the Presbytery on December 25, 1691. The Presbytery ordered him to be cited before the General Assembly.

On January 10, 1693, a complaint at the instance of Sir William Lockhart, Their Majesties’ Solicitor, against Mr John Blair, minister

at Kilspindie, Mr Alexander Balneaves, minister at Tippermoore, Mr Laurens Mercer, minister at Gask, Mr John Grahame, minister at Maitherty, Mr William Smith, minister at Monydey, and Mr Thomas Murray, minister at Kinclaven, was heard by the Privy Council. It stated that, though some of them had been already deprived of their benefices for their refusal to pray for their Majesties in terms of the Act of Parliament, they had yet preached without being qualified, as the law directed, by signing the Oath of Allegiance and engaging not to own King James ; and had failed to pray in definite terms for King William and Queen Mary as King and Queen, and to read the Proclamation of April 13 and Proclamations for a Thanksgiving and a Fast. It was further complained that they fomented disaffection, encouraged their Majesties' enemies, and discouraged their loyal subjects ; not only praying for King James, and that God would restore him, and cause his crown to flourish upon his head, but also praying ambiguously. They had been cited to appear before the Council under pain of rebellion. Blair, with the others, obeyed the citation, and joined in the confession that they had not prayed for King William and Queen Mary, and had not observed the Fasts and Thanksgivings appointed by authority. The Lords, accordingly, deprived him and the rest, save Balneaves (*q.v.*), of their benefices, declared their churches vacant, prohibited them from exercising any part of the ministerial office in them, ordered them to remove from their manses at Whitsunday, and forbade them to labour their glebes.

The Privy Council, on September 6, 1694, passed an Act to the effect that the keys of all vacant churches should be delivered to the Presbytery of the bounds.

The Presbytery of Perth and Dunkeld, on September 19, 1694, instructed the Moderator to demand the keys of the church of Kilspindie from the laird of Kilspindie or any supposed to hold them. The Moderator, accordingly, demanded them from the laird and from Blair. They refused to give them up, and at once he took instruments on their refusal in the hands of William Petrie, notary public. On February 6, 1695, the Presbytery appointed the Moderator to instruct the Agent of the Church to obtain Letters of Horning against William Lindsey, laird of Kilspindie, Blair, and the beadle of Kilspindie, "as havers or abstracters" of the keys of the church, an instruction repeated on October 7 and 23 of the same year.

Blair was alive on May 25, 1707, when, still designated minister at Kilspindie, he is stated to have preached at Kettins.<sup>1</sup>

He married Helen Drummond, daughter of Harry Drummond,

<sup>1</sup> *MS. Register of Kettins Kirk-Session.*

youngest son of John Drummond of Colquhalzie, and Margret Moncreif of Westwood,<sup>1</sup> and had issue: sons—John<sup>2</sup> and James<sup>3</sup>; and daughters—Helen<sup>4</sup> and Margaret.<sup>5</sup>

1. *References in the Register of Sasines for Perthshire.*

Mr John Blair, minister at Capeth, witnessed, June 4, 1663, letters of obligation by Donald Cargill of Haltoune of Rattray, for infefting John Pattillo in Morentie in an annual rent of £120 Scots from the lands of Haltoune and others.

Registered June 24, 1663.

<sup>1</sup> *House of Drummond*, 54.

<sup>2</sup> *Perthshire Deeds*, July 4, 1693.

On May 10, 1676, Blair excused himself for absence from the previous meeting of the Presbytery on the ground "that he had a child in dying."

John matriculated at St Salvator's College, St Andrews, as a student of the second year, on March 26, 1686, and graduated Master of Arts on June 14, 1688. He was presented to the Bell mortification—the rents of lands in the parish of Dron, mortified (February 5, 1659, in more ample form July 6, 1663, and ratified by Parliament, October 9, 1663—*MS. Register of the Presbytery of Perth*, September 13, 1710) by Mr William Bell, minister at Auchtertool (presented by the Crown, January 24, 1636), Dron (presented by the Crown, September 4, 1641), and Errol (admitted November 24, 1652), for the maintenance of a student of Divinity at the New College of St Andrews—by the Presbytery of Perth on August 1, 1688. He failed "to acknowledge the Presbytery," and seems to have imagined that he had a right to the mortification for life. He appeared before the Presbytery on December 21, 1692, in obedience to a citation. He was asked by the Moderator on what grounds he continued to uplift the rents of the lands. He produced his presentation by the Presbytery, signed by Mr George M'Grouther [minister of Collace,—deprived September 17, 1689]. The Presbytery were of the opinion that the document submitted to them gave him no clear right to the rents, because too general, that he had already held the mortification for four complete years, his tenure of it ending with crop and year 1691, and that it should now be withdrawn from him. Blair, when informed of the opinion of the Presbytery, behaved in a most insolent and disrespectful manner, protested against any procedure of the Presbytery in prejudice of his supposed gift, and took instruments in the hands of Andrew Maiden, notary public. He refused to pass from his protestation, and to put forward any defence of his position. The Presbytery declared that his right had terminated, and that the mortification for 1692 was vacant. He afterwards studied medicine and practised in Dundee.

On December 7, 1691, at Balthyock, he witnessed the Testament of his uncle, Captain James Blair of Colonel George Lauder's Regiment. The Testament was confirmed at Edinburgh on February 26, 1706, when Mr John Blair, designated Doctor of Medicine in Dundee, became cautioner for his Uncle and Father, the executors (*Edinburgh Com. Testaments*).

<sup>3</sup> *Edinburgh Com. Testaments*, March 1, 1706.

In his Testament, signed at London, October 17, 1704, he is designated "seaman aboard Her Majesties Shupe 'The Oxfoord,' wherof John Nores Captain and Master." He died abroad. He appointed his brother german, Dr John Blair, sole executor.

<sup>4</sup> She had sasine, January 3, 1687, of an annual rent of £80 to be uplifted from the lands of Baxterhill, proceeding on a precept by Helen Moncrieff, widow of Mr William Bell, minister of Errol, signed, December 28, 1686, in presence of Dr John Nicolson, minister of Errol (*Perthshire Sasines*, February 24, 1687).

<sup>5</sup> *Edinburgh Com. Testaments*, February 26, 1706. She died before October 17, 1704 (*Ibid.*, March 1, 1706).

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On April 3, 1685, in presence of Mr David Younge, minister at Lethintie, the said John Blair and Euphame Blair, mother of James Blair of Lethintie, consented to a charter of confirmation by the said James Blair in favour of Mr Thomas Crichtoun of the lands of Tomhorne and others, within the barony of Glascloone.

Registered May 25, 1685.

Mr John Blair witnessed, July 16, 1685, an instrument of sasine in favour of William Lindsay of Kilspindie of George Broune of Westhorne's "propper myres in the commone myres of Eroll," sometime belonging to the lands of Aithmoor and Seasyd, within the barony of Errol; proceeding on a precept of sasine in a contract of excambion between them, dated February 5, 1684: and on the same date, witnessed an instrument of sasine in favour of the said George Browne of Lindsay's part of the "propar myres" of the barony of Carsgrange, and the common myres of Muirhouses, proceeding on the above precept of sasine.

Registered July 24, 1685.

Mr John Blair witnessed, at Dundee, March 13, 1691, a contract of marriage between John Blair of Balmyle and Grissall Man, daughter of James Man, merchant and bailie of Dundie.

Registered April 2, 1691.

### *2. References in the Register of Deeds of Perthshire Sheriff Court.*

Mr John Blair became cautioner, at Perth, June 24, 1674, for his brother, Thomas Blair of Pittindreich, for payment of 500 merks Scots to Laurence Bruce of Craighall.

Registered June 3, 1675.

Mr John Blair and Mr John Omay, minister at St Madoes, witnessed, at Argaith, October 28, 1673, the consent of John Butter, eldest son of Patrick Butter of Gormack, to a declaration by his father of the proportions of £10,000 to be allocated to his several children.

Registered October 5, 1680.

Mr John Blair witnessed, at Overdourdy and Inschyra, April 10 and 30, 1679, a bond of provision by Laurence Blair of Over Durdie, Thomas Blair, his eldest son, and Sir Alexander Blair of Balthayock, for £40 in favour of Janet Turnbull, wife of the said Laurence.

Registered July 23, 1688.

Mr John Blair and Mr David Young, minister at Lethindy, witnessed, at Pittendrich, October 4, 1684, a discharge by Jane, only surviving

child of Thomas Blair of Pittendreigh, and the deceased Janet Auchinleck, eldest daughter of the deceased Sir George Auchinleck, younger, of Balmano, in favour of the said Thomas Blair, whereby on receipt of an annual-rent of 300 merks she discharged the sum of 12,000 merks secured under a marriage contract, dated July 31, 1662.

Registered September 24, 1688.

At Perth, July 26, 1682, in presence of James Blair of Leathendy and Mr David Young, minister there, Thomas Blair of Pittendreigh signed a bond for £545 in favour of Mr John Blair, minister of Killspindie, and Helen Drummond, his wife, whom failing, John Blair, their eldest son.

Registered July 4, 1693.

At Errol, March 19, 1685, in presence of Dr John Nicolson, parson of Errol, and James Blair of Leathendy, Thomas Blair of Pittendreigh granted a bond for 1800 merks in favour of Mr John Blair, and bound himself to infest the said Mr John in an annual-rent of £72 to be uplifted from the lands of Pittendreigh, or others belonging to him.

Registered July 4, 1693.

### 3. *Reference in the Register of Decreets of Perthshire Sheriff Court.*

William Lindsay of Kilspindie obtained decree against Mr John Blair and Sir Alexander Lindsay of Evelick, for his interest, for exhibition by the former of an agreement (dated . . . 1682) between Sir Alexander Lindsay of Evelick and Alexander Lindsay, fiar thereof, and the pursuer, for an excambion between them to enable Sir Alexander to build a park dyke; and agreeing that Sir Alexander might enclose as much of the pursuer's arable ground, for the straight leading of the park dyke, as should be measured by friends, the said Sir Alexander giving as much arable ground of the same quality as he received, and that the park dyke should be the constant march between their lands in time coming: also of a disposition (dated . . . 1682) to the pursuer, irredeemably, of that plain hill of moor lying above the freestone and quarry of Evlick and besouth the hill of Kilspindie, with all relative writs.

Registered August 31, 1683 (? 6).<sup>1</sup>

### 4. *Reference in the Register of Acts and Decreets (Mack).*

Mr John Blair, minister at Kilspindie, and Sir Patrick Threipland of Fingask were curators of Anna Weems, granddaughter of Mr David

<sup>1</sup> P. 203.

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Weems, minister of Scone, and daughter of Mr George Weems, minister of Scone, and Elizabeth Drummond,<sup>1</sup> sister to John Drummond of Cullquhollie (contracted September 28, 1660).

Registered February 18, 1685.

### 3. William Nairn, c. 1668-1680.

He matriculated at St Leonard's College, St Andrews, on February 15, 1661, and graduated Master of Arts on July 19, 1664.<sup>2</sup> He was minister of Caputh before June 28, 1673,<sup>3</sup> when the Commissioners of Teinds granted him one chalder and fourteen bolls victual in augmentation of his stipend.<sup>4</sup>

On November 14, 1675, he became prebendary of Ruffell on the presentation of the Bishop.<sup>5</sup> A visitation of Caputh was held at his request, on April 23, 1678, for the purpose of designating to him a sufficient glebe, with grass for his kine and horse.<sup>6</sup> He was translated to Kinclaven

<sup>1</sup> She afterwards married Major James Stewart of Easter Banchrie.

<sup>2</sup> A William Nairne matriculated at St Leonard's College on March 5, 1666, and graduated Master of Arts on July 24, 1669.

<sup>3</sup> Caputh became vacant on September 25, 1667.

The *MS. Register of the Presbytery of Perth* on January 15, 1668, proceeds:—"Received a letter from the Bishop of Dumblaine, desiring the Presbytery to proceed to the trials of Mr John Omay, in order to his admission to the function of the ministry at the church of St Madois; the Presbytery having received a testimonial from the Presbytery of Dunkeld, shewing that the said Mr John had passed the Exercise and Addition before them in order to his admission to another church in their bounds, and was approven in that part of his trials, they appoint," etc. That vacant charge was probably Caputh. The other parishes vacant in January 1668 were Blair-Atholl and Killin.

<sup>4</sup> Connell on *Tithes*, ii. 209.

<sup>5</sup> *Perthshire Hornings*, February 16, 1681. v. vol. i. p. 313.

<sup>6</sup> *MS. Register of the Presbytery of Dunkeld*, May 7, 1730.

At a visitation of the parish of Caputh on May 7, 1730, Mr James Hog, the minister, stated that, "in the year 1678, upon application of Mr William Nairn, then minister, att a visitation appointed by Mr Alexander Ireland, Dean of Dunkeld, according to the Bishop's commission, the Kirkhill ["in the which the church stands"], so far as it is arable, was assigned to the minister of Caputh as a part of his grass; and the same was in March 1681 appretiate to the minister att five merks yearly."

Mr Hog also laid before the Presbytery an "Appretiation of his grass" to the following effect:—"Att Caputh, the fourteenth day of March, one thousand sex hundred four score and one years. Whilk day, John Blair in Wester Caputh, and John Chalmer, portioner thereof, two honest men appointed by the deceist Mr Alexander Ireland, Dean of Dunkeld, and the rest of the brethren who were present with him att an visitation, holden att the church of Capith (conform to the Bishop his commission), for providing the minister of Caputh with an sufficient gleib with grass for feding his kine and horse, whilk visitation was holden att Caputh, the twentie third of April, one thousand sex hundred and seventie eight; and likewise conveynd with the said John Blair and John Chalmer, Andrew Grimmond in Easter Caputh, and William Haggart, younger, there, two honest men chosen be Thomas Stewart of Stenton and the rest of the heretors of the said toun of Wester Caputh, which four men were calld and appointed for apprysing the round fauld for an part of the said minister's grass; the saids four neutral honest men has

after October 16, 1680.<sup>1</sup> He is Moderator of the Presbytery of Dunkeld when the Record begins, and on April 26, 1682, he is designated Dean for the first time. He was appointed Constant Moderator of the newly erected Presbytery of Cowpar Angus on April 27, 1687. He was stated to be on his deathbed on August 31, when the manse was appraised: he was alive on September 6, and died on or before September 8, 1687.<sup>2</sup>

He married Marjory Stewart, daughter of Sir Gilbert Stewart of Polcark,<sup>3</sup> and left children, one of whom was Charles.<sup>4</sup> He had a brother James in Bonitoun, near Montrose.<sup>5</sup>

In his Will, signed at Kirktowne of Kincleaven, August 2, 1687, in presence of John Greig, servitor to Thomas Nairne of Kirkill, and George Mein, notary in Innernytie, the writer of it, and confirmed June 14, 1688,<sup>6</sup> he left instructions that he should be buried in the kirk of Kinclaven, and appointed his wife his executrix, with instructions (in the event of the annual rent of his estate proving insufficient to maintain and educate their children) "to medle with the stock," with advice and concurrence of Charles Stewart of Rottmell, Commissary of Dunkeld, Thomas Nairne of Kirkill, John Nairne of Craigie, Mr William Ratray, minister at Cargill, and James Nairne, his brother german.

His Will also states that debts were due to him by John and James Haggart, portioners of Ruffell, George Chalmer of Milnehorne, Anna Blair, Goodwife of Drumbue, James Brydie of Milnhill, the late laird of Louse, the laird of Grantuly, the laird of Inndernytie, the widow of Silvester Rattray, and Lady Muckersie. He also declared that he had advanced £40, borrowed by him from the Kirk-Session, to Lady Muckersie and Lady Nairn for the enlargement of the church of Kinclaven, and the erection of a bell house, until it should be decided whether the liferentrix or the heritor were liable in payment. In an additional inventory,

apprysed the said round fauld to be worth twentie merks be year; and likewise the saids appryers appryses the meet hill now called the kirk hill, so far as it is arrable, to five merks, and the peice grass lyand on the west end of the gleib, upon the waterside, to five merks, which in the hail makes up the soum of twentie pounds, which they do all testify by their subscriptions as follows, place, day, moneth, and year foresaid.

"Sic subscribitur: I. Ch.; A. G.; I. B.

"De mandato dicti Gulielmi Haggart scribere nescientis, Ego, Joannes Haggart, notarius publicus, pro illo subscribo. Jo. HAGGART, n. p."

<sup>1</sup> *Dunkeld Commissariat Deeds*, September 17, 1696. The date given by Scott (*Fasti*) is October 24, 1680.

<sup>2</sup> *MS. Register of the Presbytery of Cowpar-Angus*. v. Murray: Kinloch.

<sup>3</sup> *Perthshire Inhibitions*, September 30, 1687.

<sup>4</sup> Charles Nairn, son of the deceased Mr William Nairne, Dean of Dunkeld, wrote and witnessed, at Dunkeld, June 8, 1693, a bond by Donald Robertson, citizen in Dunkeld, for 400 merks, in favour of William Fyfe, writer in Dunkeld, and Agnes Smith, his wife (*Dunkeld Com. Deeds*, 1699).

<sup>5</sup> *MS. Register of the Presbytery of Dunkeld*, November 5, 1684.

<sup>6</sup> *Dunkeld Com. Testaments*, i. 65, 191.

confirmed March 17, 1691,<sup>1</sup> Mr William Rattray, minister at Kirgill (Cargill), becoming, as before, cautioner for the executrix, it was declared that bonds with interest were due to him by the representatives of the deceased Sir Gilbert Stewart, the deceased Charles Stewart, Commissary of Dunkeld, Thomas Stewart of Ladywell by assignation, March 8, 1679, from Grisell Moncur in Dunkeld, with consent of William Broddie, her husband, the heritors of Kincleaven for the expense of repairing the manse (£600), and the lands (? lairds) of Muckersie for the repair of the church (£40); and that £400 of his stipend, as Dean of Dunkeld, remained unpaid.

1. *Reference in the Register of Deeds of Perthshire Sheriff Court.*

Mr William Nairne, minister at Kaippet, witnessed, at Errol, September 7, 1675, a bond by the Earl of Northesk and David, Lord Rosehill, his eldest son, for £1930, 19s. 4d. Scots in favour of Sir Thomas Steuart of Grantullie.

Registered March 11, 1681.

2. *References in the Register of Deeds of Dunkeld Commissariat.*

At Mucklie, March 12, 1679, John and James Bryddies in Over Kincairdney granted a bond for £28 Scots in favour of Mr William Nairne, minister at Caputh, and the Kirk-Session thereof, in name and behalf of the poor.

Registered June 23, 1692.

John Eldge, in Haltoun of Seatt, signed a bond for 20 merks in favour of Andrew Griman in Easter Caputh, one of the elders of the Kirk-Session of Caputh, in name of the minister and remanent elders of the Kirk-Session thereof, at Dunkeld, October 16, 1680, in presence of John Steuart, student in Dunkeld.

Registered September 17, 1696.

3. *Reference in the Register of Inhibitions for Perthshire.*

Marjorie Stewart, daughter of Sir Gilbert Stewart of Polcalk, and Mr William Nairn, minister at Kincleaven, Dean of the Diocese of Dunkeld, her husband, obtained, on November 30, 1677, a decree before the Lords of Council and Session against Charles (Gilbert) Stewart of Tulynedes (also designated of Polcak), heir to the said Sir Gilbert Stewart, as representing the deceased John Stewart of Tulynedes, his father, for 2000 merks, etc. Letters of Inhibition were granted on July 6, 1687.

Registered September 30, 1687.

<sup>1</sup> *Dunkeld Com. Testaments*, i. 65, 191.

1. *Reference in the Register of Deceets of Perthshire Sheriff Court.*

Marjorie Stewart, daughter of Sir Gilbert Stewart of Polcalk, and widow and executrix of Mr William Nairne, obtained decree against (a) Patrick Stewart, son of the deceased Charles Stewart of Rotmell, and heir of the deceased Gilbert Stewart, son of the deceased John Stewart of Tullinedies, and John Stewart of Ladywell, his Tutor, for payment of sums due (*v. supra*, Inhibitions), and for 100 merks due by Charles Stewart of Rotmell under a bond in favour of her husband, dated October 2, 1678; and (b) John Stewart of Ladiewell for 200 merks under a bond granted by Thomas Stewart of Ladiewell, his father, on July 14, 1673, in favour of Grissall Moncure in Dunkeld, assigned by her to William Brydie, January 23, 1674, and by him to Mr William Nairne, March 8, 1679.

Registered April 29, 1691.

4. Robert Gordon, 1681-1683.

Robert Gordon entered Marischal College, Aberdeen, in October 1650, and, with the future Lords of Session, Pitmedden and Kemnay, and with Robert Fergusson, "The Plotter," graduated Master of Arts on July 14, 1654.<sup>1</sup>

He was admitted to Dunkeld and Dowally and to the office of Treasurer of the Chapter, of which his cure was the prebend, before October 19, 1671.<sup>2</sup> From October 3, 1677, till April 26, 1682, he was Clerk to the Synod of Dunkeld, and was translated to Caputh after March 16,<sup>2</sup> and before November 2, 1681.<sup>3</sup> On May 11, 1682, when the edict towards the Admission of Mr Patrick Auchterlonie to Redgorton was returned, at Kinclaven, he protested, in the Bishop's name, that his Lordship's right of presenting to Redgorton should not be prejudiced by any action taken by others.<sup>4</sup> Having failed to obey an appointment of the Presbytery to preach at Little Dunkeld on August 1, 1683, he was "ordered precisely" to preach there before the next meeting.

He was collector of the subscriptions within the Presbytery on behalf of the merchants of Montrose.<sup>5</sup> He was admitted to Abercorn<sup>6</sup> after September 5, 1683, and before November 9, 1683; and, on July 10, 1684, was present at the apprising of the manse of Caputh.<sup>7</sup>

<sup>1</sup> *Records of Marischal College and University* (New Spalding Club), ii. 216-7.

<sup>2</sup> *Perthshire Deceets*, March 16, 1681.

<sup>3</sup> *MS. Register of the Presbytery of Dunkeld*, *passim*. *The New Statistical Account* (x. 674) gives the date of his admission to Caputh as March 12, 1682.

<sup>4</sup> *MS. Register of the Presbytery of Dunkeld*, June 7, 1682.

<sup>5</sup> *Ibid.*, November 5, 1684.

<sup>6</sup> The patron of Abercorn in 1661 was Alexander, Viscount Kingston (*Register of the Privy Council*, Third Series, i. 43). Scott states that he preached his farewell sermon at Caputh on November 18 (*Fasti*).

<sup>7</sup> *Register of the Presbytery of Dunkeld*, August 6, 1684.

In 1689, he failed to read the Proclamation of the Estates owning William and Mary as King and Queen of Scotland, and to pray for their Majesties in terms thereof. Accordingly, a petition by William Ædie, William Bryce, Walter Brash, John Dick and John Thome, parishioners of Abercorn, and Sir John Dalrymple, younger, of Stair, His Majesty's Advocate, for his Highness' interest, for his deprivation was presented to the Privy Council. It stated that he had not only contemptuously disobeyed the order to read the Proclamation, and to pray for their Majesties, but continued to pray for King James, and thereby endeavoured "to alienat the hearts of his hearers from their obedience to his present Majestie." The Privy Council considered the petition on August 23, 1689. Gordon, who was present in obedience to a citation, acknowledged that he had neither read the Proclamation nor prayed for their Majesties as King and Queen of Scotland, and accordingly was deprived of his benefice, prohibited from preaching or exercising any part of the ministerial office at Abercorn, and enjoined to remove from the manse and glebe at Martinmas. The minute continues:—"And he being called in, and desyring that the Lybell might be proven, which he then denyed, albeit he hade acknowledged the samen the day before, the saids Lord[s], becaus of his disinginitie, ordaines him to be caried to prison and to continue therein dureing the Councill's pleasure."

A week after, a supplication from him was presented to the Council. In it he stated that "being incarcerat by the saids Lords' warrand for some offence given when he was befor the saids Lords, the petitioner is heartieli sorie he should have by any indiscreet words given the least ground of offence to the saids Lords; and declaires that he did it not intentionally, but that the same proceded from this, that he hade never any thing to doe hitherto before any Judicatory, and was not the least acquainted with the way of procedor befor" them.

He again acknowledged that he had neither read the Proclamation nor prayed for their Majesties, and craved to be set at liberty. The Lords granted the petition.

Another petition by him was considered by the Privy Council on March 3, 1691. He represented that he had been deprived of his benefice a short time before the legal term for the payment of clerical stipends, and that he had hoped to obtain a grant of the half year's stipend. He understood, however, that the Lords had conferred it on another, but had learned that the stipends of Ratho and Foveran were at their disposal. He stated that he had expended a considerable sum of money in repairing the manse and rebuilding the offices at Abercorn, which had not been repaid by the heritors, and that he was in great need, and was without visible means of supporting himself and the seven

motherless children depending upon him. He begged the Council to grant him the whole stipend of either of the churches mentioned for the year 1690, and to appoint the heritors to make due payment. The Lords conferred on him the stipend of Foveran for 1690, but resolved that no extract of their Act should be given until he submitted the consent of the patron, to whom, also, they recommended him.

Mr William Stewart, minister at Clunie, died in 1690. That charge had been vacant for a year and a half, when the heritors, with consent of the people, unanimously called Gordon to be their minister. He accepted their invitation. He entered upon his ministry, however, without admission by the Presbytery of the bounds, and, consequently, was treated as an intruder.

The Presbytery of Perth and Dunkeld obtained letters of ejection against him: they were duly executed.

The church of Cluny was declared vacant on September 4, 1698. The Presbytery supplied it with preaching for a few Sundays; and, on October 26, instructed the clergyman appointed to supply the pulpit to demand the keys of the church by instrument, if necessary, and also appointed that the circumstances of the parish should be represented to the Earl of Tullibardine, one of the principal heritors. The clergyman appointed to preach reported, on November 16, that access to the church had been denied him, that he had demanded the keys from Gordon in presence of a notary, but that Gordon shut himself up in the manse, and treated his proceedings with disregard. The Earl, as was stated on the same date, "craved the favour of the Presbitrie to overlook Mr Gordone, incumbent at Cluny, for some tyme whill the kirk is unplanted, if it were but for two moneths' space, and that he hoped the Presbitrie wold not supplie it for that tyme." The Presbytery appointed another representation on the state of the parish to be made to his Lordship, and meanwhile delayed to appoint supply. On March 22, 1699, they appointed a committee to acquaint his Lordship with the "sad caice" of the parish, and to state "that the people ther are verry desyrous to have ane minister, and that the Presbitrie knows how to provyde them with one whom they have often hard in nighbouring congregations, and are wiell pleased with." The Earl, as was reported on April 26, "gave a very good answe're," and promised to secure access to the church for any who might be appointed to preach there. The Presbytery resolved to supply the pulpit "carefully."

On June 21, they appointed one of their probationers to preach at Cluny, and to intimate a meeting to be held on the Monday after for receiving lists of persons to be appointed elders. That meeting was duly held; and the Presbytery instructed that an Edict should be served,

on July 9, for the admission of James Brydie in Belldornoch, John Blair in Middle Gourdie, William Brydie in Ballvadoch, James Fisher in Milntoun of Cluny, Patrick Souter in Tullinydies, Patrick Mustard and James Turnbull in the town of Cluny, and David Turnbull in Hillocks. But the clergyman appointed for the duty was refused access to the church. The Presbytery, therefore, appointed a committee to interview the Earl of Tullibardine, and delayed the ordination of elders. The committee reported, on August 30, "that his Lordship seemed so dissatisfyed with the Presbytrie's causinge serve ane Edict, in order to ane eldership, without first acquainteing him, that his Lordship said he would medle no more in it." The Presbytery, on November 8, 1699, instructed their representatives on the Commission of the General Assembly to make application to the Privy Council for the ejection of Gordon. The result was that the Lord Advocate requested that the names of all unqualified incumbents and intruders should be sent to him, and promised that "he wold fynd a way to take course with them."<sup>1</sup>

On April 4, 1700, a complaint against him by John Blair, Agent for the Church, and Sir James Stewart, His Majesty's Advocate, to the effect that he continued to discharge the ministerial office without having qualified by taking the Oath of Allegiance and subscribing the Assurance, and, though deprived by the Council, to intrude upon the vacant church of Clunie and to retain the keys of the church, came under the notice of the Privy Council.<sup>2</sup> It was proposed that he should be punished for his conduct. He had been cited to be present, but failed to appear, and consideration of the complaint was postponed.

On May 14, 1701, the Presbytery again resolved to institute proceedings for his ejection from Cluny, and, on May 28, referred his case to the Commission. They also, on August 28, 1701, ordered a representation regarding him, Mr Harry Murray, incumbent at Dunkeld, and Mr James Crocket, incumbent at Caputh, to be submitted to the Lord Advocate.

A complaint against them by the Agent for the Church, with consent of His Majesty's Advocate, was considered by the Privy Council on September 23, 1701. It was declared that they continued to exercise the ministerial office, without having qualified as the law appointed, by taking the Oath of Allegiance and Assurance, and had become amenable to the prescribed penalties. It was affirmed that they did not pray for his Majesty, but adhered to King James, and offered public prayer "for him in such ambiguous termes and expressiones as evidences their intire

<sup>1</sup> The Presbytery, on March 21, 1700, appointed the minister of Kinloch "to attend the processes before the Councill anent Mr Gordoun, intruder in Cluny, and Mr Papley in St Madois paroches." Mr John Shaw, minister at Kinnaird, was also charged before the Privy Council on April 4, 1700.

<sup>2</sup> *MS. Register of the Privy Council, Acta.*

owning him." It was adduced as additional proof of their disloyalty that "they refused to read the publict proclamations appointed by his Majestie for observing and keeping of solemn dayes of fastings [and] of thanksgivings, and in place of obedience, they most maliciously redicule, dispise, and mocke at the causes and reasons contained in the said proclamations." Concerning Gordon, it was declared that, though deprived on August 23, 1689, for disaffection, he had "most boldly intruded himself to the church of Cluny without any orderly call from the heritors and eldership, and legall admission from the Presbytrie of the bounds." "And the saids fornamed persones," it was added, "still continues in the said paroches, infesting and troubling that bounds, to [the] great disquiet of the settled order and peace of the Church."

They had been cited to appear on the date mentioned above. Crocket and Murray obeyed the summons. Gordon was not present, but a certificate from Mr John Murray, Doctor of Medicine, and Mr James Murray, "chirurgion apothecary at Pearth," was submitted, stating that, "upon their certaine knowledge," he could not undertake a journey to Edinburgh without endangering his life. The Lord Advocate, however, objected that the certificate did not bear the words "upon soull and conscience," and the Lords accordingly refused to sustain it.

Crocket and Murray admitted that they preached without being qualified as the law required. Consequently, they were deprived of their livings, prohibited from discharging the office of the ministry in their respective parishes, and ordered to remove with their households from their manses, glebes and parishes before Martinmas. Gordon was enjoined to relinquish the benefice of Clunie, and, with his household, to leave the parish before November 18, was forbidden to exercise ministerial functions within it, and was declared incapable, for seven years, of "enjoying any church stipend or benefice within this kingdom." The Lords, however, appointed that no extract of their sentence should be issued before November 18, and, in the event of his appearance before that date, agreed to hear him. The decree, however, was not extracted at that time.

On December 4, the Presbytery appointed a committee to "deall with him for the keys of the kirk, and offer him the Presbytrie's discretione and kindnes, notwithstanding the Councill's sentence, if he behave himself discretely and doe nothing against the Presbytrie's endeavour to plant the kirk." The committee reported that he refused to give up the keys of the church, without the order or the recommendation of the Earl of Tullibardine. The Presbytery appointed that an extract of the sentence should be obtained with Letters of Horning. On February 11, 1702, a letter from the Earl in favour of Gordon was read

to the Presbytery; and on February 25, his Lordship again requested them to delay their procedure against him. The Letters of Horning were not obtained, and for some years Gordon discharged ministerial functions in the parish of Clunie without interference.

In 1705, the Presbytery again resolved to proceed toward the ejection of Gordon from the parish of Clunie. They ordered that the sentence of the Privy Council should be extracted, and that Letters of Horning should be obtained against him. It was reported, on October 24, 1705, that the Lord Advocate had forbidden any extract of the decrees of the Privy Council to be issued until their meeting on the second Tuesday of November. The extract was duly issued on November 14, and Letters of Horning were raised against Gordon.

The Presbytery, on December 5, ordered Mr Thomas Black, minister at Perth, to enquire of the Agent of the Church, whether Gordon had obtained a suspension of those letters, and if he had not, instructed a committee to inform the Duke of Atholl that they would refrain from executing them, on condition that Gordon should bind himself by deed no longer to intrude on Clunie, and that if he did so they would permit him to receive the stipend for some time.

Gordon, however, had obtained a suspension of the Letters of Horning, and in spite of the efforts of the Presbytery, that suspension was never discussed.

On March 20, 1706, the Privy Council passed an "Act anent intruders into Churches," of which the first head was that sheriffs and their deputies, and all other magistrates within whose bounds vacant parishes lay, should, on the application of the Presbytery, make them patent to them, and cause the keys, or new keys if necessary, to be delivered to them, within fifteen days after they should be required by instrument; and that, in the case of failure, Letters of Horning on a charge of ten days should be issued against them. Both the Duke of Atholl, the Sheriff-Principal, and Mr John Ramsay, the Sheriff-Depute, failed to enforce that Act; and, on April 24, the Presbytery despatched a committee to Huntingtour to request his Grace to order his Depute to put it into execution, as he should be required by them. The Committee reported in the afternoon that they did not meet the Duke of Atholl, who had left Huntingtour on a journey to Hamilton before they arrived. The Presbytery, thereupon, instructed their Moderator, Mr James Gray, minister at Kinloch, and Mr Jamisone, minister at St Martins, "to repair to the personall presence" of the Sheriff-Depute, and by instrument to require him to enforce the Act; and especially to obtain among others the keys of the church of Clunie, and to deliver them to the Presbytery. Those ministers duly discharged their commission. It was reported to the Presbytery, on

May 29, 1706, that the Duke was "much dissatisfied" with their action, holding that he should have been first informed of their intention; and that he requested that, before proceeding further against his Depute, they should send some of their number "to commune" with him. The Presbytery appointed a Committee to wait upon his Grace, to state the circumstances of their procedure, to complain of the inaction of the Sheriff-Depute, "to beseech" his Grace to give them possession of Cluny and other churches, and to inform him that, if nothing were effectually done in the matter before their next meeting, they would be obliged to proceed without delay. The Duke promised to the Committee to send his answer through his Depute. It was reported to the Presbytery, on June 26, that the Sheriff-Depute had sent for the Moderator and Mr Jamisone, and had requested them to inform the Presbytery that as Gordon had intruded on Cluny before 1695 his case came under the immediate purview of the Privy Council.

No further action was taken against Gordon till 1708.

In accordance with the instructions of the Commission of the General Assembly referred to them by the Synod, the Presbytery of Dunkeld, on October 19, 1708, proceeded to enquire what intruders, schismatical meeting-houses, papists, etc., were within the bounds. It was found that Gordon was an intruder upon the church of Clunie, and Mr Duncan Stewart upon the church of Blair-Atholl. Thereupon the Presbytery appointed a committee to wait upon the Duke of Atholl to obtain his "concurrence and countenance" in their proceedings against them. The committee reported, on November 2, that they had met his Grace, who "took it kindly that the Presbitery commund with him before they proceeded against these intruders, and said to them he was shortly going to Edinburgh, and was resolved to consult anent the method of procedure in obedience to Her Majestie's proclamation and letter, and that he would be so friendly to the Presbitery as to write over an account theirot assoon as might be." The committee also stated that they had represented to his Grace that they were obliged to act in view of their report to the Commission, and that his Grace had said that "he would not diswad the Presbitery from going on to give obedience to the Commission's letter."

Gordon appeared before the Presbytery on November 23, in obedience to a citation. The minute of that date proceeds:—

*November 23, 1708.*

Mr Robert Gordon att Cluny, having been summond on the account of his intrusion upon the paroch of Cluny, was called, compeared before the Presbitery. The Moderator enquired att him, what right or title

he had to exercise his ministerial function in the foresaid paroch or possess the manse and gleib their of. To which he answered, that, in the year one thousand sex hundred and nintie-two, (that kirk having been vaccant a year and an half before, by the death of Mr William Stewart, late minister their,) he gott the unanimous call of the heretors of that paroch and the consent of the people, upon which he entered their, and has since so continued to serve God & his people as well as he could. And the Moderator having again enquired if he entered their by the Presbiterie's consent, he replied as formerly; and he being removed, the Presbiterie, after mature deliberation, did and hereby do finde that the said Mr Robert Gordon has intruded upon the said paroch, and does exercise his ministerial function, and possess the manse and gleib their, without any just title or right, and that theirfore he ought to remove theirfrom. And he being calld in, this was intimate to him by the Moderator. Then Mr Gordon alledged that their was no Presbiterie in the shire of Perth att his entry into the kirk of Cluny, nor any enquiring after it, and that he thought it was great charity in him to take care of the souls of that people: as also that he did not think that the Presbiterie would have proceeded to a sentence against him, else he would have offered other things in his own defence, and craved liberty now to do it; and their-upon produced, with protestation and instruments asked and taken in the Clerk's hands, three several papers, viz. :—A suspension of a decret of the Lords of His Majestie's Privy Counsell against him, and a Charge of Horning following theirupon, upon the reasons alledged theirin, as the said suspension in itself att more length bears, and two other papers, the tenor whereof follows:—Defence for Mr Robert Gordon in the action pursued before the Presbiterie. Mr Gordon humbly represents that their being a decret obtaind before the Lords of Privy Counsell against him in absence, as intruder to the paroch of Cluny, decerning him to quite the benefice and possession of the church, and desist from preaching their, he, upon just and good grounds, recovered suspension their of, duely exped by the same authority, as the letters of suspension herewith shoven will instruct; and which depended undiscussed before the Counsell while a legal judicature, the time of the Union, and theirfor cannot now be proceeded in by any other judicature in this nation. And tho, since the Union, the Counsell is removd, yet whatever had dependance before them does not *eo ipso* fall, but must be determined by the Counsell of Great Brittain, who now has the same authority. *Sic subscribitur*, M. RO. GORDON.

In the other paper, after recapitulating that defence, which, as he declared, the Presbiterie had repelled, Gordon protested "against their

procedure as being illegal and unwarrantable, and that whatever they do may have no force or effect against him ; but that the Moderator and other members of the Presbytery may be lyable to repair him his trouble, damage, and expences, and otherwise, as accords of law.”

The Presbytery took no further steps toward his removal. He remained in possession of the church, manse, and benefice of Clunie till the beginning of 1713. On January 20 of that year, it was reported to the Presbytery that he was dead.<sup>1</sup>

On March 3, 1691, he was a widower with a family of seven children.

At his death, Mr John Gordon, his son,<sup>2</sup> a clergyman in Episcopal orders, intruded on Clunie, and retained possession of the church till August 1714,<sup>3</sup> and, after the Ordination of Mr Alexander Ross, of the manse. Ross was compelled to use legal diligence to remove him from the manse.<sup>4</sup>

1. *References in the Register of Decrees of Perthshire Sheriff Court.*

Mr Robert Gordon, minister at Dunkeld, and Treasurer of the Chapter of Dunkeld, having shown that by his presentation he had right to the whole tithes within the parishes of Meikle Dunkeld and Dowally, at the least to the vicarage and small tithes, viz. :—the tenth sheaf of corn, the tenth lamb, the tenth stone of cheese, butter, lint, wool (oull), hemp and hay, the tenth goose, poultry, gryse, calf or stirk, foal or staig, and the tenth of everything growing on the said lands teindably, obtained decree for the following sums for the years 1673-4 against the following persons :—The proprietor of Rotmell, £40 yearly ; John Walyntyne in Birks of Craigilto, £20 ; James Syme in Craigilto, £20 ; William Syme, there, £20 ; John M'Larane, £20 ; John Mories, there, £20 ; Thomas Keir, there, £20 ; William Brydie, there, £20 ; Donald M'William, there, £10 ; David Brydie, £10 ; John Roy, £10 ; Alexander Stewart, there, £10 ; James Galloch, there, £5 ; James Hay, there, £5 ; Patrick Galloch,

<sup>1</sup> Scott states that he died on January 13, his authority being Gordon's tombstone : but there is now no tombstone in memory of Gordon at Clunie (*Fasti*).

<sup>2</sup> On October 12, 1705, a Mr John Gordon, designated son to Mr Robert Gordon, who had lately sailed from Scotland to Rotterdam on the ship "The Catherine," signed an attestation to the effect that Mr William Durham, who had been banished by the Privy Council, was then at Rotterdam (*Warrants of the Privy Council*). Mr John Gordon, designated son of the minister at Clunie, was a candidate for the office of Regent at King's College, Aberdeen, in 1709 and 1711 (*King's College : Officers and Graduates*, 60, 61). During the rebellion of 1715, he intruded on Caputh and Clunie (*MS. Register of the Presbytery of Dunkeld*, February 21, 1716).

"The people here speak much of the prodigious bodily strength of one William Gordon, who was a son of one of the last Episcopalian ministers of this parish, and who fell at the battle of Sheriffmuir in the year 1715, fighting on the side of the Earl of Mar" (*The Statistical Account of Scotland*, 1793, vol. ix. 266).

<sup>3</sup> *MS. Register of the Presbytery of Dunkeld*, September 7, 1714.

<sup>4</sup> *Ibid.*, February 8 and March 8, 1715.

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there, £5; John Stewart, portioner of Dowallie, £40; John Stewart, tenant there, £5; John Robertson, there, £5; John Rouie, there, £5; Donald M'Naughton, there, £5; John Galloch, there, £5; John Fraser, there, £5; John M'Ritchie, there, £5; John M'Lagan in Killmorich, £10; Janet M'Naughtone, there, £10; William Menzies, there, £10; Grissall M'Farland, there, £5; James M'Larane, there, £10; Patrick M'Larane in Balledmond, £20; Elspeth Robertson, there, £10; John Low in Croftday, £10; Donald Goodaill in Ballnacraig, £10; John M'Cullie, there, £10; Thomas M'Naughtone in Haugh, £10; John M'Gruther, there, £10; Donald Mill, there, £10; Elspeth Stewart, there, £10; William Douglas, there, £10; James Douglas, there, £10; William Stewart, there, £10; John Bissat at the Burne, there, £20. He had obtained Letters of Inhibition<sup>1</sup> against them.

Registered June 12, 1674.

John Glas, merchant in Perth, had decree against Mr Robert Gordon, minister at Dunkeld, for £40 due under a bond granted October 19, 1671; and for £11, 12s. for merchandise under a bond signed April 23, 1675.

Registered March 16, 1681.

### 2. *References in the Register of Deeds of Dunkeld Commissariat.*

Mr Robert Gordon, minister of the Gospel, witnessed at Clunie, November 23, 1696, a bond by David Turnbull and William Husband in the Ground of Clunie, in favour of Mr James Ogilvie of Clunie, for £723, 19s. 2d. as the price of 86 bolls, 3 firlots, 2 pecks bear of crop 1695.

Registered January 4, 1698.

John Ambros in Milntoun of Clunie, with Andrew Johnstone of Milnetoun of Fornocht, as cautioner, granted, at Milnetoune of Clunie, November 23, 1695, a bond for £20 Scots, in favour of the minister and elders of Clunie.

Registered November 15, 1698.

### 5. James Crokatt, 1683-1701.

James Crokatt, son of Donald Crokatt (Crocket) of Morentie,<sup>2</sup> parish of Alyth, notary public, who was contracted in marriage with Grissell Cargill,<sup>3</sup> eldest daughter of Laurence Cargill at Bonytoun of Rattray, and sister of Donald Cargill, the Martyr, matriculated at St Leonard's

<sup>1</sup> They obtained suspension; the Lords of Session suspended the suspension on February 2, 1676 (*Acts and Decrets*, Mack).

<sup>2</sup> *Dunkeld Commissariat Deeds*, March 5, 1695.

<sup>3</sup> *Perthshire Sasines*, January 26, 1649. A Donald Croket was captured with the Committee of Estates at Alyth in August 1651 (*Nicoll's Diary*, 56).

College, St Andrews, on February 16, 1670, and received the degree of Master of Arts on July 23, 1674. He studied Theology at the New College, St Andrews, and was licensed by the Presbytery of St Andrews.

In 1678 he was resident within the bounds of the Presbytery of Meigle, and in May and August preached at Alyth.<sup>1</sup> On July 8, 1679, the Presbytery appointed him to preach before their next monthly meeting at the church of Meigle, vacant by the death of Bishop Lindsay. He became chaplain to the Bishop,—preacher at Meigle. From May 13, 1679, the Presbytery appointed that the parish should be served with preaching twice monthly. After October 7, only one minister was appointed at each monthly meeting to preach there. The explanation suggested is that, before that date, Crokatt had entered on his duties as assistant to the Bishop at Meigle, and that the Presbytery appointed a minister to preach there for the exercise of discipline: on January 11, 1681, a delinquent was “appoynted to enter upon the publick professione of hir repentance befor that congregacione in saccoath, upon such dayes when actuall ministers preached there.” After April 5, 1681, the Presbytery ceased to serve Meigle, probably because the Bishop had entered on residence there.

In the minute of the meeting of the Presbytery on June 1, 1680, he is designated preacher at Meigle, and is stated to have informed a committee of the Presbytery of the number of communicants at Meigle; and is similarly designated on December 13, 1680, when he was ordered to cite a delinquent at Meigle to the next meeting of Presbytery. On April 5, 1681, the Presbytery had “No Exercise, because of Mr James Crokatt’s absence, who, as it was reported by some of the brethren, was necessarily detained by wayting on upon a dying friend.” On May 10, 1681, when he had the Exercise, he is designated an expectant within the bounds of the Presbytery.

He was presented by the Bishop of Dunkeld to the charge of Caputh before November 9, 1683.<sup>2</sup> On that date, by direction of the Bishop, he underwent a portion of the usual trials before Ordination and was approven. It was then stated that “the Bishop, sufficiently knowing his qualifications, did dispense with the rest of his tryalls.” He was admitted to Caputh before January 2, 1684.<sup>3</sup>

On January 15, 1701, on a report of scandalous practices indulged in by him, the Presbytery ordered him to be cited to appear before them at their next meeting. At that meeting an excuse from him for absence was sustained, and the Earl of Tullibardine, by letter to one of the members,

<sup>1</sup> *MS. Register of Kirk-Session of Alyth.*

<sup>2</sup> *MS. Register of the Presbytery of Dunkeld.*

<sup>3</sup> The *New Statistical Account* (x. 674) gives the date as December 16, 1688. It is probable that the true date is December 16, 1683.

requested the Presbytery to delay procedure until his arrival in the district. The Presbytery agreed to take no action till their next meeting, and then appointed a committee to interview the Earl regarding Crokatt. The committee reported, on May 14, that the Earl desired the Presbytery "to deall tenderly with him and cawse comune with him ere they proceed, and be sure that they can prove the lybell against him, otherwise they most wrong their own credite." The Presbytery found themselves "obleidged to proceed against Mr John Crockett at Caputh, haveing stopt their procedour against him formerly at Tullibardine's desire, till his Lordship should come to the countrie," and ordered him to be cited to the next meeting. Crokatt duly appeared; "and the Moderator interrogate him anent the negligence, irregularities, and frequent gameing that were reported off him, and takeing with nothing, only saying as to gameing he was not much addicted to it: the Presbytrie thought fit at this time to weave the affair, and to advertise him to appear when called." They appointed a committee, however, to prepare a libel. No libel apparently was drawn up, but on August 28, 1701, the Presbytery appointed a representation regarding him, as a nonjurant incumbent within the bounds, to be submitted to the Lord Advocate.

The result was that, on September 23, 1701, he was deprived of his benefice by the Privy Council as a minister unqualified according to law, and disaffected toward his Majesty.<sup>1</sup>

The Presbytery, on October 1, ordered Caputh to be declared vacant on the following Sunday. The Privy Council, on April 26, 1705, ordered the Sheriff-Principal of Perth and his deputes to cause the keys of Caputh church to be delivered to the Presbytery, and to maintain them in peaceable possession of it. Access to the manse was denied to Crockatt's successor, Mr John Haggart; and on October 24, 1705, the Presbytery requested the Duke of Atholl to interfere. With his concurrence, a visitation of the manse was held on December 28, 1705. The heritors present were Gilbert Greig of Haughend and John Haggart of Cairnmuir. The Duke of Atholl was represented by John Steuart, writer in Dunkeld, and Lady Aldie by John Mitchell. The workmen in attendance were John Clerk in Dunkeld and Daniell Steuart in Muirtoun of Ardblair, masons, and John Clerk in Dunkeld and James Bridy in Bell-dornick, wrights. The keys were demanded of the heritors. They answered that they were not in their possession. "Then Mr Haggart produced ane order from the Duke of Atholl and his deputs, baylzies of Dunkeld, to their officers to make patent doors. Then the order was delyvered to William Gilbert, officer, who, haveing required the keyes in Her Majestie's name and the Duke of Atholl's, and none delyvering them,

<sup>1</sup> *v.* Gordon, Caputh.

he went with the said order in his hand and made patent doors, after which the keyes were delyvered."

The church, however, did not pass into the hands of the Presbytery.

In a Representation of the Commission of the General Assembly to the Privy Council in 1705, it was stated that in the parish of Meikle, Mr James Crocket, a deprived minister, "keeps a meeting house, and he, being also a chamberlaine to some heretors in the parish, proves a great hinderance and discouragement to the regular minister."<sup>1</sup>

He had a daughter Jean, married—clandestinely, as was reported to the Kirk-Session of Cowpar-Angus on December 30, 1716—to David Bruce, lately apprentice to Dr Blair in Coupar. Investigation showed that the marriage ceremony had been performed by Mr Thomas Murray, formerly minister of Kinclaven, in the house of James Irons, vintner in Coupar, on Friday, December 28, about midnight, in presence of George Edward and Margaret Irons, his wife, and Gressal Blair, wife of James Irons. The Session "judged it fit the Presbytry should be advised about it."<sup>2</sup>

#### 1. *References in Register of Sasines for Perthshire.*

Mr John (James) Crockat, minister at Capeth, witnessed, May 19, 1686, a renunciation by Abraham Duff in favour of James Kea, son and heir of umquhile William Kea, portioner of Snago, of the sum of 1000 merks Scots secured over the lands of Snago.

Registered May 22, 1686.

Mr James Crockat had sasine, on December 24, 1686, of an annual rent of 120 merks, to be uplifted from the lands of South Bandirrane, proceeding on an obligation by Mr James Robertson of Bandirran, dated October 23, 1686.<sup>3</sup>

Registered January 1, 1687.

Mr James Crockat, minister at Caputh, had sasine, November 23, 1691, of the lands of Easter Drimmie, proceeding upon a precept of sasine in a disposition by Mr John Crockat of Easter Rattray, with advice and consent of Isobell Campbell, his spouse, and of Mr James Pattoun, minister at Kaitnes (Kettins), dated September 25, 1691.

Registered January 2, 1692.

<sup>1</sup> *MS. Register of the Privy Council, Acta*, February 21, 1706.

<sup>2</sup> *MS. Register of Kirk-Session of Cowpar-Angus*, January 6, 1717.

<sup>3</sup> On July 27, 1687, Crockat obtained decree of poinding against William M'Reath, tenant, and Mr James Robertson, heritor, of the lands of South Bandirran, for failure to pay the annual rent of 120 merks in which he was infert (*Acts and Decrees, Dal.*)

*2. References in the Register of Deeds of Dunkeld Commissariat.*

Andrew Grimman in Easter Capeth, at Ruffle, April 6, 1689, signed a bond to give all lawful satisfaction and due kirk obedience to the minister and Kirk-Session of Caputh before Lammas 1689, under a penalty, in case of failure, of £40 Scots, to be paid to the Boxmaster of Caputh in name of the poor.

Registered June 23, 1692.

Patrick Robertstone, a minor, only lawful son of Donald Robertstone of Midle Cairdney, with consent of his father, and his father for himself and taking burden for his son in respect of his minority, at Ruffle, April 30 and June 23, 1686, granted a bond for £49, 6s. 4d. in favour of Mr James Crockatt, minister at Caputh, John Chalmers and James Pattone, Boxmasters at the kirk of Caputh, on behalf of the Kirk-Session and the poor.

Registered June 23, 1692.

By bond (dated July 22 and 24, 1650), James, Earl of Airly, and James, Lord Ogilvie, his eldest son, obliged themselves to pay to Patrick Robertson of Littleton and his heirs £500 Scots and the annual rent, etc. Of that bond (registered in the Books of Council and Session, April 19, 1687) Crockat became assignee on September 4, 1662. On May 4, 1692, James, then Earl of Airly, and David, Lord Ogilvie, his son, had signed an obligation to deliver to Crockat 156 bolls 1 firlot victual ( $\frac{2}{3}$  meal and  $\frac{1}{3}$  bear) from the barony of Alyth, before Candlemas 1693; and Crockat had obliged himself to deliver up a registered extract of the bond and assignation, Letters of Horning granted to him under the designation of son of Donald Crockat of Morentie, another bond (dated July 5, 1656) for £88 granted by the Earl of Airly and Dame Issobell Hamilton, his spouse, to Donald Crockat of Morentie, and a discharge of the same and an absolute discharge of all other bonds. Lord Airly having discharged his part of the contract, Crockat signed a discharge of the bonds referred to, and delivered the relative papers to Thomas Miller, factor to the Earl, at Caputh, March 2, 1695, in presence of John Pringle, church reader in Caputh.

Registered March 5, 1695.

John Haggart, portioner of Ruffell, signed, at Caputh, April 8, 1686, in presence of Mr Robert Gordon, minister at Abercorn, a bond for £19 Scots in favour of Mr James Crockatt, minister at Caputh, and John Chalmers and John Pattone, boxmasters.

Registered September 17, 1696.

John Hagart, portioner of Ruffil, as cautioner for William Gairdner and Margaret Steill in Ruffil, signed, at Caputh, May 7, 1695, a bond in favour of the minister and Kirk-Session of Caputh, under penalty of £40 in case of failure.

Registered September 17, 1696.

## CARGILL

1. William Rattray, 1652-1684.

William Rattray, eldest son of James Rattray of Rannagullane,<sup>1</sup> matriculated at St Salvator's College, St Andrews, on February 15, 1636, and graduated Master of Arts in 1639.<sup>2</sup>

On January 5, 1649, he was minister at Glenisla.<sup>3</sup> He became minister at Cargill between March 10 and April 13, 1652,<sup>4</sup> in succession to Mr John Anderson, who died in January 1650,<sup>5</sup> and, on entering the cure, paid 1000 merks Scots to Lilius Brown, Anderson's widow, as the price of the manse.<sup>6</sup>

On June 15, 1653, he was one of a committee appointed by the Synod to endeavour to compose the differences which had arisen in the Kirk-Session of Perth concerning additions to that body, and attended a meeting on June 28. On April 11, 1654, he was present at Perth, as one of the commissioners from the Presbyteries of the Province appointed to meet to adjourn the Synod, and was also present at Perth, on September 13, 1654, at a sederunt of representatives of the various Presbyteries within the bounds, concerning the next meeting-place of the Synod.<sup>7</sup>

He conformed to Episcopacy in 1662, and received the appointment of Prebendary of Menmuir.<sup>8</sup> On August 10, 1668, he preached at Rattray on the Monday after the celebration of Holy Communion, his text being Joshua xxiv. 15.

Between March 1 and April 5, 1682, he received a colleague and successor in the person of his son, Mr William.<sup>9</sup> On April 2, 1684, he was reported to be "in a dying condition."<sup>10</sup> He died during that month.<sup>11</sup>

<sup>1</sup> *Perthshire Sasines*, June 15, 1642.

<sup>2</sup> A William Rattray matriculated at the same College on January 27, 1635.

<sup>3</sup> *Perthshire Sasines*, February 5, 1649.

<sup>4</sup> *MS. Register of the Synod of Perth and Stirling*, July 1652, April 1653.

<sup>5</sup> *v. Dunblane Com. Testaments*, November 25, 1652.

<sup>6</sup> *MS. Register of the Presbytery of Dunkeld*, February 25, 1707.

<sup>7</sup> *MS. Register of the Presbytery of Perth*.

<sup>8</sup> *Perthshire Sasines*, December 22, 1663.

<sup>9</sup> *MS. Register of the Presbytery of Dunkeld*.

<sup>10</sup> *Ibid.*

<sup>11</sup> Note by Dr Maitland Thomson to *Fasti* (Register House copy), iv. 798.

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He married Elspeth (Elizabeth) Drummond.<sup>1</sup> She died in June 1697.<sup>2</sup> Their children were : Mr William,<sup>3</sup> Mr John,<sup>4</sup> George,<sup>5</sup> Patrick,<sup>6</sup> Francis,<sup>7</sup> and Anna.<sup>8</sup>

### 1. *References in the Register of Sasines for Perthshire.*

Mr William Rattray, eldest son of James Rattray of Rannagullane, had sasine, June 1, 1642, of the lands of Nether and Over Tullimurdo and of a pendicle of Murtoone of Creuchie called Brawtane, subject to his father's liferent and to redemption by Gilbert Campbell of Kathik on payment of 2500 merks ; proceeding on a precept of sasine in a charter by his father, signed at Tullemurdo, June 1, 1642.

Registered June 15, 1642.

Mr William Ratray, minister at Glenylla, Mr John Ratray, senior, minister at Alyth, and Mr John Ratray, junior, his son, witnessed, January 5, 1649, an instrument of sasine in favour of Archibald Alexander of three acres of arable land and other subjects in the town and burgh of Alyth ; proceeding on a charter of sale by Alexander Alexander in Alyth, with consent of Beatrix Rattray, his wife, mother of the said Archibald, signed, January 4, 1649, in presence of Mr John Ratray, senior and junior, Alexander Ratray, second son of the said Mr John, and Mr Thomas Irland, schoolmaster at Alyth.

Registered February 5, 1649.

Mr William Ratray, minister at Glenylla, and Mr John Rattray, minister at Ruthvens, witnessed, January 20, 1651, a charter by Patrick Ratray in Wester Quhytsyd of Alyth, with consent of Catherine Smith, his wife, in favour of Mr Thomas Ireland and Isabella Ratray, his wife, of three acres of arable land in Alyth.

Registered August 1, 1651.

Mr William Rattray, designated minister at Kinclavine, witnessed, March 28, 1656, an instrument of sasine, in favour of Jean Barns, daughter of the deceased William Barns of Belweddocke, of half the

<sup>1</sup> *Perthshire Sasines*, December 1, 1660.

<sup>2</sup> *Dunkeld Com. Testaments*, November 15, 1699.

<sup>3</sup> *Perthshire Sasines*, February 6, 1680.

<sup>4</sup> Elizabeth Drummond, widow of Mr William Rattray, minister at Cargill, executrix-dative to John Drummond in Coupar, her brother german, signed at Coupar (January 20, 1696), in presence of Mr John Rattray, her son, a discharge in favour of Andrew Gardner, merchant, Burgess of Perth, and then in the Mains of Cargill, of 1000 merks belonging to her brother (*Perthshire Deeds*, January 21, 1696). *Dunkeld Commissariat Deeds*, December 10, 1695.

<sup>5</sup> *Dunkeld Commissariat Deeds*, November 14, 1688.

<sup>6</sup> *Perthshire Hornings*, October 21, 1698.

<sup>7</sup> *Perthshire Deeds*, March 14, 1690.

<sup>8</sup> *Perthshire Sasines*, October 18, 1704.

ferry boat of Kincleavine, on the waters of the Tay and the Isla, with half of all the profits of the said boat, the easter half of all the houses, etc., belonging thereto, and one half of two acres of the boat lands. Infeftment was given by delivery of oars, stone and earth, and in fulfilment of the terms of a contract of marriage between Thomas Rattray *alias* Beat, of the boat of Kincleavine, and the said Jean Barns.

Registered April 30, 1656.

Mr William Rattray, minister at Cargill, witnessed, May 11, 1658, a charter by William Drummond of Halholl in favour of David Drummond, his son, and Jeane Ogilvie, promised spouse of the said David, of the lands of Halholl.

Registered June 15, 1658.

Mr Williame Rattrey and Elspeth Drummond, his wife, had sasine, October 5, 1660, of an annual rent of 240 merks Scots to be uplifted from the lands of Balthyock, etc.; proceeding on a precept of sasine in an obligation by Sir Alexander Blair of Balthyock, principal, and Gilbert Ramsey of Bamff and John Blair of Ardblair, his cautioners, signed at Cowpar of Angus and Weltoune of Rattray, June 24 and July 5, 1660. Mr Thomas Strachane, minister at Sandmairtine, witness to the sasine.<sup>1</sup>

Registered December 1, 1660.

Mr Williame Rattrey, and James Robertstone, his servitor, witnessed, October 5, 1660, an instrument of sasine in favour of Sir Williame Stewart of Innernytye of an annual rent of 180 merks Scots, to be uplifted from the lands of Cleen; proceeding on a precept of sasine in an obligation by David, Viscount Stormonth, dated June 18, 1659.

Registered December 1, 1660.

Mr William Rattrey, minister at Cargill, and Mr Alexander Irland, minister of Kincleavne, witnessed, February 4, 1661, an instrument of sasine in favour of Silvester Rattray and Lilius Greig, his wife, (in implement of a provision in their contract of marriage), of one-half of the ferry boat, etc., of Kincleavne.

Registered February 28, 1661.

Mr William Rattray, minister at Cargill, had sasine, October 10, 1681, of an annual rent of £120 Scots, to be uplifted from the lands and barony of Keathick, proceeding on a precept in an obligation by James Campbell of Keathick.

Registered November 21, 1681.

<sup>1</sup> A Renunciation was subscribed at Coupar on May 13, and registered June 22, 1668.

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### *2. References in the Register of Deeds of Perthshire Sheriff Court.*

Mr William Rattray witnessed, September 29, 1666, a contract of marriage between Umphra Smeittone, younger, in Pittendynie, and Janet, daughter of John Pirnie in Cargill and Issobell Robertson, his wife.

Registered December 28, 1671.

Mr William Rattray witnessed, at Huntingbush, January 28, 1670, an indenture between John Pirney, mason in Cargill, and Robert Robertson in Huntingbush, in which the said Robert bound his eldest son, John, as apprentice to the said John Pirney for the space of 6 years from the following Candlemas, and became obliged to pay £40 Scots as apprentice fee at specified terms.

Registered June 24, 1672.

Mr William Rattray witnessed, at Myreside of Stobhall, July 15, 1677, a matrimonial contract between Thomas Turnbull in Flawcraig-mylne and Jean, third daughter of William Steuart in Campsie.

Registered November 14, 1678.

Mr William Rattray witnessed, at Myreside, December 22, 1671, a matrimonial contract between John Bisset, son of James Bisset, smith at Whytfields, and Marjory, daughter of John Duncan in Easter Cottoun of Cargill.

Registered July 8, 1687.

### *3. Reference in the Register of Decrees of Perthshire Sheriff Court.*

Mr William Rattray obtained decree against Thomas Ogilvy of Litle Cathik, Janet Moncur, liferentrix, John Douglas, Janet M'Clarane, William Donald, and Andrew Peeries, there, and David Sim in Craighead, tenants and occupiers, for £4 for each boll of 10 bolls, 3 firlots and 1 peck meal, and £5 as price of each boll of 5 bolls, 1 firlot and 3 pecks bear of stipend, payable out of the lands and town of Litle Keathick for years 1677-80, with £20 of expenses. He obtained decree against Ogilvy.

Registered May 15, 1681.

### *4. Reference in the Register of Testaments of Dunkeld Commissariat.*

Mr William Rattray, by bond of relief, dated March 14, 1672, became cautioner for David Rattray of Rannagullon to Major Gilbert Campbell of Deanhead for £197, 9s. 4d. (Vol. i. 202.)

5. *Reference in the Collection of Teind Papers, General Register House.*

On July 13, 1663, a summons was issued at the instance of Major George Brown of Meikle Buttergask against George, Bishop of Dunkeld, titular of the teinds of the under-mentioned lands, Mr William Rattray, minister at Cargill, James, Earl of Perth, William Halyburton of Buttergask, John Ogilvie of Latoun, Donald Campbell and Thomas Ogilvie of Litle Kethick, Andrew Meny of Bruntie, and — Campbell of Soutterhoussis, for valuation of the lands of Meikle Buttergask and Lidgertlaw, with pertinents, at 20 bolls victual— $\frac{2}{3}$  meal and  $\frac{1}{3}$  bear.

2. William Rattray, c. 1682-1693.

A son of Mr William Rattray, his predecessor, and Elspeth or Elizabeth Drummond, he matriculated at St Leonard's College, St Andrews, on February 18, 1674, and graduated Master of Arts on July 25, 1676.

He studied Theology at the New College, St Andrews, and was licensed by the Presbytery of St Andrews.

He was admitted to Cargill before April 5, 1682, as colleague with, and successor to, his father, and succeeded to the full charge at his death in April 1684.

He preached at a visitation of the church of St Martins by the Presbytery of Cowpar-Angus on July 17, 1688. That court held a visitation of Cargill on July 31, and, by virtue of a commission from the Bishop of Dunkeld, apprised the manse. The value of it was declared to be £797, 12s.

A complaint<sup>1</sup> against him and other ministers, viz.: Messrs John Rattray at Ochterairder, James Inglis at Muthill, John Omev, minister at Methven, and Patrick Ochterlony, minister at Rogortoune, was considered by the Privy Council on April 4, 1693. It was stated that they continued to preach without praying for William and Mary as King and Queen of Scotland, had failed to read the Proclamations issued by Authority, stirred up and fomented disaffection in their hearers, encouraged their Majesties' enemies and discouraged their loyal subjects, and sometimes prayed for King James, "aither expressly or in ambiguous or circumstantial tearms." Rattray appeared in obedience to a citation, as did his brethren of Ochterairder and Muthill. Omev and Auchterlony were not present, but were excused till the first meeting of the Privy

<sup>1</sup> The Privy Council, on January 10, 1693, instructed Mr Nathaniel Fyfe, Sheriff-depute of Perthshire, to make inquiries regarding the ministers in the bounds who failed to pray for Their Majesties, in terms of the Act of Parliament and proclamation of the Council, and to transmit their names, with a note of their crimes and the evidence against them, to the Solicitor-General by February 10, that libels might be raised against them.

Council in June, in consequence of their illness and inability to travel, as testified under the hand of physicians. The Lord Advocate intimated that, if Rattray and the others present promised to pray in future for their Majesties as King and Queen, they would not be proceeded against for their past conduct. They refused, however, to enter into any obligation of the kind, or even to ask time for further consideration. Accordingly, they were deprived of their benefices, enjoined to remove from their parishes at Whitsunday, and forbidden to exercise any part of the ministerial office within the kingdom, until they had qualified in accordance with the law. Rattray treated the sentence with contempt.

On September 6, 1694, a representation from the Commission of the General Assembly was submitted to the Privy Council, bearing that ministers deprived for disloyalty preached in vacant churches, and specifying Mr William Rattray, Dr John Nicolson, formerly minister at Errol, and Mr David Andersone, formerly minister at Perth, as intruders on Kilspindie.

On May 11, 1698, the Presbytery of Perth and Dunkeld ordered letters of ejection to be obtained against him and other deposed or deprived incumbents. They were duly issued and executed; and, on June 22, the Presbytery ordered Mr Robert Andersone, minister at Perth, to preach at Cargill, to declare the church vacant, and to demand the keys, by instrument if necessary. Anderson obeyed the appointment on July 3, but was unable to obtain the keys of the church. The Presbytery, on July 20, appointed a clergyman to preach at Cargill, and for some years continued to supply the pulpit, at least monthly, without opposition.

It was reported to the Presbytery, on May 14, 1701, "that the generallity of the paroch of Cargill are longing for a minister, and particularly for Mr George Blair." The Presbytery appointed a committee to request the laird of Blair-Drummond to agree to an appointment to that parish. Blair-Drummond, however, asked the Presbytery to delay procedure until Lord Drummond should arrive in the district. On August 6, they appointed Blair to preach at Cargill, and to intimate a meeting of heads of families for the election of a minister. At the next meeting—August 13—several parishioners appeared with a written invitation to Mr William Stewart, afterwards minister of Blairgowrie, to be their minister. It was reported that the parishioners were unanimous in his favour, and that his settlement would be acceptable to Lord Drummond, the chief heritor. The Presbytery were prepared to call Stewart, *jure devoluto*, but he declined to accept a call to Cargill, and the Presbytery sisted procedure, and continued to supply the pulpit. The beadle, however, was found remiss in his duties. On January 14, 1702, he was

ordered either to attend the ministers appointed to preach, and to ring the bells for their services, or to give up his office.

Rattray, however, did not remain inactive. On September 16, 1702, the Presbytery instructed the minister of St Martins "to represent to her Majesty's Advocate the frequent and ordinary irregularities of Mr William Rattray, late incumbent at Cargill, both within and out of that parish of Cargill." He reported on October 7 that the Advocate was "unwilling to proceed." On February 3, 1703, on a report by the minister of Kinclaven that the parishioners desired Mr Patrick Wyllie to be their minister, the Presbytery resolved to hold a visitation of the parish on February 18, 1703. The minute of that visitation proceeds:—"The Presbytery findeing no access to the church, the doors therof being all shutt, and the beddell absenting himself, the Moderator, the rest of the brethren, and the Clerk, went to the most patent door of the church, and, after knocking and calling for the keys to gett entrie and open doors, and none compearing with the keys to give access, the Moderator, in name of the Presbytrie, took instruments in the Clerk's hands therupon, before thes witnesses, James Muillien in New milne, David — at the Wood of Stobhall, George Brown and many others. Then appeared George Rattray, brother to the late incumbent, before the Presbytrie, and owned judiciall that he had lockt the church doors and had the keys, but would not give them up, alleadgeing he had Blair-Drummond and other heretors their orders and warrant for so doeing: and being asked, 'If he had a wreaten order?' he answered, 'It was only verball'—upon all which the Moderator, in name of the Presbytrie, asked and took instruments again in the Clerk's hands."

The parishioners present stated that they desired to have a minister settled among them, and that they preferred Mr Patrick Wyllie to all others.

The Presbytery continued to appoint supply. On March 31, 1703, the minute of the Presbytery runs:—"Anent Cargill affair, Mr William Rattray haveing again invaded the kirk on Sabbath last, and Mr Wyllie haveing bein there, offering to preach, was interrupted be George Rattray, and could get no access to the kirk; wherupon he required witnesses, whom he took out of Perth with him for that end." The Presbytery appointed a committee to interview Blair-Drummond and Mr Thomas Creighton concerning the delivery of the keys of the church; and appointed Wyllie to preach at Cargill on the following Sunday, to demand the keys from the beadle, or the holder of them, and, in the event of his refusal to deliver them up, to take instruments against him. It was reported to the next meeting that Wyllie could find no notary public to accompany him, save at a very heavy fee, and proceeded to the district

without one, but, finding that he would have no congregation if he went to Cargill, remained at Kinclaven manse. Blair-Drummond, as was reported by the Committee, stated "that Mr Rattray went in to the kirk without any desire from him, and he would not meddle with putting him out." The Presbytery referred the case to the Synod for advice as to their procedure.

The Synod advised that the Moderator of the Synod should forward, in the name of the Synod, a representation of Rattray's acts of intrusion at Cargill to the Moderator of the Commission, that it might be included among the grievances to be submitted to Parliament.

On November 24, the Presbytery, considering that the heritors and others gave no access to the church to the ministers sent to preach there, and that the pulpit was constantly occupied by intruders, appointed the members of the Presbytery of Dunkeld to make extracts of the instruments taken upon the refusal to provide due entry to the church, and representation to be made to the Sheriff-depute to require him to give the Presbytery peaceable access. The Sheriff-depute replied that he "thought it convenient" not to interfere, in the absence from the kingdom of Lord Drummond, the chief heritor of Cargill.

The Duke of Atholl, to whom the Presbytery had made a representation on the case, recommended them first to ask his depute to obtain the keys, and promised, in the event of his failure, that he would "find a way himself of getting of them up." The Sheriff-depute promised to write for the keys; but in default of any information from him, the Presbytery again approached the Duke of Atholl as Sheriff-principal, who, as was reported on January 17, 1705, declared "that he was very sensible that these churches (Cargill and Caputh) should be in the Presbitrie's hands, and that he should take that affair to his serious consideration." Nothing was effectually done, however; and the Presbytery, on February 14, 1705, instructed the minister of St Martins, when in Edinburgh, to obtain advice as to whether a Council warrant, or Council letters, would be the more speedy and effective course for obtaining possession of the keys, and suppressing meeting houses, and to proceed according to the advice received. Mr Jamieson reported that he was informed by Mr David Williamson of the West Kirk that nothing more could be effected at present, but that he would be ready with his assistance when the representatives of the Presbytery attended the Commission or the Assembly.

The Presbytery, on March 1, 1705, appointed that a representation should be made regarding Cargill and other parishes, and that a letter on the subject should be sent by the Moderator to Mr David Williamson.

It was reported, on the 15th, that Council letters had been raised against Rattray and others.

The complaint against him was heard by the Privy Council on April 26, 1705. Rattray had been summoned to appear before the Lords on April 10, 1705, at the instance of John Blair, Agent of the Church, with consent of Sir James Stewart, Her Majesty's Advocate. The libel against him bore "that Mr William Ratrie, late incumbent at Cargill, and who was depryved by the Privie Councill, shaking off all regaird to our Laws and authority, hes of late intruded himselfe into the said kirk of Cargill, and sett up for a preacher therein, and exercises all the other pairts of the ministeriall function, as baptiseing, marrieing, etc., in manifiast contempt of the saids Laws and Acts of Parliament, notwithstanding that he is deposed by the Lords of our Privie Councill, and the parish vaccant and in the possession of the Presbetrie of the place; by all which, the said Mr William Ratrie is guiltie of a manifiast intrusion and attempt against the present settled constitution of the Church, and of a high contempt of our Laws and authoritie; which being proven, he ought to be punished with the pains of Law, and effectually discharged to intrude into, or molest, the said parish, and the Presbetrie restored to the possession of the said church, and he otherwayes punished as the Lords of our Privie Councill shall think fitt, to the terror of others to committ the lyke in tyme comeing." In a document, dated March 29, John Miller, messenger at arms, stated that he had gone to Rattray's dwelling house at Killar, and had left a copy of the citation there, and had afterwards seen him at Cargill. When the case was called on April 26, Rattray failed to appear. The Lord High Commissioner and the Privy Council consequently ordered him to be denounced her Majesty's rebel; confiscated his moveable goods and gear for his contempt and disobedience; and enjoined the Sheriff-principal of Perth and his deputies to put the Presbyteries of Perth and Dunkeld in possession of the kirk, and to keep and maintain them therein, under the highest penalties, and to deliver the keys to the Presbytery.

The extract of that decree of the Privy Council was duly delivered to Sheriff Ramsay; and he intimated that he would endeavour to obtain the keys of Cargill, and hoped that the Presbytery would make no complaint, and take no legal steps, against him for a little. On the same day, June 13, 1705, the Presbytery ordered their Clerk to inform Rattray and others that they had obtained decree against them, "and if they will live peaceably, without makeing incroachments upon these pariochs wherein they live, the Presbitrie will proceed no further against them, but if they transgress, as the Presbitrie is informed some of them have, they will proceed against them as far as Law will allowe."

Ratray, however, continued to marry and baptise, and the Presbytery ordered that intimation to be repeated. The Sheriff-depute had not delivered the keys on July 11, and the Presbytery instructed the under-clerk of Council to send over Letters of Horning against him, and against Ratray; but, because the Duke of Atholl had promised to write to his depute to execute the orders of the Council, the Letters of Horning were not raised.

The Presbytery had apparently obtained possession of the church on September 20, 1705, when Mr John Gow was admitted minister.

Ratray, however, retained possession of the manse, and continued to officiate in the parish. A reference of Mr Gow's grievances to "friends and trustees" of Lord Drummond, viz., the Lairds of Logie and Newtoun, and Mr Fleming, designated brother to the Earl of Wigtone, who, as was stated, would meet about Candlemas, was ineffectual in obtaining redress. The Presbytery, therefore, on March 13, 1706, advised Gow to charge Ratray again to remove from the manse; and, on April 24, appointed their Moderator and Mr Jamisone, minister at St Martins, to require Mr John Ramsay, Sheriff-Depute of Perthshire, to execute an Act of the Privy Council, dated March 20, 1706, anent intrusions upon churches and parishes, etc., against Ratray and Aisone, son of the late minister of Auchtergaven, as intruders within the parish of Cargill, and instructed Gow to use legal diligence for obtaining possession of the manse. Gow reported, on May 29, that "he had used some dilligence against Mr Ratray for getting of his manse," and also that Lord Drummond would soon be at Stobhall. The Presbytery appointed a Committee to speak with his Lordship concerning the manse and the payment of the stipend, and also instructed another Committee, about to repair to Edinburgh, "to do what they can in that matter."

But all efforts used at that time for the silencing and the removal of Ratray from the manse failed. The Sheriff-depute stated that Cargill lay within the Stewartry of Strathearn, and was not within his jurisdiction<sup>1</sup>: a Representation to the Commission of the General Assembly, and by that body to the Lord Advocate, and by him to the Privy Council, concerning the manse,<sup>2</sup> had no result. Lord Drummond stated that he was "but a stranger to bussiness in this Country"<sup>3</sup>; he promised to write to the Presbytery after consulting his friends: but apparently no letter from him was delivered.

On February 25, 1707, the Presbytery of Dunkeld visited Cargill. Mr John Gow declared that he was unable to catechise and visit as he

<sup>1</sup> *MS. Register of the Presbytery of Perth and Dunkeld*, June 26, 1706.

<sup>2</sup> *Ibid.*, July 31, August 21, and September 25, 1706.

<sup>3</sup> *Ibid.*, September 25, 1706.

desired, because he had no house in the parish, and complained that the parishioners, in great numbers, attended worship conducted by Mr William Rattray in the manse. By orders of the Presbytery, workmen—Daniel Stewart, mason, and William Page, wright—proceeded to the manse to inspect it, but no attention was paid to their knock, three times repeated. The Moderator, accordingly, took instruments on the fact that access was refused to them. Mr John Rattray, brother of the late incumbent, then appeared with Mr Thomas Crichtoune,<sup>1</sup> factor for Lord Drummond, and produced a discharge by Lilius Brown, widow of Mr John Anderson, minister at Cargill, for 1000 merks Scots, in favour of Mr William Rattray, father of Rattray, in which she renounced all right to the manse. Crichtoune, in name of Lord Drummond, renewed a request that consideration of the question of the manse should be delayed till Whitsunday, and stated that he was hopeful that an arrangement concerning it would be made between the heritors and Rattray. The Presbytery found that the minister, Mr John Gow, did not enjoy his rights, but agreed to postpone consideration of the subject till their next meeting. On March 25, Gow was appointed to use legal means for obtaining possession of the manse, and an augmentation to his stipend.<sup>2</sup>

Rattray continued to exercise his ministry in the parish. On October 19, 1708, the Presbytery, in answer to an enquiry, were informed that a schismatical meeting house was kept in the parish of Cargill by him. They ordered that a representation regarding it should be laid before the Justices of the Peace. On November 23, the minister of Cargill had the satisfaction of reporting that the meeting house had been given up.

Rattray died before February 3, 1731.<sup>3</sup> He married Eupham Drummond. She afterwards resided at Newtyle, and died on March 24, 1749. The inventory of her goods was given up by Margaret Rattray, her only surviving child, wife of George Crockatt, surgeon in Coupar of Angus.<sup>4</sup>

#### I. *References in the Register of Sasines for Perthshire.*

Mr William Rattray, son of Mr William Rattray, minister at Cargill, witnessed, January 10, 1679, a charter by David Ramsay, portioner of

<sup>1</sup> Thomas Crichton was the eldest son of John Crichton in the Hill of Blairgowrie (*Perthshire Decrees*, vol. 1683-90, p. 312).

<sup>2</sup> *MS. Register of the Presbytery of Dunkeld*, April 22, 1707. On February 25, Gow stated that his stipend was four chalders and four bolls victual and "ane hundred merks of money or therabout."

<sup>3</sup> *St Andrews Com. Testaments*. The volume containing his Testament is not in the Register House.

<sup>4</sup> *Ibid.*, April 19, 1749.

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Miltoune of Rattray, in favour of James Rattray of Craighall, of an eighth part of the lands of the Kirktoune of Rattray.

Registered February 6, 1680.

Mr William Rattray witnessed, June 30, 1687, a renunciation by Mr John Rattray, minister at Aughteraider, son of David Rattray of Rannagullane, in favour of James Rattray of Rannagullane, as heir of the said David Rattray, his father, of an annual-rent of £60, to be uplifted from the lands of West Drummie.

Registered August 8, 1687.

Mr William Rattray, minister at Cargill, witnessed at Stirling, February 9, 1691, a charter by James, Earl of Perth, in favour of Alexander Roy M'Grigor in Dundurn Wester, of the lands of Dalmarglen *alias* Bellnacuell.

Registered May 22, 1691.

Mr William Rattray, minister of Cargill, for himself, and as attorney for Francis Rattray, his youngest brother, and Anna Rattray, his eldest sister, had sasine, September 21, 1704, of an annual-rent of £120 Scots, to be uplifted from the lands of Kethick and Kempfill, belonging to the deceased James Campbell of Kethick; proceeding on a precept of sasine in a bond for 3000 merks, granted by the said James Campbell, with consent of George, Bishop of Aberdeen, then Bishop of Brichin, David Haliburton of Pitcur, James Ramsay, fiar of Bamff, David Kinloch of Aberbothrie, and Alexander Campbell of Ballgersho, his friends, at Couper, June 15, 1681, in favour of the deceased Mr William Rattray, minister at Cargill, and Elizabeth Drummond, his wife, in liferent, and after their death, of their children,—Mr William to have right to £1000, Francis to 1000 merks, and Anna to 500 merks.

Registered October 18, 1704.

### 2. *References in the Register of Deeds of Perthshire Sheriff Court.*

Mr William Rattray, minister of Cargill, John Murray of Arthurstane, George Chalmers of Milnhorne, and Thomas Chalmers, writer in Perth, tutors of Jean, daughter of the deceased Robert Chalmers of the Milne of Banchrie, at Cargill, September 1, 1688, granted a commission to George Chalmers, eldest son of John Chalmers of Milnhorne, to receive the rents of Banchrie for crop 1688, and in time coming during her minority, and to expend it for her behoof.

Registered February 22, 1689.

Mr William Rattray and George Meine witnessed at Ridgoull, July 9, 1690, a bond by James Haggart, portioner of Ruffall, with William Haggart in Little Fardell, his brother, as cautioner, in favour of Marjory Stewart, widow of the deceased Mr William Nairn, Dean of Dunkeld, for £279 Scots.

Registered June 26, 1691.

Mr William Rattray witnessed at Ballied, January 27, 1687, a contract between William Stewart of Baleid, factor appointed by Lord Balcaskie, tutor of Innernyttie, and George Mein, notary in Innernyttie, and Robert Gellitlie in Burnehead of Muckarsie, under which Stewart sold to Mein and Gellitlie and their heirs the corn yard of Innernyttie, consisting of 10 stacks of bear of crop 1683 and one of crop 1682, to be delivered before April 20, and as they should have conveniency of a barn for threshing: they to begin to thrash with all possible diligence that the corns might be delivered before the specified date.

Registered August 12, 1696.

### 3. *Reference in the Register of Inhibitions for Perthshire.*

Mr William Rattray, who had an action depending before the Lords of Council and Session against James, son of George Ramsay of Galray, for payment of £160 Scots due under a bond granted to his deceased father and assigned to him, obtained Letters of Inhibition against him on July 22, 1687.

Registered August 26, 1687.

### 4. *References in the Register of Decrees of Perthshire Sheriff Court.*

Jean Challmers,<sup>1</sup> heretrix of the Milne of Banchry, and Mr William Rattray, minister at Cargill, and Thomas Challmers, merchant, Burgess of Perth, her tutors, raised an action against John Will in Easter Banchry, James Brydie in Redgodnis, and Elizabeth Drummond, widow of Major James Stewart of Easter Banchrie, and intromitter with the goods of the deceased Patrick Stewart of Easter Banchrie, for payment of multures, but failed to obtain decree.

Registered July 13, 1692.

Mr William Rattray, minister at Cargill, received a bond, dated

<sup>1</sup> Jean Challmers, only daughter of Robert Chalmers of the Milne of Banchrie, married David Lyon, factor to the Dowager Countess of Strathmore (*Decrees of the Sheriff Court of Perthshire*, March 13, 1700). He died on April, 22, 1708, leaving children—Helen, Margaret, Elizabeth, and Jean (*St Andrews Com. Testaments*, July 14, 1708).

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April 27, 1697, from Andrew Many, portioner of Little Keathick, and Mr William Many, preacher of the Gospel, for £4, 16s. yearly, as the annual rent of £80, to be uplifted from the quarter lands of Little Keathick, under provision of reversion. He was infett on November 2, 1697.<sup>1</sup> He obtained a decree of poinding.

Registered October 28, 1699.

### CLUNIE

William Stewart, c. 1652-1690.

He matriculated at St Salvator's College, St Andrews, on February 12, 1640, and graduated Master of Arts in 1643. He studied Theology at the New College, St Andrews.<sup>2</sup>

He was entered on trials before the Presbytery of Perth on August 11, 1647, and was approven on September 22. That Presbytery, on December 22, 1647, ordered a certificate to be given to him of the passing of his trials before them, and of his admission to the Exercise; and, on February 26, 1651, granted him a testimonial of his qualifications and conduct.

He was admitted to Clunie before April 13, 1652.<sup>3</sup>

In October 1654, the Synod of Perth and Stirling appointed him and James Blair of Balathrie their Commissioners to the Synod of Angus and Mearns, and, in October 1657, he and Sir William Steuart of Innernyttie were appointed Commissioners to the same Synod.

He obtained an augmentation of his stipend on July 25, 1666, the Dean of Dunkeld protesting that it might not prejudice him of his teinds and Deanery.<sup>4</sup>

He built or repaired the manse of Clunie: it was appraised at 1000 merks.<sup>5</sup> He married Eupham Stevinsone.<sup>6</sup> He died in 1690.<sup>7</sup> On November 11, 1690, he signed an assignation of his estate in favour of William and John Stewart, sons of John Stewart at the Milne of Pitcairne, under burden of 300 merks each to Walter Moncreiff, his sister's son, Agnes Stewart, his sister, and to another sister, and to the poor of the parish of (? Clunie). In that deed, reference is made to a brother, Mr Walter Stewart.<sup>8</sup> According to his Will, confirmed January 23,

<sup>1</sup> Registered December 4, 1697 (*Perthshire Sasines*).

<sup>2</sup> *MS. Register of the Presbytery of Perth*, October 27, 1647.

<sup>3</sup> *MS. Synod Register*.

<sup>4</sup> Connell on *Tithes*, ii. 175.

<sup>5</sup> *MS. Register of the Presbytery of Dunkeld*, June 21, 1715. That sum was estimated at about 18 per cent. of the valued rent of the parish.

<sup>6</sup> *Perthshire Sasines*, March 16, 1683.

<sup>7</sup> *MS. Register of the Presbytery of Dunkeld*, March 3, 1713; November 23, 1708 (*v. Gordon, Caputh*).

<sup>8</sup> *Perthshire Deeds*, June 8, 1691.

The pages in the Register are mutilated at this point. On July 14, 1691, Walter

1699, Mr Walter Stewart of Easter Caputh becoming cautioner, William and John Stewart were legatees of 500 merks, and interest from Candlemas 1685 to Martinmas 1690, due by William Brydie under bond dated February 20, 1669. John Stewart, the father of William and John, is designated his brother german.<sup>1</sup>

1. *References in the Register of Sasines for Perthshire.*

Mr William Stewart, minister at Clunie, witnessed, December 11, 1663, an instrument of sasine in favour of James Ogilvie of Cluny of the lands of Cluny; proceeding on a precept of sasine in a contract between Ogilvie and others, on the one part, and Neill Stewart and others, on the other part, dated January 12, 1659.

Registered December 22, 1663.

Mr William Stewart, as attorney for Jean Stewart, grand-daughter of Mr John Stewart of Cluny, received sasine, December 11, 1663, of the lands and barony of Clunie, with the patronage of the two chaplainries of the chapel of St Cathrine situated within the Isle of the Lake of Cluny; proceeding on a precept of Clare Constat, signed by George, Bishop of Dunkeld, at Perth, August 8, 1663.

Registered December 22, 1663.

Mr William Stewart, minister at Airly (Clunie?), witnessed, November 29, 1673, a precept of Clare Constat by John Stewart of Killichassie, for infetting John Stewart, as heir of William Stewart, litster in Dunkeld, his father, in an annual-rent of 13 bolls victual to be uplifted from the lands of Boirland of Killichassie.

Registered February 9, 1674.

Mr William Stewart, as attorney for Margaret, eldest daughter of John Ratray of Milnehall, received liferent sasine, August 27, 1674, from James Ogilvie of Cluney, her husband, of the lands of Brewhouse of Concraig and others, proceeding on a marriage contract between them, signed August 22, 1674.

Registered October 6, 1674.

Mr William Stewart had sasine, October 27, 1676, of the annual-rent of a sum of 500 merks to be uplifted from the lands of Dungarthill and

Moncreiff, writer in Perth, and Jannet Steuart, relict of George Whittock in Tippermallo, granted a discharge of 600 merks Scots, assigned to them by Mr William Stewart, in favour of William and John Stewart (*Perthshire Deeds*, July 14, 1691).

William Stewart, second son of John Stewart at the Milne of Pitcairne, for himself, and as factor for his brother, John, had decree in the Sheriff Court, October 30, 1691, against Patrick Stewart of Rotmell and others for payment of sums due to Mr William Stewart, their uncle.

<sup>1</sup> *Dunkeld Com. Testaments.*

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others, proceeding on a precept of sasine in a heritable bond by William Brydie, portioner of Dungarthill.

Registered October 28, 1676.

Mr William Stewart witnessed, June 13, 1677, a heritable bond by Mr William Brydie of Muckliemoir, in favour of Mr James Ogilvie of Cluny, for an annual-rent of £40, to be uplifted from the lands of Muckliemoir and others.

Registered March 25, 1679.

Mr William Stewart witnessed, March 11, 1680, a marriage contract between Donald Robertsons of Midle Cairney and Issobell Inglis, relict of Francis Hay of Gourdie, containing a precept of sasine to infest the said Issobell in liferent in an annual-rent of £160, to be uplifted from the lands of Midle Cairney and others.

Registered March 13, 1680.

Mr William Stewart witnessed, September 13, 1681, a renunciation by Mr James Ogilvy of Clunie in favour of James Brydie, son of William Brydie of Mucklie, of an annual-rent of £40, to be uplifted from the lands of Mucklimore and Kildiesland.

Registered October 20, 1681.

Mr William Stewart and Eupham Stevinsone, his spouse, had sasine, March 15, 1683, of an annual-rent of £40 Scots, to be uplifted from the lands and barony of Kinloch and Kirkland, proceeding on a precept of sasine in a bond by James Lindsay, fiar of Dowhill, signed February 8, 1683.

Registered March 16, 1683.

Mr William Stewart, as attorney for Elizabeth, eldest daughter of John Nairne of Segieden, received sasine, May 21, 1685, of a liferent yearly provision of 400 merks, or 4 chalders victual, to be uplifted from the lands of Craigie, etc.; proceeding on a precept of sasine in a marriage contract between her and John Nairne of Craigie, signed, June 30, 1684, in presence of Mr Thomas Foullar, minister at Kinoull, and Mr Alexander Petrie, notary at Kinfauns.

Registered May 22, 1685.

### *2. References in the Register of Deceets of Perthshire Sheriff Court.*

Mr William Stewart, minister at Cluney, raised an action against John Mitchell, John Soutar, John Clerk, Alexander Boyd, James Clerk, and Adam Mitchell in Micklie, William Cook, James Eldge, and John

Brydie in Dungarhill, William Cook and Henry Jamphray at the Milne of Gourdie, and Patrick Scott in Kirkhill, tenants and occupiers of the said lands, and James Brydie of Muckliemoir, eldest son and heir of William Brydie of Drumgarhill, and his tutors. He stated that William Brydie of Drumgarhill, by his bond, dated February 26, 1669, bound himself to pay to the said Mr William Stewart 500 merks Scots, with three terms annual-rent, at Martinmas 1669, and in case of failure to pay the ordinary annual-rent at two terms yearly with £50 expenses. He further stated that he, in terms of the precept of sasine in that bond, had been infeft in an annual-rent to be uplifted from any part of the lands of Drumgarhill, Mucklarie, and Muckliemoir, in the parish of Caputh, during the non-redemption of the annual-rent. He claimed an annual-rent of £20 since Candlemas 1679 from the heritors, tenants, and occupiers of those lands. He obtained a decree that the readiest corns, cattle, horse, nolt, sheep, plenishing, and other moveable goods on the said lands should be poided and appraised in satisfaction of his claims.

Registered April 8, 1685.

## DUNKELD

1. Andrew Hardie, *c.* 1663-1667.

Andrew Hardie, son of James Hardie, tailor, burgess of Perth,<sup>1</sup> matriculated at St Leonard's College, St Andrews, as a student of the semi-bachelor class, on January 20, 1652, and graduated Master of Arts on May 18, 1654.

On February 2, 1657, on the recommendation of Mr William Pattoun, master, he was appointed by the Town Council of Perth one of the doctors of the Grammar School of Perth, at a yearly salary of £40 Scots.<sup>2</sup> He was licensed before October 3, 1660, when the Presbytery of Perth appointed him to preach at Methven on the following Sunday.

He was admitted to Dunkeld before November 5, 1663, when he signed a capitular document as Treasurer of the Cathedral.<sup>3</sup>

He was presented by Henry, Bishop of Dunkeld, to the parish of Forgandenny before May 1, 1667, when the Presbytery of Perth appointed Mr Mungo Weyms to serve an Edict at Forgandenny on May 12, in order to his admission. He was settled at Forgandenny between May 22 and July 3, 1667. On the latter date, it was intimated to the Presbytery

<sup>1</sup> *MS. Decrees of the Sheriff Court of Perthshire*, June 28, 1683. He died in April 1681. Mr Andrew Hardie was executor of his will—Henrie Hardie, merchant, burgess of Perth, becoming cautioner for him (*St Andrews Com. Testaments*, November 9, 1682).

<sup>2</sup> *MS. Records of Perth City*.

<sup>3</sup> *Perthshire Sasines*, December 22, 1663.

that Mr David Young, who had been appointed to add on that day, was undergoing trials in order to his admission to Dunkeld. As minister of Forgandenny, Hardie was a member of the Chapter.

On January 11, 1671, he was reprov'd for his neglect to appear timeously at the meeting of the Presbytery to add to the Exercise.

On August 24, 1673, by virtue of an ordinance from the Bishop of Dunkeld, he admitted Mr John Balneavis, assistant to, and conjunct minister with, Mr Alexander Balneavis, his father, in the charge of Tibbermoore.

The Archbishop and Synod of St Andrews had enacted in April 1677,<sup>1</sup> that, at the first meeting after the Synod, ministers should give in to the Moderator of Presbytery, for transmission to the Archbishop, the names of such persons as had been married, or had obtained Baptism for their children, in other than the regular way, *i.e.* by ministers of the Established Church. The Presbytery of Perth, accordingly, required their members to present lists of such persons. Hardie declined to do so, and his refusal was reported to the Archbishop and Synod. The Synod of St Andrews, on October 3, 1677, ordered the Moderator of the Presbytery of Perth "to require once again the minister of Forgandenny to give in a list of such persons within his parish, who hitherto had refused to do it, upon the account of his being no member of this Synod, but of Dunkeld."<sup>2</sup>

On May 15, 1678, he preached at the admission of Mr William Poplay to the Church of Rind.

The minute of the Privy Censure on April 16, 1679, runs:—"Mr Andrew Hardie, being enquired at if he had given the Communion this last year, answered he had not; neither would give it in time to come, because he had no allowance for Communion elements. The Presbytery appoints him not to neglect that ordinance, and to seek for Communion elements according to law."

Hardie was deprived of his benefice by the Privy Council, on September 17, 1689, on the petition of David, Lord Ruthven, for himself, and in name of the heritors and parishioners of Forgandenny, for his failure to read the proclamation of the Estates, dated April 13, 1689, and to pray for King William and Queen Mary as King and Queen of Scotland.

He had a brother, Mr John Hardie, minister of Aberdalgie, who died in October 1687, predeceased by his wife, and of whose son, John, he was Tutor, under a Testament confirmed by the Commissary of Dunblane on March 8, 1688, Mr William Weymes, minister at Leckropt, being cautioner.

<sup>1</sup> *MS. Register of the Presbytery of Perth*, June 6, 1677.

<sup>2</sup> *Ibid.*, January 16, 1678.

1. *References in the Register of Deceets of Perthshire Sheriff Court.*

An action by Dame Katharine Lindsay against Mr Andrew Hardie, minister at Forgandenny, and *per contra*, were in dependence before the Sheriff of Perth on July 1, December 8, 1668, and February 3, 1669.<sup>1</sup>

David Bell, merchant, burges of Perth, obtained decree against Mr Andrew Hardie, and Mr John Hardie, minister at Aberdalgie, sons and intromitters with the goods of the deceased James Hardie, tailor, burges of Perth, for £76, 10s. due by their father, as specified and contained in Letters of Horning, dated June 7, 1673.

Registered February 28, 1683.<sup>2</sup>

Elizabeth Sanders, daughter of James Sanders, litster, and bailie of Perth, and her tutors, and Laurence Chapman, writer in Perth, their factor, had decree for £16, 8s. against Mr Andrew Hardie, minister of Forgandenny, as intromitter with the goods of the deceased Mr John Hardie, minister at Aiberdalgie, his brother.

Registered January 18, 1693.

## 2. David Young, 1667-1671.

He matriculated at St Salvator's College, St Andrews, on February 7, 1656, and graduated Master of Arts on July 23, 1659.

On April 11, 1660, he was appointed by the Town Council of Perth doctor of the Grammar School of Perth, in place of Mr John Boak, at a salary of £40 Scots.

He is designated student in Perth on April 11, 1666, when, on his desire to enter upon trials in order to public preaching, the Presbytery of Perth prescribed a text to him for an Homily. He was approven in his trials on July 18, 1666.

He was presented to Dunkeld after June 19, 1667, when the Presbytery of Perth appointed him to have the Addition at their next meeting, and before July 3, when it was intimated that "Mr David Young, who was formerly appointed (to Add), was entered upon his trials in order to his admission to the church of Dunkeld."

He was minister of Dunkeld on November 7, 1667,<sup>3</sup> and continued minister on April 27, 1670.<sup>4</sup> He was translated to Lethendy before October 19, 1671,<sup>5</sup> and became Chancellor of the Cathedral, of which his benefice was the prebend. At a visitation of the parish by the Presbytery, the heritors of Pittindreich, Kirktown, Goddines, and Blackloch

<sup>1</sup> *Minute Book.*

<sup>2</sup> *v. also Acts and Deceets*, Mack, January 31, 1684.

<sup>3</sup> *Perthshire Inhibitions*, January 15, 1674.

<sup>4</sup> *Perthshire Sasines*, April 30, 1670.

<sup>5</sup> *Perthshire Deceets*, March 16, 1681.

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agreed to pay him 10 merks yearly for grass for one horse, beginning with the year 1673.<sup>1</sup>

He died in January 1687.<sup>2</sup> He married Annabel, daughter of Mr James Drummond of the family of Riccarton, and Agnes Graham, daughter of Robert Graham of Cairney.<sup>3</sup> Their children<sup>1</sup> were George, Euphan,<sup>4</sup> Niniane, Sara,<sup>5</sup> and Anna.

By his Will, written by Andrew Husband of Logie, signed on December 17, 1686, and confirmed at Dunkeld on March 13, 1688,—Thomas Young in Dunkeld<sup>6</sup> becoming cautioner for the executrix,—he left all his goods to Annabell (Annapill) Drummond, his widow and executrix, and appointed Mr James Ogilvy of Clune, William Stewart of Ballid, and Mr Niniane Drummond of Glastungall, tutors to his children.

Sums of money were stated to be due to him by the deceased Robert, Lord Nairne, the deceased James Ratray of that Ilk, Thomas Blair of Pittindreich, James Blair of Lethintie and Euphan Blair, Lady Lethintie, the deceased Mr George Blair of Lethintie, William Stewart of Balleid, the deceased William Haggart, elder, in Easter Capeth, William Haggart, younger, in Litle Fardell, and Harie Mitchell, there, Gilbert Campbell of Wester Denhead, David Kinloch of Gourdies, for stipend for years 1682-1686, and by other heritors for stipend for years 1677-1686.<sup>1</sup>

### I. *References in the Register of Sasines for Perthshire.*

Mr David Young, minister at Dunkeld, and Mr John Hardie, school-master there, witnessed, August 4, 1668, an instrument of sasine in favour of Beatrix Robertson, in liferent, of the lands of the Milne of Invar and others, proceeding on a precept in a charter (dated August 1668) by Alexander Robertsons of Invar, her spouse.

Registered August 8, 1668.

Mr David Young, minister at Lethindie, and Annabell Drummond, his wife, had sasine, July 9, 1674, of an annual-rent of £80 Scots, to be uplifted from the lands of Murie and others, proceeding on a precept in an obligation (dated October 25, 1671) by Patrick Ogilvy of Murie.

Registered July 10, 1674.

<sup>1</sup> *Dunkeld Com. Testaments*, March 13, 1688.

<sup>2</sup> *Ibid.* Original Inventory. The Register states that he died in July.

<sup>3</sup> *House of Drummond*, 154.

<sup>4</sup> She married — Stewart of Cardneys.

<sup>5</sup> Resident in the South-east parish of Edinburgh, she was proclaimed, in order to marriage with Patrick Gray, writer, on July 1, 1705 (*Edinburgh Marriage Register*, 227).

<sup>6</sup> Perhaps the Thomas Young who, as eldest son and executor-dative, gave up the Testament and Inventory of Thomas Young in Dunkeld (= Janet Craigie), who died in April 1654 (*Perthshire Testaments*, November 26, 1657—Perth Sheriff Court Records).

Mr David Young, minister at Lethindie, and Annabell Drummond, his spouse, had sasine, November 16, 1675, of an annual-rent of £80 Scots, to be uplifted from the lands of Balloleyes in the parish of Abernyte, proceeding on a precept in an obligation by Patrick Ogilvie of Murie, signed October 25, 1671.

Registered November 17, 1675.

Mr David Young witnessed, at Lethindie, September 5, 1678, a heritable bond by Mr George Blair of Lethendie, of an annual rent of 108 merks Scots, to be uplifted from the lands of Lethindie, in favour of David Tyrie of Colluthie.

Registered March 11, 1679.

*2. Reference in the Register of Deeds of Perthshire Sheriff Court.*

Mr David Young, minister at Lethendie, granted at Perth, June 26, 1672, a receipt to John Williamsons, sheriff clerk of Perth, for £200 Scots, as the 2½ years annual-rent preceeding Whitsunday on the principal sum of 2000 merks due under a bond granted to him and Annable Drummond, his wife, in liferent, by William Ogilvy of Murie, November 7, 1667, and further secured by a bond of corroboration granted by Patrick Ogilvy of Murie, his son, October 25, 1671; and constituting the said John Williamsons his assignee to the said annual-rent from Martinmas 1669 to Whitsunday 1672.

Registered May 27, 1674.

*3. References in the Register of Decrees of Perthshire Sheriff Court.*

Mr David Young, minister at Lethindie, and Annabelle Drummond, his spouse, had decree against Peter Davie and Margaret Powrie, in the Maines of Errol, James Brown, William and James Tailzeores, and James Dundas, in Murie, sub-tenants and occupiers of the lands of Murie and Mains of Errol, and Patrick Ogilvy of Murie, heritor of those lands, for pointing the property in those lands and the manor-place and houses, for payment of an annual-rent of £80, payable from the lands of Murie and half the Mains of Errol, in which they were infeft, July 9, 1674, under a bond of corroboration by the said Patrick Ogilvie (dated October 25, 1671), which was redeemable on payment of 2000 merks.

Registered July 17, 1674.

Mr David Young, minister at Lethendy, and the Kirk-Session obtained decree against Thomas Blair of Pittendreich, executor of John Blair of Lethendie, his father, for payment of (1) 100 merks Scots left by the deceased John Blair of Pittendreich as a pious donation to the kirk of Lethendie, the said John Blair of Lethendie being executor to his

father in 1645. (2) Annual rent of the said donation since the decease of John Blair of Pittendreich in 1645. (3) £17, 10s. mortified to the kirk box out of the lands of Lethendie, and resting by his father for years 1654-6. (4) For  $\frac{2}{3}$ th parts of the said town and lands for 1657, 35s. 8d. (5-7) Other sums for years 1658-69. 36s. as price of an ash tree which grew in the kirk yard of Lethendie, bought by Thomas Blair from the Kirk-Session 4 or 6 years since. 24s. paid by the Session for mending a glass window in Lethendie kirk pertaining to Thomas Blair.

Registered June 25, 1675.<sup>1</sup>

Mr David Young, minister at Lethendie, and Annabell Drummond, his wife, obtained a decree of poiding against Patrick Ogilvy of Murie, heritor of the lands of Ballolayes in the parish of Abernyte, for payment of an annual-rent of £80 redeemable on payment of 2000 merks, in which they had been infeft, on November 16, 1675, under a heritable bond of corroboration, dated October 25, 1671.

Registered June 5, 1678.

4. *Reference in the Register of Inhibitions for Perthshire.*

Mr David Young and Annable Drummond, his spouse, obtained Letters of Inhibition against Patrick Ogilvy of Murie, and his tutors and curators, May 7, 1673.

Registered January 15, 1674.

5. *Reference in the Register of Acts and Decrets (Dal).*

Decree was pronounced at the instance of Sir John Hay of Murie, son of the deceased John Hay of Seafield and the deceased Elizabeth Ramsay, his wife, donator of the lands and barony of Murie and others, against Patrick Ogilvie, son of William Ogilvie of Murie, Mr David Young, minister at Lethentie, Annabel Drummond, his spouse, Thomas Lundie, son of Thomas Lundie of Kinowl, Anna Somerville, his mother, and others, to the effect that they had lost all right to the lands and barony of Murie.

Registered July 18, 1688.

3. Robert Gordon, 1671-1681.

(*v.* Caputh.)

4. Thomas Robertson,<sup>2</sup> 1682-1688.

He matriculated at St Salvator's College, St Andrews, on February 26, 1669, and graduated Master of Arts on July 23, 1672.

<sup>1</sup> Booked in volume for years 1678-84.

<sup>2</sup> He is perhaps the Mr Thomas Robertson, son of Robert Robertson, bailie in

Before November 2, 1681, he was Clerk to the Presbytery. His successor was admitted on August 2, 1682. He was admitted to Dunkeld on or before June 7, 1682, when his name appears for the first time in the sederunt of the Presbytery.

He was Clerk to the Synod from October 4, 1682, until after April 25, 1688, on which date Patrick Robertson signed the Register as Clerk-depute.

On March 7, 1688, it was stated that he was unable to discharge his ministerial duties because of bodily weakness; and at each meeting the Presbytery appointed two clergymen to preach at Dunkeld<sup>1</sup> till August 1, when only one minister was appointed. By that date probably Robertson was dead.

1. *References in the Register of Sasines for Perthshire.*

Mr Thomas Robertson, pastor in Dunkeld, and Gilbert Stewart, commissary clerk of Dunkeld, witnessed a charter by Henry Cunieson, chaplain of Invar, in favour of Thomas Young, of the lands of Dalmar-nock and others.

Registered April 14, 1685.

Mr Thomas Robertstone, minister at Dunkeld, witnessed, December 24, 1686, an instrument of sasine in favour of Marjorie Menzies of the manor place of Drumsay, and an annual-rent of 200 merks Scots to be uplifted from the lands of Drumsay and Milnholl; proceeding on a precept of sasine in a contract of marriage between her and Alexander Ireland of Drumsey, dated December 16, 1686.

Registered January 14, 1687.

5. Henry Murray, 1688-1701.

A son of Mr Gilbert Murray, minister at Crieff, and Jean Glas,<sup>2</sup> he matriculated at St Salvator's College, St Andrews, on February 18, 1678, and received the degree of Master of Arts.<sup>3</sup>

He was admitted to Dunkeld after August 5, 1688. That the Presbytery made no appointment of preachers for Dunkeld in September,

Dunkeld, who witnessed, December 31, 1680, a marriage contract between Alexander Stewart of Wester Clunie and Isobell Stewart, eldest daughter of the deceased John Stewart of Balnakeillie. In terms of the contract the said Isobell was infeft in the 30s. lands of Wester Cluny in the Earldom of Atholl (*Perthshire Sasines*, January 3, 1681).

<sup>1</sup> Save on April 4, 1688, when only one minister was appointed.

<sup>2</sup> *Dunkeld Commissariat Deeds*, August 2, 1694.

<sup>3</sup> The names of the Graduates of July 22, 1681,—save one,—are omitted from the Register.

affords ground for the supposition that, if not admitted already, he had been presented, and that his admission was in prospect during that month. His name appears in the sederunt of the Presbytery for the first time on November 7; but on October 3, he had attested the Records as Synod Clerk.

He continued to be minister of Dunkeld till 1701. On August 28 of that year, the Presbytery appointed that a Representation regarding him, as a nonjurant incumbent within the bounds, should be laid before the Lord Advocate. The result was that, on September 23, 1701, he appeared before the Privy Council in answer to a citation, and was deprived of his benefice for exercising the ministerial function without having qualified as the law directed, and for disaffection toward the established Monarchy.<sup>1</sup> On October 15, it was reported to the Presbytery by Mr James Fleming, minister at Moneydie, that their instructions to declare the church vacant had been duly obeyed.

He afterwards officiated as a minister of the Episcopal congregation in Perth, and, within a few months before September 1711, began to use the Book of Common Prayer of the Anglican Church in public worship. On September 27, the Presbytery of Perth, in accordance with the recommendation of the Synod, resolved to institute proceedings against him and two other clergymen<sup>2</sup> for intrusion into parishes already served by Presbyterian ministers, and for introducing innovations into the worship of God, unwarranted by Holy Scripture and contrary to the established order of the Church. Summoned before the Presbytery for the second time on November 21, they failed to appear in person, but were represented by Mr James Smith, apothecary in Perth, who, in their name, laid before the Presbytery a document declining their authority and jurisdiction.<sup>3</sup> On that date, the Presbytery approved of the terms of a libel against each of them. That against Mr Henry Murray ran<sup>4</sup> :—

“ Libel, Presbyterie of Perth against Mr Henrie Murray, incumbent

<sup>1</sup> *v.* Gordon, Caputh.

<sup>2</sup> The others were Mr Thomas Murray (*v.* Kinloch) and Mr Walter Steuart, “pretended Episcopal preacher, and intruder within the congregation of Perth, under the notion of a colleague to Mr Henrie Murray a former intruder there” (*MS. Register of the Presbytery of Perth*, January 10, 1712). The sixth article of the libel against Stewart ran :—“All this is more highly aggravated, though you formerly upon all occasions professed great zeal for the present Church established, yet you have not only apostatized from and renounced your former principles, but in a most daring and presumptuous manner, in a well-constituted Church, invaded the office of the Holy Ministrie without a lawful and orderly Call thereto, at least without any legal document of any authority whatsoever, warranting you to enter upon the said sacred function” (*Ibid.*, November 21, 1711).

<sup>3</sup> For the Declinature, *v.* Thomas Murray (Kinloch).

<sup>4</sup> The previous part of the libel is the same as that against Mr Thomas Murray (*v.* Kinloch).

under the late Prelacy in the paroch of Dunkeld, and for present residing in the Town of Perth.

“ . . . . .

“Quinto : You follow the order prescribed in the said Liturgie for burying the dead, particularly upon the sixth day of November, One thousand seven hunderth and eleven years, or one or other of the days of the said moneth, in and about the Burial place of the Burgh of Perth, at the funerals of Bathia Omay, late spouse to Robert Conqueror, merchant in the said Burgh, which rites and ceremonies are condemned by the constitutions of this Church in her First Book of Policy, and Directory for Publick Worship, as being of most dangerous consequence, and her constant practice consonant thereto ; in the performance whereof, you assisted at the foresaid burial, which gave no smal offence, these ceremonies being altogether forraign and strange to the people of North Brittain, ever since their Reformation from Poperie.

“Sexto : After the like disorderly manner, you have taken upon you to administer the Sacrament of Baptism, cross to the constitutions and practice of this Church, notwithstanding of the known law of the Land against irregular Baptism, and this you have been frequently guilty of ; and among many others, you baptized the children of John Mordoch, younger, glover in Perth, James Walker, maltman there, Laurence Chapman, messenger there, Daniel Cameron, teacher of a privat school there, John Crocket, maltman there, John Cuthbert, taylor there, and Alexander Nucle, a person for ought is known was then living in adultery, and to whom the ministers of the place refused the privilege of Baptism to his child for the said scandal, and all these within these few years by past. Witnesses to prove this libel are : Olivar Graham, maltman in Perth, Mr Patrick Whyte, student of Divinity there, Daniel Cameron, teacher of a privat school there, Patrick Walker, taylor there, James Walker, maltman there, John Crocket, maltman there, John Smith, elder, hammerman there, John Mordoch, younger, glover there, Laurence Chapman, messenger there, George Threapland, merchant there, William Drummond, shoemaker there, John Gibson, Patrick Crookshank, John M'Knab, all of them weavers there, John Mershall, stabler there, William Cargil, late bailie there, Patrick Glas and Patrick Schioch, merchants there, and Alexander Wilson, dyer there.”

On December 19, the three ministers, having failed to appear before the Presbytery in obedience to a third citation, were declared to be contumacious. The Presbytery then resolved to examine witnesses in support of the libels, and to begin with the cases of Mr Henry Murray and his colleague.

Evidence was led against Murray as follows :—

William Cargil, late bailie in Perth, aged about 40, and married, deponed that he had witnessed the Baptism of a child to Laurence Chapman, and of another to John Cuthbert, by Murray ; that he was present at the funeral of Bathia Omay, wife of Robert Conqueror ; and that he heard and saw Murray conduct the service in accordance with the order of the Book of Common Prayer.

Mr Patrick Whyte, student of Divinity in Perth, aged about 20, “deponed on Mr Henric Murray’s libel that he heard the said Mr Murray preach within the Burgh of Perth ; further, that he saw him dispence the Sacrament of the Lord’s Supper to the communicants kneeling, but does not remember that ever he heard Mr Murray desire the people to kneel. Likewise he deponed that Mr Murray observes Fasts and Festivals, particularly that of All Saints, St Michael and All Angels. Also he deponed that Mr Murray observes set forms in the worship of God, and set forms consonant to the Book of Common Prayer ; further, he deponed that he saw Mr Murray officiating at the funerals of Bathia Omay after the English manner.”

Olivar Graham, aged about 30 and married, “deponed that he heard both Mr Murray and Mr Steuart preach in the Burgh of Perth. Further, he deponed that Mr Murray dispensed the Sacrament of the Lord’s Supper to the communicants kneeling, and has heard him say that there was no hazard in taking it kneeling or standing. Also, he deponed he knows that he keeps Festival days, particularly Zule : further, that he saw Mr Murray observe a Liturgie and set form in the worship of God, and Mr Steuart do the like : likewise, that he saw Mr Murray and Mr Steuart use the order of burying the dead according to the Church of England.”

Daniel Cameron, teacher of a private school in Perth, a married man, aged about 36, “deponed that he heard both Mr Murray and Mr Steuart preach in the Burgh of Perth. Further, he deponed that Mr Murray dispensed the Sacrament of the Lord’s Supper to his people kneeling, and has heard him commend that way to his people : also, that he was witness to Mr Murray and Mr Steuart their observing Festival days, but does not mind particular days, but minds he was there on All Saints day. Further, he deponed that they both observe set forms and a Liturgie in the worship of God.”

George Threapland, a married man, aged 34, “deponed he heard Mr Murray and Mr Steuart preach in the Burgh of Perth ; further, that he was witness to Mr Murray his keeping Festival days, but not to Mr Steuart ; particularly, he saw Mr Murray keep Zule day. Also, he deponed he heard them both observe a set form and Liturgie : likewise

that he saw them both officiating at the funerals of Bathia Omay, according to the order prescribed in the Book of Common Prayer; further, that he saw Mr Murray dispense the Sacrament of the Lord's Supper to his people kneeling, and heard him in his sermon commend it as a more reverend way."

At this stage of the proceedings, "one Mr John Gordon, Governour to Kilcowie," appeared, and presented a commission from Murray, authorising him, notwithstanding his former declinature and protestation, to see that the examination of witnesses was legally conducted. Gordon was informed by the Moderator that he could not be permitted to speak in the case as a matter of right, but that as a matter of grace the Presbytery permitted him to be present, and "offer any thing that was reasonable or discreet in the examination of witnesses." Gordon protested, and, having taken instruments in the hands of Laurence Chapman, notary in Perth, left the meeting.

The Presbytery then proceeded with the examination of witnesses.

Laurence Chapman, a married man, aged 40, and James Walker, a married man, aged 31, gave evidence in support of all the articles of the libel; and John Mershall, a married man, about 60, John Gibson, a married man, over 60, Patrick Crookshank, a married man, aged 48, and John M'Knab, aged about 50, bore testimony in support of the sixth article.

The Presbytery, having, as they considered, obtained sufficient evidence, dismissed the rest of the witnesses.

On January 10, 1712, the Presbytery received the report of a committee appointed to consider the cases of the two ministers, and decided to proceed to a sentence.<sup>1</sup> It was unanimously resolved that the sentence in both cases should be Deposition from the office of the Holy Ministry. The terms of that against Murray were:—

"Sentence, the Presbyterie of Perth against Mr Henrie Murray, incumbent under the late Prelacie in the paroch of Dunkeld, and for present residing in the Town of Perth.

"The Presbyterie of Perth understanding that Mr Henrie Murray, late incumbent at Dunkeld, did not only continue to intrude upon the planted congregation of Perth, but also hath of late introduced a Liturgie and set form of worship in the pretended exercise of the ministerial office there, and that notwithstanding of the known principles and practice of this Church to the contrary, and the Acts of the General Assemblies thereof and their Commissions of later years against innova-

<sup>1</sup> The procedure was the same as in the case of Mr Thomas Murray (Kinloch).

tions in the worship of God, they ordered him to be sisted before them ; and being called for the second time, instead of appearing personally, to manifest his further contempt to the Judicatories of this Church, he did substitute one Mr James Smith, apothecarie in Perth, to appear as proxie in his behalfe, to present a Declinature in his name, and that by vertue of a commission granted to him for that effect : whereupon, the Presbyterie taking the same into consideration, they find it not relevant, but on the contrarie that it is a displayed banner against the established order and government of this Church, to be fraughted with insolent and disdainfull speeches in his open avouching the said innovations, and adducing such reasons in defence of the same, as do not only sufficiently evidence his virulent and schismatical temper and disposition in pursuance of the same, but also such as upon an impartial search will be found to the disgrace of a Protestant profession. And taking his schismatical course into consideration, they ordered a libel to be transmitted unto him with a copie of the witnesses adduced to prove the same. And the said witnesses being sisted, sworn, purged, and examined in a legal and orderly way, they do find the following articles sufficiently proven, viz. : the said Mr Henry Murray his intrusion upon the ancient Burgh and congregation of Perth, his dispensing the Sacrament of the Lord's Supper to the people kneeling, his publick defending and encouraging of the people to use the said gesture, his observing of Festival days, and these not only pretended to keep in honour of our Blessed Saviour, but also such as are dedicated to Saints and Angels, his using a Liturgie and set form in the publick worship practised by him, his following the order prescribed in the said Liturgie for burying the dead, his taking upon him to administrat the Sacrament of Baptism cross to the constitutions of this Church : All which together, with the bold and irregular introduction of the same, and the dangerous consequences thereof when introduced, are more fully expressed in the libel it self. And now upon mature deliberation, in reference to the whole complex affair, they judge that the said Mr Henry Murray his continuing in his lawless and irregular intrusion upon the said congregation, his insolent Declinature, which is highly censurable conform to the Acts and constitutions of this Church, his introducing of such innovations into the worship of God, not only cross to the known constitutions and practice of this Church, but also without the least show of warrand from so much as a pretended Assembly, and cross to the practice of those of his persuasion during the late Prelacy, and his own since his intrusion in this place, till within these few moneths, upon what views himself best knows, nay cross to the Confession of Faith of the Church of Scotland, which these of his persuasion are solemnly engaged and sworn to

maintain and adhere to ; which confession, on the Head of Works that are reputed good before God, hath these words (and evil works, we affirm not only these that are expressly done against God's commandment, but these also that, in matter of Religion and worshipping of God, have no other assurance but the invention and opinion of man, &c.) ; And all these being aggravated with his unaccountable continuing in the said irregular and disorderly practices during the commencing of the said process, with a manifest design to perpetuat the rent and schism, which he hath occasioned in the place, to the dishonour of God, and grieving of the hearts of those who desire to adhere to the purity of Gospel ordinances, and uniformity of worship so happily established amongst us, upon the whole, they judge him to be a person unworthy of carrying the office of a minister of the Gospel. And therefore, being moved with zeal to the glory of God, a sincere desire to prove faithfull in contending for the Faith once delivered to the saints, and consequently to purge the Church of all such dangerous innovations, *we being now met, in the name and by the authoritie of our Lord and Master Jesus Christ, Sole King and Head of His Church, do, by vertue of that power committed to us, simpliciter depose the said Mr Henrie Murray from the ministerial office, and appoints this sentence to be transmitted to him by their officer quamprimum ; as also ordains the same to be intimated by the ministers of Perth, in both the churches, on the next Lord's day, being the thirteenth instant ; and likewise in all the rest of the Churches within the bounds of the Presbyterie the said day, after Divine worship in the forenoon ; and lastly, they require all the brethren to give faithfull warning to the people of the danger of such innovations and corruptions in the worship of God."*

The minute continues :—" The Presbyterie judging it their duty in this juncture to signifie to neighbouring Presbyteries, such as Dunkeld, Aughtarder, Coupar, Dundee, and Meigle, an account of their procedure in reference to the innovators in their bounds which they have under process, as to the length they are come in that affair, and of the above named sentences which they have passed against them, and appointed to be intimated ; and withall in a brotherly way to represent to them that as they humbly conceive their former Sentences were not without success, so they are of opinion that a vigorous prosecution of others in the same circumstances, and as much harmony in sentencing the same as can be obtained, may be a mean (through the blessing of God) for strengthening one another's hand in opposing and puting a stop to the innovations, that, like an inundation, are coming in upon this poor Church ; and appoints the Moderator with the brethren of Perth to write and transmitt these letters, as soon as may be."

The Sentence was duly intimated. The letter of the Moderator of the Presbytery of Perth was submitted to the Presbytery of Dunkeld on February 5. On March 4, that Presbytery expressed themselves as "thankful that they have not occasion for such processes presently."

Murray died before May 21, 1736, when his Testament was confirmed at St Andrews. The volume containing it has disappeared.

1. *Reference in the Register of Sasines for Perthshire.*

Mr Henry Murray, and Mr Alexander Christie, schoolmaster at Dunkeld, witnessed, June 26, 1689, an instrument of sasine, in favour of Colonel James Menzies of Culdares, of an annual-rent of £58, 10s., to be uplifted from the lands of Middle and Nether Cairdney; proceeding on the precept of sasine in a heritable bond by Donald Robertson of Middle Cairdney and Patrick Robertson, his eldest son.

Registered June 27, 1689.

2. *References in the Register of Deeds of Dunkeld Commissariat.*

At Perth, April 4, 1694, James Murray, apothecary in Perth, son of the deceased Mr Gilbert Murray, minister at Crieff, being about to travel abroad to England, and perhaps to other foreign countries, in order to perfect himself in the art of his calling, constituted Mr Hary Murray, minister at Dunkeld, his brother german, his procurator and factor; specially giving him power to uplift from Harie Murray of Lochane, or his agent, the sum of £1000 Scots as his half share of 3000 merks contained in a heritable bond (dated April 13, 1675) granted to his late father and the deceased Jean Glas, his mother, in liferent, and to him and his brother equally, secured on the lands of Easter Creiff; Mr Harry being empowered to retain 500 merks, which he had paid to Mr James Murray, apothecary in Perth, as the apprentice fee for his brother.

Registered August 2, 1694.

Mr Hary Murray, minister and treasurer at Dunkeld, being by the continual attendance on his ministerial function so necessarily employed that he could not without much trouble and disturbance uplift that mean aliment which was allowed, on October 11, 1694, nominated John Stewart, writer in Dunkeld, his factor for uplifting of the teinds, teind duties, and feu duties, due to him as minister and treasurer at Dunkeld.

Registered October 16, 1694.

John Bissat at the Burne of Killimorich, at Dowallie, February 18, 1693, before Mr John Jackson, schoolmaster in Dowallie, granted a bond

to the minister and Kirk-Session of Dowallie for £40 Scots, bequeathed by James Douglas in Beladmone to the poor of the parish.

Registered December 1, 1697.

Charles Robertsons of Bellnagaird granted at Dunkeld, January 23, 1691, in presence of Mr Charles Stewart, schoolmaster at Dunkeld, a bond for £107, 11s. Scots in favour of Mr Hendrie Murray, minister of Dunkeld, in name of the Kirk-Session.

Registered January 12, 1698.

## KINCLAVEN

## 1. Alexander Ireland, 1630-1681.

The second son<sup>1</sup> of Mr Alexander Ireland, minister of Kinclaven, and Isobell Scot, his wife, he was born before February 12, 1606.<sup>2</sup> He matriculated at St Leonard's College, St Andrews, on August 29, 1623, and graduated Master of Arts in 1626.

He was admitted to Kinclaven as conjunct minister with his father before July 14, 1630,<sup>3</sup> and succeeded to the full charge on the death of his father, at least twenty-six years later.<sup>4</sup>

He was present at the first meeting of the Synod of Perth and Stirling after the abolition of Episcopacy, and reported that one James Crichtoun in his parish was a papist.<sup>5</sup> On May 4 and August 17, he was at Perth,

<sup>1</sup> *Perthshire Sasines*, December 16, 1629.

<sup>2</sup> *Ibid.*, February 21, 1627.

<sup>3</sup> *Ibid.*, July 20, 1630.

<sup>4</sup> Mr Alexander Balneavis (v. *Perthshire Hornings*, December 4, 1678) was appointed to the office of Chanter vacant by the death of Mr Alexander Ireland. The office, therefore, was held by Ireland, senior, not by his son. But on May 7, 1656 (*Perthshire Sasines*, June 4), Mr Alexander Ireland is designated minister at Kinclaven and Chantor of the Cathedral Church of Dunkeld. In *A Short Answer* to the paper entitled, "*Evidences of Defection, &c.*," Ireland, the future Dean, is styled Mr Alexander Ireland, JUNIOR. That paper is recorded in the *Register of the Presbytery of Perth* under date April 8, 1657. Ireland, senior, was minister at Logiealloway in 1590; if he were ordained at the age of 25, he would be about 92 years of age in 1657.

<sup>5</sup> He stated to the Synod, in October 1640, that he had reason to hope that Crichtoun would conform; in the following April he intimated that Crichtoun was dead.

At the meeting of the Synod in April 1639, it was reported that John Robertson of Invar in the parish of Little Dunkeld, David Spalding of Ashintillie in the parish of Kirkmichael, and Archibald Meinzie in Garth in the parish of Fortingall, were suspected of Popery; and that Donald Robertson, Tutor of Strowan, Charles Robertson of Auchlieks, in the parish of Strowan, the laird of Drumkilbo, his wife, Androw Tyrie, his brother, and William and Adam Tyrie, in the parish of Londief (Kinloch), were papists. It was reported, in October 1640, that the laird of Drumkilbo had received the Sacrament of the Lord's Supper; that the Presbytery had reason for hoping that his wife would conform; that Charles Robertson and William and Adam Tyrie had also conformed; but that they did not expect that either Androw Tyrie or Archibald Meinzie would do so. The Presbytery were enjoined to proceed with ecclesiastical censures against Androw Tyrie and Meinzie.

as one of the Commissioners appointed by the Synod to judge in a quarrel between Mr David Williamson, minister of Kilspindie, and William Bruce of Fingask and William Lindsay of Kilspindie. He was Moderator of the Presbytery of Dunkeld between April and October 1642. He was elected Moderator of the Synod on April 11, 1643. It was reported to that meeting that a riot had occurred in the kirk of Londief (Kinloch), while Mr James Drummond, the minister, was engaged in reading a Declaration against the Cross-Petition, and that he had been assaulted. The culprit was stated to be "Glenbucketie Gordon."

The Synod instructed Ireland to report the matter to the first meeting of either the Conservators of Peace or the Privy Council, and to request the Commissioners of the Kirk in Edinburgh to assist him in his endeavour to obtain redress. He declared to the following meeting in October, which he had opened with a sermon on Revelation 3, that neither of those bodies

and to charge John Robertson of Invar to receive the Lord's Supper from any of their number as they may choose, under pain of being held and confessed a papist. In April 1641, it was stated that "Lady Drumkilbo" had promised to attend Church, but was then in Edinburgh under treatment by Doctor Arnot. The Synod enjoined that the ministers of Edinburgh should be asked to "deal with" her. Of Andrew Tyrie, it was declared that he had not been within the bounds of the Presbytery till that month. The Presbytery were ordered to institute a process against him: and, in the event of his departure from the bounds, to give notice to the Presbytery to whose bounds he removes. John Robertson of Invar was reported to have declared that he had signed the Covenant: he had not communicated, however, and the Presbytery were instructed to charge him to do so. It was declared that Archibald Meinzie was not a papist and had promised to communicate.

His minister, Mr James Rosse, minister of Fortingall, was instructed to try his affection to religion and piety.

In October 1641, it was reported that the "Lady Drumkilbo" was still in Edinburgh. The Synod ordered the Presbytery to process Andrew Tyrie as an obstinate papist, and also to take proceedings against John Robertson of Invar if he would not subscribe the Confession of Faith, whether he previously signed it or not. It was declared, also, that Archibald Menzies in Gaith had given satisfaction to the Presbytery, and had communicated.

In April 1642, it was stated that "Lady Drumkilbo" was an obstinate papist, and that she and Andrew Tyrie were under process; but that it was found difficult to carry on proceedings against John Robertson of Invar because he removed from parish to parish. The Synod enjoined the Presbytery to continue the processes—that against Tyrie to excommunication, and to institute proceedings against Robertson.

It was reported to the Synod, in October 1642, that "Lady Drumkilbo" had begun to attend church; that Tyrie had left the country when the Presbytery had given him a second admonition to appear before them; and that Robertson had signed the Confession of Faith, but had failed to communicate at the church appointed. The Synod ordered the Presbytery to continue the process against Robertson unless he communicated. In April 1643, the Presbytery reported that Robertson had communicated; that Tyrie had not returned; and that "Lady Drumkilbo" had not been within the bounds during the winter, but, as they were informed, attended church. The Presbytery declared, in October 1643, that she had delayed to communicate until she had seen the form and order of Communion, and been further instructed: they were ordered by the Synod to meet with her frequently.

had met when he was at Edinburgh; and the Synod referred further procedure to the care of the Presbytery of Dunkeld. At that meeting also, he was nominated by the Presbytery for appointment as Clerk to the Synod, in succession to Mr Alexander Petrie, translated from the church of Rynd to Rotterdam, but Mr Edward Richardson, minister at Forteviot, was elected.

He was a member of the General Assembly of 1645,<sup>1</sup> and was one of a leet recommended by the Presbytery with the army for the post of chaplain to the regiment of Lord Kirkcudbright.<sup>2</sup> On September 4, 1645, he was present at a meeting of brethren at Perth, held to "strengthen one another that there might be no defection from the Covenant nor points thereinto contained, whereunto they had all solemnly sworn." Ireland opened the meeting by stating the object of it and the means adopted for calling it.<sup>3</sup>

The Synod, in November 1645, appointed him chaplain to the regiment commanded by Lord Couper, and instructed him to proceed to England as soon as possible to take up his duties. He did not go, however, and an explanation of his conduct was demanded by the following meeting. He stated that he had made due preparation for discharging his commission, and had remained ten days at St Andrews in attendance on the Commissary General and Lord Couper; that he had demanded money for the expenses of his journey but had "been flatly refused"—a circumstance of which he complained to Mr Robert Douglas, but in vain; that Lord Couper had advised him to return to Kinclaven, promising to intimate to him when his services would be required; that he had received no such notice; and that the regiment had now returned to Scotland, and was in garrison in Perth, and was served ministerially by the chaplain of the garrison and the parish clergymen.

The Synod appointed his statement to be recorded.

He was a member of the Assembly of 1646. In the Register of that Assembly, the contraction "ab" is placed opposite his name.<sup>4</sup> He was one of a leet for the chaplaincy of Lord Cowpar's regiment.

The *Register of the Presbytery of Dunkeld* was not submitted to the Synod of April 1647, because of the suspicion of the plague of pestilence in Kinclaven.

He was appointed a member of the Commission of the General Assembly on August 31, 1647.<sup>5</sup>

On May 28, 1649, it was reported that he was the medium by which a letter from the Commission, exhorting the people "to the furthering

<sup>1</sup> *MS. Acts of Assembly*, 1641-6, 53.

<sup>2</sup> *Ibid.*, 89.

<sup>3</sup> Appendix C.

<sup>4</sup> *MS. Acts of Assembly*, 1641-6, 180.

<sup>5</sup> *Records of Commission*, 1646-7, 301.

and promoting of the present leavy, and the patient bearing of necessary burthens," etc., was communicated to the members of the Presbytery of Dunkeld.<sup>1</sup>

In 1649, he raised an action before the Lords Commissioners for Plantation of Kirks against Sir Thomas Stewart of Garntully, Sir William Stewart of Innernytie, John Stewart of Arntullie, Robert Narne, elder, Robert Narne, younger, Mr John Narne, second son of Mr Robert, James Blair of Ballathie, Thomas Ratra *alias* Waich, at the boat lands of Kenklaven, heritors of Kinclaven, for augmentation of stipend. By missive, signed November 20, 1649, they were summoned to compare on January 18, 1650, to depone as to the value of their lands.

He declared that he was but meanly provided for his service of the cure, his present stipend being money, and far within the proportion and quantity appointed by the last Act of Parliament for the maintenance of ministers. He craved the quantity of victual specified in the Act, the conversion of his money stipend into victual, the rest of the benefits contained in the Act, and the appointment of a locality for his stipend. He stated that he was prepared to accept the valuation of their lands stated by the titulars and heritors. The Commissioners granted him a locality for 3 chalders of victual, 700 merks money, and £30 for Communion elements. The old stipend, amounting to £400, 2 chalders of victual, and 40 merks for Communion elements, was thus augmented by 100 merks, 1 chalders of victual, and 5 merks for Communion elements.<sup>2</sup>

The Synod, in April 1650, nominated him one of a committee on the erection of a Presbytery of Kinross; and appointed him and Mr Harry Stewart their commissioners to the Synod of Angus and Mearns, with special instructions to represent to that Synod "the great expedience of the erecting of a Presbitrie at Kinclavin, and to deall for separating the kirk of Blair and Bannithy from Megill Presbitrie to the said intendit Presbitrie at Kinclavine."

He was a member of the General Assembly of 1650. He was appointed a member of the Commission. On July 24, 1650, the ministers of the Presbytery of Dunkeld signed an obligation in favour of him and Mr Robert Campbell, minister at Mulline, for £1000 Scots as their proportion of the expense of a regiment.<sup>3</sup> He was one of a committee nominated by the Commission to request the Earl of Athol to permit his chamberlain to uplift, for behoof of the minister, certain vacant stipends, which they recommended the Presbytery of Dunkeld to grant

<sup>1</sup> *Records of the Commission, 1648-9, 258; MS. Register of the Presbytery of Perth, May 28, 1649.*

<sup>2</sup> *Teind Papers* (Register House).

<sup>3</sup> Appendix A.

to Mr John Hart, minister of Dunkeld, and to arrange with his Lordship for a competent stipend for Dunkeld.<sup>1</sup> With Messrs Thomas Lundie and Thomas Strachan, he was appointed by the Synod of October 1650 to request the Earl of Perth to demolish the chapel and tree, and to deface the well of Struthell, before November 1, and in case of his Lordship's failure or refusal to do so, to report the circumstances to the Committee of Estates; and was also nominated a Collector of the charitable contributions to be made within the bounds of the Presbytery on behalf of the soldiers captured by Cromwell at Dunbar.

The same meeting of Synod also appointed him with other members of the Presbytery of Dunkeld, viz., Messrs John Hairt, minister at Dunkeld, Thomas Lundie, minister at Rattray, Colin Campbell, minister at Blair-Atholl, Robert Campbell, minister at Moulin, Thomas Ireland, minister at Weem, William Menzies, minister at Kenmore, and John Cunniesone, elder, minister at Dull, and with Mr John Cruikshank, minister at Redgorton, members of a Committee for the visitation of the Presbytery of Ochterarder. On December 14, 1650, he was present at the meeting of the Commission of the General Assembly at Perth, when the Public Resolutions were passed. On March 20, 1651, he presented to the Commission a paper from the Presbytery concerning Mr Donald Robertson, Tutor of Strowan. The document, the contents of which are not stated, was remitted back to the Presbytery.<sup>1</sup>

He reported to the Synod of May 1651 that he, and the other members of the Committee, had interviewed the Earl of Perth concerning the superstitious observances at Struthell, that the Earl had caused some of the objects of superstition to be destroyed, but that he had been able to find no one who would demolish all. The Synod expressed the opinion that the Committee had been "somewhat neglective in discharging what was committed to them," and renewed their commission, adding others to their number. That meeting also appointed him one of a committee to confer with brethren dissatisfied with the Public Resolutions.

In June 1651, a protest and dissent by him and Mr John Ros, minister at Lethindy, against an election by the Presbytery of Dunkeld of commissioners to the ensuing General Assembly, came under the notice of the Synod. After a vote, the Synod resolved to hear the reasons of the Protestation. Mr Thomas Lundie, minister at Rattray, undertook to

<sup>1</sup> *Records of the Commission*, 1650-2, 4, 134-5, 353.

On May 23, 1651, the Commission of the General Assembly considered a report from the Presbytery of Dunkeld regarding Donald Robertson, and having heard him express penitence for the offence for which he had been excommunicated, referred him back to the Presbytery, giving them power to absolve him (*Records*, 1650-2, 432).

answer the reasons for himself, but not in name of the Presbytery. The reasons having been heard and answered, the Synod sustained the Protestation and Dissent. Lundie and Mr John Cunieson, younger, minister at Killin, protested against the decision and appealed to the Assembly. Ireland and Ros, in turn, protested that the appeal of Lundie and Cunieson should not hinder the Presbytery of Dunkeld from proceeding to a new election of commissioners to the General Assembly.

The Synod, in July 1652, appointed him and Sir William Stewart of Innernity their commissioners to the Synod of Angus and Mearns.

The Presbytery of Perth, on June 30, 1652, requested him to take the deposition of a witness in a case of objection by Dame Geils Moncrieff, Lady Newtoun, to the proposed marriage of Francis Hay of Gourdie with a daughter of Patrick Inglis of Byres, on the ground of a promise to her.

In 1652, he was again a member of the General Assembly, and one of a committee appointed to consider the grievances of Mr George Hali-burton.<sup>1</sup> He was a member of the Commission nominated by that Assembly on August 5, 1652; and was selected by the Commission to communicate to the gentlemen within the bounds of the Presbytery, and to urge concurrence with the objects of letters ordered to be written by the General Assembly.<sup>2</sup> He was Moderator of the Synod in October 1652, and preached at the opening of the Synod in April 1653.

He was one of the brethren appointed by the Synod, on June 15, 1653, to endeavour to compose the differences which had arisen in the Kirk-Session of Perth concerning additions to the eldership, and was present at Perth on June 28 at a meeting on the subject.<sup>1</sup>

The action of the Synod in quashing the election of Commissioners from the Presbytery of Dunkeld to the General Assembly of 1651, on the protestation of Ireland and Ros, was adduced in illustration of the influence of the Act of the Commission citing brethren dissatisfied with the Public Resolutions before the General Assembly. In the volume entitled *The Nullity of the Pretended Assembly at St Andrews and Dundee*, it is stated that "The Presbyterie of Dunkel having chosen such of their number to be Commissioners to the General Assembly 1651, as were in their judgments opposite to the publick Resolutions; some of the Presbytery dissented from the Election of these persons upon the ground of their being incapable to be Commissioners, because of an Act of the Commission for citing of such to the Assembly, and urged That the Dissent and ground thereof might be marked in the Presbytery-Book, to be judged by the Synod"; and also that "The Presbytery of Dunkel having chosen their Commissioners to the Gen. Assembly, and one of their

<sup>1</sup> v. vol. i. pp. 115-6.

<sup>2</sup> *Records*, 1650-2, 520, 524.

number who was a member of the Commission having dissented from, and protested against the Election, because such as were chosen were unsatisfied with the Commission's proceedings: the Synod of Perth meeting a little thereafter, and receiving the Letter and Act of the Commission, did thereupon sustain the Dissent and Protestation of that man of their number, and appointed the Presbytery of Dunkel to chuse their Commissioners anew again."<sup>1</sup>

The statements of that Book were brought to the notice of the Synod in April 1653. The Synod examined their Act and the reasons of the protestation of Ireland and Ross. Those reasons were that the Commissioners had been elected at an extraordinary meeting, held by appointment of the General Assembly eight days before the ordinary meeting of the Presbytery, for the purpose of conferring with dissentient brethren, and of transacting other specified business, a meeting, he affirmed, from which many members, among them all the elders, were absent, because not required to be present; and that it had not been intimated at the previous meeting, as was customary, that the Presbytery would proceed to the election of commissioners to the General Assembly. On such grounds, he concluded, his protestation had been sustained by the Synod, and not because the commissioners chosen were incapable of being elected, for when the Synod gave sentence, it was not known who would be debarred from membership of the Assembly.

He was at Perth, on March 22, 1654, as a commissioner from the Presbytery of Dunkeld anent a meeting of the Synod, and also at an adjourned meeting on June 13.<sup>2</sup>

The Synod, in October 1654, associated him and others with the Presbytery of Perth, for the examination of a paper presented to the Synod by Mr John Murray, minister at Methven, addressed to some brethren by name, whom he styled "abettors of the Publick Resolutions," and reflecting on the action of the Synod and the General Assembly.

The Synod was appointed to meet at Dunblane on April 10, 1655. When the members assembled, they were informed that a detachment of English troops intended to interrupt and dissolve the meeting after public worship. They, therefore, resolved to constitute the Synod at once. They elected Ireland Moderator, and instructed him to protest against the interruption of their meeting, if it should occur, as contrary to the liberties of the Church of Scotland, and for other reasons to be drawn up by him with the assistance of Messrs Robert Young, John Moray, and William Menzies. They also resolved to adjourn the meeting to the second Tuesday of August at Dunblane, authorising the Moderator to summon representatives from the various Presbyteries to

<sup>1</sup> Pp. 289-90, 11.

<sup>2</sup> *MS. Register of the Presbytery of Perth.*

consider whether the Synod should meet, and granted power to that committee to adjourn the Synod to another place and time. They were then informed that the English troops were within the town, and decided to hold their usual diet of Public Worship. The Synod met again in the afternoon. While they were engaged in business, "ane English officiar callit" Lieutenant Belvine, Governor of Ballenton, appeared with a party of soldiers, and ordered them to dissolve the meeting. He stated that he was commissioned to do so by his superior officers, but when asked by Ireland to show his orders and to state from whom he received them, he refused to do so. He then commanded his soldiers to remove the members by force if they refused to depart. Some members were thus removed. Ireland protested against the violent interruption of the meeting as contrary to the liberties of the Church, and that the Synod should have power to assemble when duly summoned, and closed the Session with prayer.

At the desire of the Presbytery of Perth, he was present at Perth on June 13, 1655, as one of the brethren appointed by the Presbytery of Dunkeld for correspondence in connection with a proposed meeting of the Synod.<sup>1</sup>

The Synod met again at Dunblane on July 10, and Ireland was a member of a Committee—Messrs William Menzies and William Stewart of the Presbytery of Dunkeld being members also—appointed to hear the Protestations against ministers whose membership of the Synod was disputed, such as Mr William Colvill, minister at Perth, and Mr James Strachan, who had been admitted by the Protesters to Dunkeld.

He preached at the opening of the Synod at Dunblane in October 1655, and, shortly after, was elected Moderator of the Presbytery of Dunkeld. At the meeting of the Synod in July 1655, Mr James Guthrie, minister at Stirling, declared in general terms that Ireland, then Moderator, "was not worthy to be in that place, and that if the Synod did their duty he would not be permitted to sit as a member, much less to moderate their meeting"; and undertook to prove his statements. The Synod paid no attention to Guthrie's general allegation; but, in April 1656, determined to try any charges which might be brought against him—Ireland also requesting that his character might be vindicated and he no longer rest under the imputation of scandal.

The Presbytery of Dunkeld, accordingly, were instructed to hold a visitation of the Parish of Kinclaven, and with the assistance of correspondents from the various Presbyteries of the Province, to examine any allegation made against him: it was also appointed that Guthrie should receive intimation of the date of the visitation, that he might

<sup>1</sup> *MS. Register of the Presbytery of Perth.*

state his objections against Ireland's life and doctrine. The visitation was duly held: but Guthrie did not appear to state and prove any charge against him. The members, however, after strict enquiry, found Ireland blameless in his ministry. The Synod, in October, expressed their approbation of him "seeing his innocencie is cleared by the visitation."

In a Paper entitled "Evidences of the Growth of Defection in the Province of Stirling and Perth," recorded in the Register both of the Presbytery of Perth and of the Synod, reference is thus made to the allegations of Guthrie:—

"3d. Being alleged in the face of the Synod by Mr James Guthrie that Mr Alex. Irland, then present moderator, was not worthy to be in that place, and that if the Synod did their duty, he would not be permitted to sit as a member, much less to moderate their meeting, which allegation he did take upon him to verify, the Synod, notwithstanding that he did undertake the verification thereof, did upon this and the like grounds, without taking any trial, less or more, of the matter, proceed to a sentence against Mr James Guthrie, continuing the said Mr Alex. as moderator all the Synod; and upon this allegation of Mr James Guthrie concerning Mr Alex. Irland was afterward given in to the Synod in writing, they did not so far acquit themselves as to refer Mr Alex. his carriage to trial, notwithstanding that there is a crying scandal throughout all the bounds where he lives of his evil behaviour, &c."

Those statements are dealt with in "A Short Answer to the libel against the Synod of Perth entitled, 'Evidences,' &c." :—

"The 3d consideration is of an allegation of Mr James Guthrie against Mr Alex. Irland, junior, present moderator, that he was not worthy to be in that place, and that if the Synod did their duty he would not be permitted to sit as a member, much less to moderate their meeting: For answer to this let it be considered that Mr Alex. Irland as he has been moderator before our late differences, so our brethren for the protestation were very instrumental in choosing him moderator. At that time, however, he was chosen without any dissent to the contrary. Now, how can they be in bona fide to object and propone an exception against the moderator, in the end that they were silent, and did not timeously propone that allegation in the beginning at the listing and choosing of the moderator. The allegation proponed was only general, neither doth the paper condescend to any particulars. 3. It was proponed by Mr James Guthrie in a passion, and in a passing way, and so was not taken notice of by the Synod. 4. Because Mr James Guthrie proponed the like against the Clerk, and the Synod having put him to it, after spending much time and creating to them much trouble, he was found to pass

from his allegation. Therefore the Synod, suspecting that he had some design only to perturb them after his usual manner, thought his speech not worthy the taking notice of, seeing he spares not to speak so against all ministers that are for the General Assembly: therefore his tongue being no slander, it was the glory of the Synod to bear his reproach. But whereas it is said that Mr James gave in this allegation in writing, this is not remembered, and the Clerk denied it that any paper was given in to this purpose. Nevertheless, the Synod, thereafter, did appoint a visitation for the trial of the aforesaid allegations, or any other scandals that might be alleged against Mr Alex. Irland; and though Mr James Guthrie was required to be present and was advertised of the diet of the visitation by a letter from the moderator of the Synod, yet he neither came himself, nor deigned he so much as to write a letter of excuse of his absence to the visitation, nor yet gave any information to make out his great challenge against him before the Synod. Notwithstanding, the visitation went on in the trial of his doctrine, life, and conversation, in as exact a way as could be, and found nothing against him. Therefore, it is a calumny that is in the paper that there is a crying scandal of his evil behaviour in the bounds where he lives, seeing in the bounds where he lives there was not so much as an ill report given up against him, let be proven to the visitation, and thus the challenge against the Synod for Mr Alexander Irland is sufficiently answered."

With Mr David Drummond, minister at Moneydie, on June 25, 1656, he appeared before the Presbytery of Perth, at the instance of the Presbytery of Dunkeld, to represent "the sad condition some of their brethren are in, and what discouragements they meet withal in their ministry, in regard their stipends are sequestrated, and the people daily troubled; and desiring them that they would make choice of one or two of their number, to join with them that are commissioned from the said Presbytery of Dunkeld, to advise and concur with them in the said matter."

In October 1659, he was appointed Collector within the Presbytery of Dunkeld of the contributions voted by the Synod on behalf of Mr John Strachan, formerly minister at Midmar.

In April 1660, he was again elected Moderator of the Synod, and opened the meeting in October with a sermon on Proverbs xix. 22. In the absence of Mr George Haliburton, Moderator, the Synod of April 1660 appointed him to moderate until another Moderator should be appointed.

He conformed to Episcopacy in 1662, and was appointed Dean of Dunkeld.<sup>1</sup> At the meeting of the Diocesan Synod of Dunkeld in April 1663, he, Mr David Drummond, and Mr Alexander Balneavis were

<sup>1</sup> *v.* vol. i. pp. 258, 261-2.

appointed Commissioners to petition Parliament for redress of the grievances of the clergy with reference to their manses and glebes.<sup>1</sup>

He received a grant of the escheat of Mr Thomas Ireland, minister at Kirkholm, his brother, who had been denounced rebel. The gift, under the Privy Seal, is dated August 3, 1666.

He was present at a visitation of Caputh on April 23, 1678, for the purpose of designating glebe lands to the minister.<sup>2</sup> On April 8, 1679, his son, Mr Alexander Ireland, minister at Fossoway, was absent from the Synod of Dunblane, by permission of the Bishop, in attendance on his father "lyand upon the bed of sickness."<sup>3</sup> He died before March 14, 1681.

He married: 1, before November 27, 1631, Marie, daughter of Alexander Ireland of Burnbane<sup>4</sup>; and 2, before August 22, 1643, Grissel Lundie.<sup>5</sup> She died between March 15, 1661, and July 24, 1663.<sup>6</sup> His children were: 1, Alexander, who matriculated at St Leonard's College, St Andrews, on January 26, 1650, and graduated Master of Arts on May 13, 1653. He became minister at Fossoway before October 11, 1659.<sup>7</sup> He married Anna, daughter of Major Drummond, sometime of Pitcairnie, with whom he was promised 500 merks as Tochergood<sup>8</sup>; 2, Patrick<sup>9</sup>; 3, George.<sup>10</sup>

#### 1. *Rejerences in the Register of Sasines for Perthshire.*

John Burt in Litill Tullibeltane, bailie of Mr Alexander Irland, senior, minister of Kinclavin, and Mr Alexander Irland, junior, his son, "*nunc post legitimam suam ætatem viginti unius anni completam,*" gave sasine, February 19, 1627, to John M'Keandley, senior, in Mekill Fandowie, of the lands of Balcharne in the baronies of Tullibeglis and Mekillhour, acquired by Irland, senior, and Isobell Scott, his wife, in liferent, and Irland, junior, in fee, from Laurence Merser of Mekillhour (with express consent of Cicilly Colvill, his spouse, and Alexander Irland of Burnbane), under reversion for 1050 merks; proceeding on a precept of sasine in a charter, signed at Milnhoill and St Andrews, February 12 and 13, 1627, before Mr John Irland, eldest son of Mr Alexander Irland, senior, Thomas Irland, his son, and others.

Registered February 21, 1627.

<sup>1</sup> v. vol. i. p. 130.

<sup>2</sup> MS. Register of the Presbytery of Dunkeld, May 7, 1730.

<sup>3</sup> Wilson's Register of the Diocesan Synod of Dunblane, 141.

<sup>4</sup> Perthshire Sasines, June 1, 1633; October 3, 1632.

<sup>5</sup> Ibid., September 8, 1643.

<sup>6</sup> Ibid., March 20, 1661, and August 4, 1663.

<sup>7</sup> MS. Register of the Synod.

<sup>8</sup> Perthshire Deeds, February 2, 1670; June 27, 1666.

<sup>9</sup> Perthshire Sasines, March 20, 1661.

<sup>10</sup> v. Lethendy, *infra*; vol. i. p. 259.

Mr Alexander Irland witnessed (1) a charter (dated at Mylnhoill of Pittindynie, November 14, 1627) by Mr Alexander Irland, precentor of Dunkeld, with consent of Issobell Scott, his wife, and Laurence Merser of Mekillhour, superior, of the half lands of Lydnock and an annual-rent of 15s. Scots to be uplifted from the other half thereof (reserving liferent to himself and spouse), in favour of Mr John Irland, his heir-apparent, and Grisell Merser, his future spouse ; and (2) the instrument of sasine following thereon of same date.

Registered December 5, 1627.

He also witnessed (same date and place) a similar charter by Mr Alexander Irland, precentor of Dunkeld, with consent of his spouse, of the town and lands of Pittindynie and others, in favour of the said Mr John Irland and spouse, and the instrument of sasine thereon.

Registered December 5, 1627.

Mr Alexander Ireland, second son of Mr Alexander Ireland, minister at Kinclevin, had sasine, December 14, 1629, of an annual-rent of 100 merks Scots to be uplifted from the barony of Mekillhour, proceeding on a precept of sasine in a charter by Laurence Merser of Mekillhour, signed there, November 10, 1629, in presence of Mr Alexander Ireland, senior.

Registered December 16, 1629.

Mr Alexander Ireland, younger, minister at Kinclevin, Mr John Andersone, minister at Cargill, and Mr Ninian Drummond, minister at Kynnoull, witnessed at Perth, July 14, 1630, a charter of apprising by Alexander, Bishop of Dunkeld, of the lands of Barclayes-Hauch, and others, in the barony of Craigie and sheriffdom of Perth (which belonged to John Ross, son and duly called to enter heir to the deceased Mr Robert Ross of Craigie, his father, from whom they were appraised in a court of apprising held in the Tolbooth of Edinburgh, December 23, 1625, at the instance of the deceased Mr John Ross, son of Mr James Ross, minister at Forteviot, for payment of 44,000 merks Scots), in favour of James Ross, brother and heir of the said deceased Mr John Ross.

Registered July 20, 1630.

Mr Alexander Ireland, junior, witnessed at Collace, October 29, 1631 (*sic*), a charter by Mr Alexander Ireland, precentor of Dunkeld, heritable proprietor of the lands of Pittindynie, with consent of Mr John Ireland, his eldest son, of the said lands (reserving the Mill of Pittindynie or Kinvaid, now called the Mill of Mylneholl of Pittindynie, the lands of Drumsay, etc.), in favour of Mariote Monorgund, daughter of James

Monorgund of that ilk, in liferent, in prospect of marriage between her and said Mr John Ireland. Sasine was given, October 7, 1631, by Thomas Ireland, as bailie for his father.

Registered October 10, 1631.

Mr Alexander Ireland, junior, witnessed at Dunkeld, October 13, 1631, a charter by Mr Alexander Ireland, minister at Kinclavin, with consent of John Ambros of Graystane, in favour of Thomas Ireland, his third son by Isabella Scott, his wife, of a tenement of land lying to the south of the Market Place of Dunkeld; and on the same date, with Mr James Ross, minister at Farthingaill, witnessed the instrument of sasine.

Registered October 20, 1631.

Mr Alexander Ireland, junior, minister at Kinclavin, witnessed, April 17, 1632, an instrument of sasine, of the lands of Easter Baunchrie and others, in favour of Patrick Haliburton, brother german of William Haliburtoun of Pitcur, proceeding on a precept of sasine in a charter of sale by the said William, signed at Haltoun of Newtyll, April 16, 1632.

Registered April 20, 1632.

Patrick Hering of Blakloche, as bailie of Alexander Ireland of Burnbane,<sup>1</sup> and Marie Ireland, his daughter, gave sasine, September 4, 1632, to John Greig of Hauche of Fongorth of an annual-rent of 100 merks Scots to be uplifted from the lands of Cragie; proceeding on a precept of sasine in a charter granted by them, and also by Mr Alexander Ireland, younger, minister of Kinclavin, spouse of the said Marie, in token of his consent, at Mill of Kerkok, July 2, 1632, before Mr Alexander Ireland, minister at Kinclavin, Mr Thomas Glas, minister at Capeth, and others.

Registered October 3, 1632.

Mr Alexander Ireland, junior, minister of Kinclavin, and Marie Ireland, his wife, had sasine, April 29, 1633, of an annual-rent of 200 merks Scots to be uplifted from the lands of Mekillour, proceeding on a precept of sasine in a charter of sale by Laurence Merser of Mekillour, signed, November 27, 1631, before Mr Alexander Ireland, senior, Alexander Ireland of Burnbane, and Thomas Ireland, his son.

Registered June 1, 1633.

Mr Alexander Ireland, minister at Kinclavin, witnessed, October 18, 1636, a charter by Laurence Merser of Mekillour, with consent of John

<sup>1</sup> On December 7, 1624, the Town Council of Perth ordained that Alexander Ireland, "Burnbaine's son," should remain in custody until he paid a fine of £40, for "shoteing of" the Castle gable port during the afternoon service on the previous Sunday.

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Merser, his son, of an annual-rent of £80 Scots to be uplifted from the lands of Mekillour, in favour of William Hallyburtoun, eldest son and heir of the deceased William Halliburtoun of Maynes of Mawes.

Registered June 30, 1637.

William Millar in Vester Haltoun of Cargill, as bailie of Mr Alexander Irland, precentor of the Cathedral Church of Dunkeld, gave sasine, August 15, 1637, of the lands of Hallhoill to William Drummond in Cargill and Elspeth Monorgund, his wife ; proceeding on a precept of sasine in a charter of resignation, signed, with consent of the Bishop, the Dean and Chapter, at Kinclvine, St Madois, and Dunkeld, May 7, 8 and 9, 1637, in presence of Mr Alexander Ireland, " nunc ministro apud ecclesiam de Kinclvine."

Registered September 6, 1637.

Mr Alexander Ireland, junior, minister at Kinclvin, witnessed, April 29 and May 12, 1637, a charter of the lands of Hallhoill, etc., by Mr Alexander Irland, precentor of the Cathedral Church of Dunkeld, his father, superior, with consent of the Bishop, the Dean and Chapter, in favour of Sir Patrick Ogilvie of Inchmarten, knight.

Registered July 20, 1638.

Mr Alexander Irland witnessed at Kinclvine, May 19, 1643, a renunciation by Johnne Mairtine, eldest son of Patrik Mairtine, sometime at Mylne of Drumquhenean (Drimiquak), and Jonat Irland, his spouse, whereby they granted that the Milne of Drumquhenean, and an annual-rent of 40s. to be uplifted from the lands of Tullibagillies, were lawfully redeemed, by payment of 1100 merks, by Laurence Merser of Meiklour and Mr James Merser, fiar of Aldie, his son.

Registered July 4, 1643.

Mr Alexander Irland witnessed at Kinclvine, May 19, 1643, a renunciation by John M'Kandlay, elder, in Meikle Fandoye (cessioner, by assignation, dated February 12 and 13, 1627, of Mr Alexander Ireland, senior, with consent of Isobill Scot, his wife, and Mr Alexander Ireland, their son), in favour of James Merser, fiar of Aldie, whereby he granted the lands of Ballchairne, within the baronies of Tullibaggills and Meiklour, to be lawfully redeemed by payment of £1000 Scots.

Registered July 6, 1643.

Mr Alexander Irland signed at Kinclvine, August 20, 1643, a renunciation in favour of Mr James Merser of Meiklour, of an annual-rent of 200 merks Scots to be uplifted from the lands and barony of Meiklour,

granted to him and Marie Ireland, his deceased spouse, November 27, 1631, by Laurence Mercer, and redeemable on payment of 2000 merks Scots.

Registered August 31, 1643.

Mr Alexander Irland, and Mr Francis Peirson, son of Mr Francis Peirson, minister at Kirkmichaell, as attorney of Grissel Lundie, spouse of Mr Alexander Ireland, had sasine, August 22, 1643, of an annual-rent of 160 merks Scots, to be uplifted from the lands and barony of Meiklour; proceeding on a precept of sasine in a charter of sale to them, of the same date, by Mr James Merser of Meiklour.

Registered September 8, 1643.

Mr Alexander Irland, James Blair of Ardblair, Archibald Butter of Kennoquhie, and John Blair of Pittindreiche witnessed at Ardblair, September 2, 1643, a charter by George Chalmer, portioner of Banchrie, of the mill of Wester Banchries and others, in favour of Jean Lundie, sister of Mr Thomas Lundie, minister at Ratray, his future spouse, in liferent.

Registered October 6, 1643.

Mr Alexander Irland witnessed, February 1, 1648, an instrument of sasine of *inter alia* (1) the lands and barony of Carcok, with the patronage of the precentory of Dunkeld annexed to the said lands and barony, and (2) the manse of Ferne in Dunkeld and the pasturage for animals in the muir of Ferne belonging to the deceased Alexander Erskine, sub-dean of Dunkeld, and others, in favour of Sir Thomas Stewart of Gairntillie and Grissel Menzies, his wife; proceeding on a precept from Chancery, dated March 1, 1644.

Registered February 28, 1648.

Mr Alexander Irland witnessed at Meikloure, February 21, 1648, (1) a charter by Colonel James Merser of Meikloure, of the lands of Meikloure, in favour of Jean Stewart, daughter of Sir Thomas Stewart of Gairntillie, his future spouse, in liferent; and (2) the instrument of sasine following on the precept of sasine therein.

Registered March 24, 1648.

Mr Alexander Irland witnessed at Meiklour, June 12, 1649, a charter by Mr James Merser of Meikloure in favour of James Blair of Balleichie, of an annual-rent of 280 merks Scots furth of the lands of Tullibaggins.

Registered May 22, 1651.

[Mr Alexander Irland, minister at Kinclavine, formerly precentor of Dunkeld, superior, granted at Dunkeld, August 21, 1649, a Precept of Clare Constat in favour of Alexander Fleming in Eister Banchrie, as

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son and heir of the deceased Alexander Fleming, citizen of Dunkeld, of the site of a manse, occupied by Thomas Young, lying between the manse of the succentor of Dunkeld on the east, the manse of the prebendary of Menmure on the west, the water of Tay to the south, and the common way on the south and north.

Registered July 10, 1652.]

Mr Alexander Irland, minister at Kinclawine, witnessed, December 6, 1652, a charter by Johnne Stewart of Arntillie, of the shadow half of the lands and town of Arntillie, in favour of Sir Thomas Stewart of Gairntillie and Dame Grissall Menzies, his spouse.

Registered March 3, 1653.

Mr Alexander Irland had sasine, February 8, 1655, of the lands of Eister Burnbaine, from Mr Thomas Glas, minister at Little Dunkeld, bailie of the granter, proceeding on a precept of sasine in a charter by Thomas Irland of Burnebaine, with consent of Alexander, his son, signed at Boat of Cowpar and Darrochmylne, January 30 and 31, 1655.

Registered March 6, 1655.

Mr Alexander Ireland witnessed, February 8, 1655, an instrument of sasine proceeding on a precept of Clare Constat (dated at Burnbaine, February 8, 1655) by Sir Thomas Stewart of Gairntullie, for infefting Thomas Irland of Burnbaine in the lands of Eister Burnbaine, as heir of Alexander Irland of Burnbaine, his father.

Registered March 6, 1655.

Mr Alexander Irland gave sasine, May 28, 1655, by Johnne Fenike, his bailie, of an annual-rent of £100 Scots, in security of a sum of 2500 merks, to be uplifted from the lands of Eister Burnbaine, in favour of Sir Thomas Stewart of Grantullie and Heline and Anna, his daughters.

Registered June 1, 1655.

Mr Alexander Irland granted sasine, April 28, 1656, by the hands of James Irland in Dowcraig of Carnbadie, his bailie, of the lands of the Maynes of Eister Burnbaine and others, in favour of Grisill Lundie, his wife, proceeding on a precept of sasine in a bond and obligation, signed at Burnbaine on the same day.

Registered April 30, 1656.

[Mr Alexander Irland, minister at Kincleavine, chantor of the Cathedral Church of Dunkeld, superior, granted, May 7, 1656, a Precept of Clare Constat for infefting Thomas Young, citiner of Dunkeld, as heir of the

deceased Thomas Young, his father, in the chantor's manse, with pertinents in Dunkeld.

Registered June 4, 1656.]

Mr Alexander Irland witnessed, July 7, 1659, a Precept of Clare Constat by James Mercer of Meikelhour for infesting John Bisset, as heir to his father, in the shadow fourth part of the lands of Windieage.

Registered August 31, 1659.

Mr Alexander Irland, with advice and consent of Grissell Lundye, his wife, for her interest, on March 15 and 18, 1661, signed a letter of disposition of the lands of Eister Burnbaine, in the barony of Murthlie, in favour of Sir Thomas Stewart.

Registered March 20, 1661.

Mr Alexander Irland received, March 15, 1661, a renunciation of an annual-rent of £100 Scots,<sup>1</sup> in security of 2500 merks Scots, to be uplifted from the lands of Eister Burnbaine, subscribed by Sir Thomas Stewart for self and daughters.

Registered April 16, 1661.

Mr Alexander Irland signed, July 24, 1663, in presence of Alexander Ireland of Mylneholl and Archibald Campbell of Persie, a renunciation of an annual-rent of 160 merks Scots, due to him and the deceased Grissell Lundie, his wife, out of the lands of Meikloure (under an obligation, dated August 22, 1643), in favour of Sir James Mercer of Meikleour, Baronet.

Registered August 4, 1663.

Mr Alexander Irland, Dean of Dunkeld, witnessed, May 2, 1664, an instrument of sasine, of the lands of Burneban, in favour of Sir Thomas Stewart of Garntullie, proceeding on a precept of sasine in a charter of alienation by Thomas Irland of Burneban, with consent of Alexander, his eldest son.

Registered May 24, 1664.

Mr Alexander Irland, Dean of Dunkeld, witnessed, August 17, 1664, a contract of marriage between Sir John Drummond of Burnebank and Grissell Stewart, daughter of Sir Thomas Stewart of Gairntullie, whereby the former obliged himself to infest the latter in the lands of Drips and others, in liferent.

Registered August 24, 1664.

Mr Alexander Irland, Dean of Dunkeld, and Mr Patrick Campbell, minister at Kendmoir, witnessed at Perth, January 24, 1665, a contract

<sup>1</sup> v. June 1, 1655, *supra*.

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of marriage between Thomas Menzies of Cars, and Jean Halyburtoone, daughter of George, Bishop of Dunkeld, whereby the former obliged himself to infest the latter in the lands of Cars and others, in liferent.

Registered January 30, 1665.

Mr Alexander Irland and Mr Alexander Irland, student, his son, witnessed, April 3, 1665, a renunciation by Thomas Irland of Burnbean of (1) an annual-rent of 300 merks Scots furth of the teinds of the Maines of Meiklour and others, and (2) an annual-rent of 600 merks Scots furth of the barony of Meiklour (as interest on the sums of 3000 merks and 6000 merks Scots lent to Laurence Mercer by Alexander Ireland of Burnbean and Jonnet Morray, his spouse), in favour of Sir James Mercer of Meiklour.

Registered April 12, 1665.

Mr Alexander Ireland witnessed, May 16, 1677, a renunciation by Sir Thomas Stewart of Grantullie, of an annual-rent of 4680 merks Scots to be uplifted from the barony of Logie and others, in favour of Sir John Drummond of Burnbank.

Registered May 17, 1677.

Mr Alexander Ireland witnessed, May 18, 1677, an obligation by Sir John Drummond of Logie for infesting Sir Thomas Stewart of Grantullie, in liferent, and John Stewart, his son, in fee, in an annual-rent of £600 Scots to be uplifted from the lands and barony of Logi-almond.

Registered July 3, 1677.

### 2. *References in the Register of Deeds of Perthshire Sheriff Court.*

Mr Alexander Ireland, minister at Kinclevine, Mr Harie Stewart, brother german of Sir Thomas Stewart of Grantullie, and Thomas Ireland of Burnebane, witnessed at Kerco, October 27, 1653, an obligation by John Irland in Cairko for £294, 7s. 8d. in favour of Sir Thomas Stewart of Grantullie.

Registered August 31, 1654.

Mr Alexander Ireland, Alexander Miller, advocate, William Miller in Wester Haltoune, and James Haggart in Meiklor witnessed at Eister Toune of Cargill, April 5, 1652, a matrimonial contract between George Howie in Eister Haltoune of Cargill, Margaret Davidson, his spouse, and William Howie, their eldest son, on the one part, and James Blair in Meikleour and Cristane Blair, his daughter, on the other part.

Registered October 9, 1655.

Mr Alexander Irland, minister at Kinclevine, witnessed, December 26,

1630, a discharge by James Irland in Balkirdie and Margaret Boyd, his wife, in favour of Patrick Boyd, fiar of Pitkindie, father of the said Margaret, and Patrick Boyd, younger, of 1200 merks tocher.

Registered March 22, 1656.

Mr Alexander Ireland, minister of Kinclavine, witnessed at Arntullie, June 16, 1663, a bond by Thomas Irland of Burnbane, and Alexander Irland, his eldest son, for 164 merks, in favour of Robert Gall, burgess of Perth, and Jeane Cochrane, his wife.

Registered April 18, 1664.

Mr Alexander Ireland, minister of Kinclavine, granted, December 24, 1662, a bond for 100 merks in favour of Patrick Drummond, son of William Drummond of Cargill.

Registered August 8, 1666.

Mr Alexander Ireland, minister of Kinclavine, and Mr Thomas Glas, sometime minister of Capeth, witnessed at Murthlie, December 6, 1649, an assignation by Jean Stewart of 20,000 merks in favour of Sir Thomas Stewart of Gairntully.

Registered March 11, 1669.

Mr Alexander Ireland, as principal, and Mr Alexander Ireland, minister at Fossoy, his eldest son, as cautioner, signed at Perth, February 22, 1662, a bond for 400 merks in favour of John Clunie, tailor, burgess of Perth.

Registered February 2, 1670.

Mr Alexander Ireland, Dean of Dunkeld, as curator of Mistress Grissall Mercer, then eldest lawful daughter of the deceased Sir James Mercer of Aldie, at Murthley, November 13, 1673, granted his consent to a discharge for the whole sums uplifted from the lands and baronies of Aldie, Meikleour, and Tulliboll, in favour of John Huttone of Eister Bellilisk, whom the Lords of Council and Session, on February 20, 1672, had authorised to uplift the same.

Registered December 14, 1677.

### 3. *Reference in the MS. Register of the Privy Seal.*

Gift (dated at Edinburgh, August 3, 1666) to Mr Andro (?) Ireland, Dean of Dunkeld, of the escheat of the goods which pertained to Mr Thomas Ireland, minister at Kirkholme, sometime in Pittentian, at the time of his denunciation and during his rebellion. The said Mr Thomas was denounced rebel, May 10, 1664, by virtue of Letters of Hórning executed at the instance of Mr Patrick Glass, writer in Edinburgh,

cessioner and assignee of John Glas, for his failure to pay £320 Scots, etc., contained in a decret of pointing of the three-quarter lands of Pittentian, pertaining to Thomas Glas, portioner thereof, obtained at the instance of the deceased Mr John Glas, brother german to the said Thomas, before the Stewart of Stratherne, May 28, 1663, against the said Mr Thomas Ireland, as one of the tenants and possessors of the said lands, and against the said Thomas Glas for his interest. He also received a grant of the liferent escheat of all heritages belonging to Ireland since the expiry of a year and a day after his denunciation.

4. *Reference in the Register of Acts and Decrets (Durie).*

Mr Alexander Ireland, minister of Kincleavin, raised an action in the Court of Session for suspension of a decret and precept of pointing obtained against him in the Commissary Court of Dunkeld, December 20, 1667, by John Donaldson in Neather Blelock, for payment of 8 bolls victual, at £10 the boll, delivered to him in 1653, and for £4 of expenses. Ireland stated that he received the victual from Donaldson, in name of Sir Thomas Stewart of Gairntullie, in part payment of the stipend due by him; that the decree had been passed in his absence—he never having been cited, and being at the time “bedfast, heavilie diseased in the gout”; that Donaldson had already arrested his whole stipend; and that he intended to poind his goods. The Lords found the letters, etc., on the first decret orderly proceeded in, and decerned them to be put to orderly execution till payment should be made, but meanwhile superseded execution till November 15.

Registered July 18, 1668.

2. William Nairn, *c.* 1681-1687.

(*v.* Caputh.)

3. Thomas Murray, 1687-1693.

(*v.* Kinloch.)

KINLOCH

1. James Lindsay, 1652-1664.

James Lindsay matriculated at St Leonard's College, St Andrews, on March 23, 1642, and graduated Master of Arts in 1645.

Before May 13, 1651, the elders and parishioners of Lundeiff (Kinloch), who were debarred by Act of the General Assembly (1649) from presenting a valid call, expressed the desire that he should be settled among them as their minister. The Synod of that date authorised the Presbytery to permit the elders and parishioners to sign the Covenant,

and advised them to proceed with the trials of Lindsay for Ordination and Admission to the parish. He was admitted to Kinloch before April 13, 1652.<sup>1</sup>

In October 1652, the Synod appointed him and William Lindsay of Kinloch their commissioners to the Synod of Angus and Mearns. He was present at Perth, on September 13, 1654, as a commissioner from the Presbytery of Dunkeld at a meeting of commissioners from the Presbyteries of the Province, concerning the place of the next meeting of the Synod.

The Presbytery of Dunkeld appointed a visitation of Kinloch to be held on December 28, 1658.<sup>2</sup>

The Presbytery of Perth, at the desire of the Presbytery, represented by Mr David Drummond, minister at Monydie, on December 1, nominated two of their number, viz. :—Mr Thomas Strachan, minister at St Martins, and Mr Alexander Balneavis, minister at Tibbermure, to be present on the occasion.

In 1662 he conformed to Prelacy. As prebendary of Lundeith he was a member of the Cathedral Chapter. He was admitted to Saline on March 29, 1664.<sup>3</sup> On July 18, 1666, he preached at the admission of Mr Thomas Kinninmount to the second charge of Dunfermline.<sup>4</sup> He died in May 1674.<sup>5</sup> He married Jean, eldest daughter of John Thornetoune in Nacqwhane,<sup>6</sup> with whom he was contracted at Forfar on August 12, 1658.<sup>5</sup> Their eldest son was John.<sup>7</sup> In the inventory of his goods, as given up by his widow as executrix, and confirmed February 17, 1675, it was stated that sums of money were due by him to John Scotland in Wester Saline, John Andersone in Wester Gellattes, Mr Alexander Ireland, minister at Fossoquie, Mr Alexander Ballneves, minister at Tippermuire, and James Craich, merchant, burgess of Culross ;

<sup>1</sup> *MS. Synod Register*, July 1652.

<sup>2</sup> *MS. Register of the Presbytery of Perth*, December 1, 1658.

<sup>3</sup> *Selections from the Minutes of the Synod of Fife*, 240.

<sup>4</sup> *The Chronicle of Fife*, 177.

<sup>5</sup> *Stirling Com. Testaments*, February 17, 1675 (ix. 82).

<sup>6</sup> As assignee (January 10, 1687) of Christian Bennet, only sister german and heiress of Andrew Bennet, portioner of Balgonar, she obtained decree for payment of sums due against William Colziar of Halcroft, James Gib of Pow, Robert Bennet of Busses, Mareon Hutton in Bankhead of Crumbie, James Nicolsone, walker in Balgonnar, her cautioner, James Nicolson for himself, John Gray, portioner of Balgonnar, William and Andrew Reid in Burnsyd of Saline, as heirs of Magnus Reid, their father, Andrew Reid for himself, Christian Lyell, as heiress of Robert Lyell, portioner of Burnsyde of Saline, Robert Coventrie, portioner of Garthquhinang, and Thomas Kirke, portioner of Sheardrum, for himself and as heir to his father (*Acts and Decrees*, Mack, January 31, 1688).

<sup>7</sup> He was contracted in marriage, March 27, 1691, with Agnes Hamilton, afterwards wife of Mr Andrew Buchanan, merchant in Edinburgh. On June 6, 1710, she signed a discharge of the obligations under her contract of marriage in favour of Jean Thorntoun (*Register of Deeds*, Mack, July 20, 1710).

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and to him by Dr Thomas Maull, Thomas Andersone, in Lochsyd of Kinloche, and the laird of Melgoune ; and that there was expended on doctor and surgeons and on " droges " during his last illness, and on his funeral, the sum of £203, 5s. 2d.

### 1. *Reference in the Register of Sasines for Perthshire.*

Mr James Lindsay, minister at Kinloch, witnessed, October 8, 1657, a precept of clare constat by John Lindsay of Dowhill in favour of John Moncurr, of the lands of Scroigiehill.

Registered October 1, 1658.

### 2. *Reference in the Register of Services, Acts of Curatory, etc., of Perthshire Sheriff Court.*

John Olyphant, son of William Olyphant of Carpow, a minor, raised an action for the appointment of curators against Thomas, Lord Ruthven, Mr William Olyphant of Colqucher, Laurence Oliphant of Pitceathlie, Mr Alexander Balnevis, minister at Tibbermoor, William Olyphant of Provestmanes, Mr George Oliphant, brother german to the laird of Bachilton, and Mr James Lindsay, minister at Saline, nearest of kin to him on the father's and mother's side, showing that he was past the years of tutory, and far within the years of curatory, and that it was necessary that curators should be appointed. He nominated the above-mentioned persons with the exception of Lindsay.

Registered November 4, 1664.

### 3. *Reference in the Register of Acts and Decreeets (Dal).*

Gaiven Wakinshaw of that Ilk had decree against Mr James Lindsay, minister at Kinloch, executor of Jean Mauld, widow of William Lindsay of Kinloch, for payment of £300, etc., due under a bond in favour of the pursuer, granted by the said Jean on February 24, 1658.

Registered February 21, 1665.

### 2. Donald Blair, 1665-1668.

A son of John Blair of Pittendreigh,<sup>1</sup> he matriculated at St Leonard's College, St Andrews, in 1629, and graduated Master of Arts in 1632.

On March 31, 1636, he was presented by the Crown to the united parishes of Foullis and Lundie, vacant by the transportation of Dr James Blair. The benefice was stated to be 4 chalders 5½ bolls out of the

<sup>1</sup> *Perthshire Sasines*, October 30, 1632, and *passim*.

parsonage teinds of Foullis, 210 merks out of the parsonage teinds of Lundie, and the vicarage teinds of both parishes, with the manse, glebe, and kirklands. On October 8, 1639, Patrick Blair, son of John Blair of Pittendreich, became cautioner that he would leave the benefice undelapidated by the setting of feus or tacks, or by changing the victual into money, or otherwise.<sup>1</sup> A supporter of the Engagement, he was deposed by the Commission of the General Assembly in 1649.

In 1661 he petitioned Parliament for authority to uplift the balance of his stipend yet unpaid. On April 19 Parliament recommended him to the Privy Council. In a petition to the latter body for consideration of his case, he stated that, since his deprivation, he had "ever lived in great misery, being infirme of body and having many children and nothing to support them but the charity of freinds." On August 1, 1661, the Lords ordained Mr John Wilkie, collector of the vacant stipends, to pay him £15 sterling in his turn.<sup>2</sup>

He was minister at Kinloch and prebendary of Lundeith on February 7, 1665.<sup>3</sup> He ceased to be minister of Kinloch before April 5, 1668.<sup>4</sup>

He was survived by a widow, Cathrine Ogilvy,<sup>5</sup> and certainly by a son, Patrick,<sup>6</sup> and a daughter, Anna, who married Mr Thomas Wilson, his successor.<sup>7</sup>

#### 1. *References in the Register of Sasines for Perthshire.*

Mr Donald Blair, George Blair, and Patrick Blair, sons of John Blair of Pittendreich, witnessed at Pittendreich, August 30, 1632, a charter of sale by Andrew Haliburton in Balleid, and Archibald Syme, in favour of John Chalmer, portioner of Middle Mawes, of the third part of the quarter

<sup>1</sup> *MS. Register of Presentations*, vii. 89.

<sup>2</sup> *Acts of Parliament*, vii., App., 161; *Register of the Privy Council*, Third Series, i. 24.

Lundie remained vacant for some years. Mr William Rig was called on September 2, 1653, ordained on December 27, 1654, and admitted on the 28th. He died in August 1663 (*Acts and Decrees*, Dal, June 18, 1664).

<sup>3</sup> *Perthshire Sasines*, April 13, 1665.

<sup>5</sup> *Perthshire Decrees*, February 5, 1669 (*Minutes*).

<sup>4</sup> *v. p. 262 infra.*

She was alive on February 25, 1688 (*Wilson v. Murray—Acts and Decrees*, Durie).

<sup>6</sup> Patrick Blair, son of the deceased Mr Donald Blair, sometime minister at Lindiffe, became cautioner at Lethendie, September 21, 1683, for James Blair of Lethindy, John and David Soutar and William Salmound in Mooretoun of Drumloch, John and David Thomson, John Ross and William Tyrie, occupiers of the Mains of Glasclune, for payment to Isobell Tyrie, spouse of James Blair of Glasclune, of 60 bolls of victual alleged to be due by them, and arrested by her in their hands; and the said James Blair bound himself to relieve his cautioner (*Perthshire Deeds*, September 22, 1683).

<sup>7</sup> The statement is presumed to be beyond reasonable doubt. *v. also Acts and Decrees*, Mack, January 15, 1670.

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of the lands of Middill Mawes, lying between the march burn of Hilton of Mawes and the ford in the Ericht called Colvin.

Registered October 3, 1632.

They also, at the same place and on the same date, witnessed a charter of sale by the same parties in favour of James Crombie, portioner there, of the third part of the quarter of the town and lands of Middill Mawes.

Registered October 31, 1632.

They also witnessed, at the same time and place, a charter of sale by the said parties in favour of John Arthour, portioner of Middill Mawes, of a third part of the fourth part of Middle Mawes.

Registered October 31, 1632.

Mr Donald Blair, son of John Blair of Pittendreigh, wrote certain charters by Mungo, Viscount Stormont, of teinds in the parish of Blairgowrie, viz. :—of the teind sheaves of one-sixth of the town and lands of Welton of Blair, in favour of George Dickson, portioner there ; of the teind sheaves of one-third of the lands of Kirkton of Blair, in favour of Patrick Blair of Bankheid ; of the teind sheaves of one-fourth part of the lands of Wester and Middle Calleis, in favour of John Robertson *alias* Reache, portioner of Calleis ; of the teind sheaves of one-half of one-fourth part of said lands, in favour of Robert Fergusson, elder, portioner of Calleis ; and of the teind sheaves of one-half of said lands, in favour of Robert Fergusson, junior, portioner of Wester and Middle Calleis.

Registered March 22 and 31, 1634.

Mr Donald Blair and George Blair, lawful sons of John Blair of Pittendreigh, witnessed at Pittendreigh and Gaitsyd, May 24 and 27, 1634, a renunciation by William Miller in Gaitside of Craigie, and David Miller, his son, of the lands of Gaitside of Craigie, in favour of John Nairn of Craigie, following on payment of £400, formerly advanced to Mr Thomas Abercromby of Craigie.

Registered May 30, 1634.

John Blair of Pettindreigh, and Mr Donald Blair and George Blair, his sons, witnessed at Pittendrich and Welton, May 8 and 30, 1634, a charter of sale by James Sanders, portioner of Welton of Blair, with consent of Elizabeth Ramsay, his spouse, and by John Sanders, his son, with consent of Margaret Pringill, his spouse, and of David Dickson in Easter Essendie, in favour of James Sanders, smith in Welton, of an annual-rent of 40 merks to be uplifted from the lands of Welton of Blair.

Registered November 30, 1634.

Mr Donald Blair wrote a charter (dated at Scone, March 30, 1633), by Mungo, Lord Stormont, in favour of William Chalmer, eldest son of James Chalmer of Over Cloquhat, of the teinds of Over Cloquhat.

Registered December 31, 1634.

Mr Donald Blair witnessed at Pittendreich, October 23, 1634, a charter by John Arthour, John Chalmour, and James Crombie, portioners of Middle Mawes, in favour of John Dick in Gaitsyd of Mawes, of certain lands of Middle Mawis.

Registered March 24, 1635.

John, Mr Donald, and James Blair, sons of John Blair of Pittendrich, witnessed at Pittendrich, October 5, 1635, a charter of sale by John Craigie, portioner of Capet M'Cathell, with consent of William Craigie, his son, and Helen Reid, his wife, in favour of John Young in Newtyle, of the lands of Capet M'Cathell, and others. Sasine was given December 22, 1635, in presence of Mr Thomas Glas, minister at Capeth.

Registered December 31, 1635.

Mr Donald Blair witnessed, July 22, 1636, a charter of sale by Mr John Stewart of Dowallie, of the lands of Nether Wester Fornocht, in favour of Andrew Finlasone *alias* Stirton, there, and Elizabeth Young, his wife.

Registered October 1, 1636.

Mr Donald Blair witnessed at Pittendreiche, September 7, 1636, a charter of sale by William Haliburton, son and apparent heir of the deceased William Haliburton of Mayns of Mawes, of the lands of Mains of Mawes, Tomnanen, Cairnquhumok, the Cottoun, and others, in favour of Andrew Haliburton in Baleid, his uncle, and Jean Blair, his wife.

Registered March 31, 1637.

Mr Donald Blair, sometime minister at Lundie, witnessed, August 22, 1657, a charter by John Blair of Lethendy, of the lands of Boiggs, and others, in favour of James Blair of Glasclune, and Issobel Tyrie, his wife.

Registered December 22, 1657.

Mr Donald Blair, minister of the Word of God at the church of Kinloch, and Neill Forrester, schoolmaster at Kinloch, witnessed, July 29, 1665, an instrument of sasine, of an annual-rent of £91, 4s. Scots to be uplifted from the shadow half of Wester Kinloch, in favour of John Blair of Ardblair; proceeding on a precept of sasine in letters of obligation (dated at Coupar, June 26, 1665) granted by George Neill, portioner of Wester Kinloch, in his favour.

Registered September 25, 1665.

2. *Reference in the Register of Acts and Decrees (Dal).*

Issobell, Elizabeth, Katharine and Marjory Reid, daughters of the deceased Andrew Reid, merchant, burges of Perth, had decree against Mr Donald Blair, sometime minister at Lundie, then at Kinloch, for payment of 100 merks due under a bond (dated August 17, 1650) in favour of the said Andrew Reid.

Registered July 25, 1666.

## 3. Thomas Wilson, 1668-1678.

Thomas Wilson, natural son of John Wilson of Lochend of Blair,<sup>1</sup> and in 1650 designated indweller in Parkhead,<sup>2</sup> matriculated at St Saviour's College, St Andrews, as a student of the second year, on February 20, 1661, and graduated Master of Arts on July 25, 1663. He studied Theology at the New College, St Andrews.

Designated "in Blaire, student of Divinitie," he was entered upon trials for a certificate in order to license before the Presbytery of Meikle on July 24, 1666: on January 1, 1667, he was approven, and the Presbytery appointed that a testimonial to that effect should be issued when he sought it. He was presented to Kinloch before April 5, 1668. The minutes of the Kirk-Session of Rattray of that date run:—"Quhilk day, Mr Thomas Wilson preached. . . . No Sessione: the minister being serveing the Edict of Mr Thomas Wilson at the kirk of Kinloch."

<sup>1</sup> *Acts and Decrees*, Mack, November 12, 1667. John Wilson married Eupham Blair, sister of James Blair of Ardblair. She married:

1. Laurence Stewart in Nether Fornoct, brother-german of James Stewart of Rossyth (*Perthshire Sasines*, July 15, 1633). Their only daughter, Issobell, married, after October 17, 1663, James Wilson, portioner of the Kirktown of Rattray. "James Wilson in Rattray produced a Supplication, desyring the Presbetrie to give him a testificat to be married with one Issoble Stewart in Blair, seeing he is thrice proclaimed in Rattray and twice in Blair, and cannot be proclaimed the 3<sup>d</sup> tyme there by reasone of Mr Johne Ramsey, minister at Blair, his death, and being noe sermone there: wherfor the Presbetrie, finding noe impediment, does desyr their Clerk to writt to Mr Herie Malcome that he may marrie the saids persons upon their testificat from Rattray" (*MS. Register of the Presbytery of Meikle*, October 17, 1663). v. *Perthshire Deeds*, May 30, 1665. He died before November 12, 1667. She afterwards married Patrick Craigill in Kirktown of Rattray, who was dead on June 2, 1688 (*Acts and Decrees*, Mack, November 12, 1667; June 2, 1688).

2. Patrick Irland of Parkhead, before May 18, 1634 (*Ibid.*, Dal, February 22, 1665). Their daughters were Margaret, Jean, and Issobell (*Perthshire Decrees*, March 2, 1659).

3. John Wilson of Lochend of Blair.

The family of Wilson were connected with the parish of Rattray. William Wilson was portioner of Rattray. His children were James, Jean, and Janet (m. Thomas Guthrie). His brothers were Thomas, in 1647 designated "in Easter Rattray" (*Perthshire Deeds*, December 13, 1654), whose eldest son was Patrick, farmer in Ardblair (*Perthshire Deeds*, February 21, 1681), and John (No. 3 *supra*).

She died before Martinmas 1681 (*Acts and Decrees*, Mack, June 2, 1688).

<sup>2</sup> *General Register of Hornings*, November 22, 1669.

He was admitted before June 20, 1668, when, as minister of Lundeiff, he signed a certificate that certain persons had declared before him and Neil Forster, Session-clerk, that John Rattray of Nether Balcairn died on September 1, 1643.<sup>1</sup>

After a fruitless attempt to make an extra judicial agreement, he raised an action against the heritors of Kinloch for an augmentation of stipend. On July 9, 1673, the Lords Commissioners for Plantation of Kirks, repelling objections of the heritors, fixed a day for receiving their sworn statement of their rentals<sup>2</sup>; and, on July 15, 1674, issued a decret of locality, whereby the stipend of the parish, amounting to £319, 13s. 4d., was augmented by 3 chalders and 10 bolls of parsonage teind, and 80 merks of vicarage. John Blair of Ardblair, James Blair of Baleid, John Blair of Wester Gormock, and James Blair of Glascloun obtained suspension of that decret, which in turn was suspended by the Court of Session on January 9 and 10, 1677.<sup>3</sup>

He repaired the manse of Kinloch at a cost of £106 as estimated by the Presbytery.<sup>4</sup> He resigned the charge of Kinloch, his successor being admitted before May 21, 1678.

A complaint against him by Sir George M'Kenzie, Lord Advocate, John Blair of Wester Gormoch, James and Gilbert, his sons, George Souttar in Wester Gormoch, and Robert Cathro, messenger, was heard by the Privy Council on April 6, 1682. It was stated that John Blair had obtained a decret and precept of poinding before the Sheriff of Forfar against Wilson, then laird of Baikie, for sums of money due to him, and had employed Cathro to put the decree in execution; and that on September 5, 1681, accordingly, Cathro poinded horses and cattle at the Mains of Baikie, and appraised them at the market cross of Forfar. It was further declared that when Blair and the others were on their road home with the goods, Wilson, having gathered about fifty persons, armed with "swords, pistolls, hagebutts and other weapons invasive," among them being Andrew Ogilvie in Beatonburne, John Ramsay, saddler, Andrew Skirling, shoemaker, Alexander M'Innes, Laurence Halyburton, Andrew Smyth, James Currier (Currie), George Ogilvie, Alexander Lauson, William, George, and Cristian Milne, all in Baikie, and Robert Lunan and John Broune in Drumdarnie, did waylay them on the public road, at a place between Blackstoune and Brydiestoune, and did beat, wound, and abuse them, to the effusion of their blood and the hazard of their lives, and by violence took away the most part of the goods appraised, to the prejudice of the complainers and the contempt of His Majesty's authority. After consideration of the case, the Lords found

<sup>1</sup> *Perthshire Decreets* [January 10, 1669].

<sup>3</sup> *Acts and Decreets* (Mack).

<sup>2</sup> Connell on *Tithes*, ii. 211.

<sup>4</sup> *Perthshire Deeds*, January 8, 1675.

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Wilson and the others guilty of the riot and deforcement, and fined Wilson 2000 merks Scots, one half to be paid to the complainers for the damage, prejudice, and loss sustained by them, and the other half to be delivered to the Clerks of the Privy Council, for behoof of Mr Alexander Ireland,<sup>1</sup> minister of Forseway, "who suffered by the late Rebels." They also decerned that Wilson should deliver to Blair the corn and oxen taken from him, and that Letters of Horning on a charge of six days should be issued against him and the rest, charging them to enter the Tolbooth till the fine were paid, or they were liberated by order of the Council.<sup>2</sup>

On April 11, 1682, allegations of adultery committed some years before with Marie Wilson, his servant, and of emitting a counterfeit testimonial in her favour, were brought before the Presbytery of Meigle in a reference from the Kirk-Session of Blairgowrie. After a second citation, he appeared before the Presbytery, on July 4, 1682, and denied the charges. It was reported on September 19 that he was in prison in Dundee, and the process against him was sisted; and at the next meeting, October 17, 1682, the minister of Airlie stated that Wilson "had no constant residence, because he was under the lash of the law."

On June 30, 1682, he was denounced rebel at the instance of Michael Gray of Turffbeg for failure to pay 300 merks Scots, due under a bond dated August 9, 1680. Patrick, Earl of Strathmore and Kinghorne, as superior, on August 20, 1683, granted the liferent escheat of the lands of Baikie, Drumdoirne, Corlinguell, with the manor place of Baikie, in the parish of Neitterairlie, which had fallen to him by virtue of Wilson's denunciation, to Mr John Lyone, Sheriff-Clerk of Forfar, his natural brother. On January 16, 1686, at the instance of Lyone, the Lords of Council declared that Wilson had been orderly denounced, and that his liferent escheat fell into the hands of the Superior.<sup>3</sup>

On February 23, 1688, he was again a defendant in an action raised by

<sup>1</sup> He declared to the Privy Council that, in June 1679, "some of these desperat rebels then in armes" came to his house on their way from Fife to join the rest of the rebels, assaulted him and his family, and held "bended pistols to his breast," threatening to kill him; that his wife was so maltreated by them, as she struggled to defend him, that soon after she was confined; that the rebels pretended that he held communication with Clackmannan, and that he had been instrumental in sending out parties, under the guidance of his servant, to disperse seditious meetings and conventicles; that they had plundered his house of property to the extent of 800 merks; that they had required him to produce his papers on the pretence that there was among them a bond of Rathillet's ("whom they called their Captain"), and tore up a bond for 500 merks; and that only with difficulty he saved his life. He petitioned the Privy Council to repair his loss as they should think fit. The Lords granted him 1000 merks from the first and readiest of the fines to be imposed by them (*Register of the Privy Council*, Third Series, vii. 377).

<sup>2</sup> *MS. Register of the Privy Council*, Decreta, April 6, 1682.

<sup>3</sup> *Acts and Decrets*, Durie, January 16, 1686.

Lyone before the Court of Session. Lyone showed that Wilson, by bond dated August 7, 1682, became obliged to pay to Hugh Murray, one of the gentlemen of the troops of Guard, the sum of 117 merks, that Murray had assigned the bond to George Davidson, writer in Edinburgh, and that in turn Davidson, on December 24, 1686, had constituted him assignee: also that Wilson, on August 9, 1680, had signed a bond for 300 merks Scots in favour of Michael Gray of Turffbeg, who, on January 19, 1684, had constituted Elizabeth and Agnes, his daughters, his cessioners, and that they in turn had assigned the bond to him on December 7, 1686: also that Wilson by bond, dated April 20, 1682, became obliged to pay Mr John Lammie of Dunkenie the sum of £48 Scots, and that on April 11, 1687, the bond had been transferred to him. He sought decree that the lands of Baickie, Curlingwell and Drumdairnie pertained to him in payment of the principal sums, and that he should be infeft in those lands holding from the Superior.

Wilson did not appear, and decree was granted as craved.<sup>1</sup>

On July 14, 1687, Wilson was a prisoner in the Tolbooth of Forfar, having been apprehended for debt. On February 25, 1688, he was pursuer in an action against Hugh Murray, Trooper and one of His Majesty's Guard of Horse, Thomas Whitson in Kirkcoun of Ratray, Mr John Lamb of Dunkennie, Euphan Wilson, sometime in Newton of Blairgowrie, and then in Berriehilloch, George Lawson, her spouse, Michael Gray in Turfbegg, Catherin Ogilvie, relict of Mr David (Donald?) Blair, minister at Kinloch, Thomas Blair of Pittendrich, James Small, tenant there, John Blair of West Gormock, James and Gilbert, his sons, James Souttar and others, his tenants, James Blair of Ardblair, Thomas Wilson in the Haughs, James Blair in —, Mr Thomas Blair, schoolmaster at Blairgowrie, Mr Alexander Ireland, minister at Fossaway, David Blair, fiar of Glasclene, Robert Robertson, messenger in Atholl, Andrew M'Comie, messenger in Dunkell, John Brown, brewer in Edinburgh, Adam Auld, indweller there, James Paterson, brewer there, George Davidson in —, David Tyrie of Colluthie, John Carnegie, Provost of Forfar, Thomas Brown of Leckley, William Drummond, messenger in Pittnepie, William Playfair in Dundie, John Haggart, messenger in Ruffall, George Crockat in —, James Coupar, portioner of Couper Grainge, Mr John Reid in Cruichie-milne, Mr John Lyon, Sheriff-Clerk of Forfar—his creditors, and the said John Carnegie, Provost, and John Bining and George Wood, bailies of Forfar, for their interest. He stated that he had been imprisoned in the Tolbooth of Forfar, at the instance of the above-mentioned creditors, for failure to pay the sums owing to them, and was reduced to such poverty and necessity that he was "almost lyk to famish in waird for lack of

<sup>1</sup> *Acts and Decrets*, Durie, February 23, 1688.

intertainment"; that he had offered to assign to them all his goods in satisfaction of their claims against him; and that they would neither accept his assignation, nor consent to his discharge from prison. He produced a certificate of his imprisonment at the instance of his creditors, signed on July 14, 1687, by Mr Francis Lyon, minister of Forfar, and Andrew Chrichtone and James Nicoll, elders, and an assignation of his property. He obtained decree ordaining his creditors to accept and receive the disposition and assignation of his goods, and ordering the Provost and Bailies of Forfar to set him free on 24 hours' notice. The court also dispensed with his wearing the habit of a bankrupt prescribed by the Act of Sederunt, and discharged the Provost and Bailies of Forfar, and all other Judges, from apprehending him at the instance of those creditors, for payment of the sums due to them.<sup>1</sup>

On July 25, 1688, he was again defender in an action at the instance of Mr John Lyone, Sheriff-Clerk of Forfar. Lyon stated that he had obtained a gift of the liferent escheat of Wilson's lands of Baikie, Drumdairne, and Carlingwell, in the parish of Nether Ayrlic, but that Wilson had nevertheless uplifted the rents for the years 1682-7; that he had obtained decree in the Sheriff-Court of Forfar on June 7, 1688, against Wilson for payment of the casualties, etc., extending to £3027, 13s. 8d.; and that Thomas Brown of Leckoway had obtained decree on August 10, 1686, against Wilson for payment of £5 for each of 10 bolls bear and £4, 3s. 4d. for each of 20 bolls meal, and £60 resting of duty for years 1677-1679, and that Brown had constituted Lyone his cessioner on June 30, 1688. He sought and obtained decree that the lands above specified belonged to him for a debt of £3027, 13s. 4d., and that infeftment should be granted by the Superior.<sup>2</sup>

A petition by him was considered by the Privy Council on August 13, 1691. In it he represented that he had purchased from the Earl of Strathmore the lands of Baikie of the annual value of 10 chalders of victual, and had not only paid the full price, but also given him 2000 merks that he might support him in his rights. Seven years after, however, when, by a false and clandestine charge of a messenger, he was a year and a day at the Horn for a debt of 300 merks, the Earl, as superior, granted his liferent escheat to his natural brother, Mr John Lyon, Sheriff-clerk of Forfar. That gentleman, though warranted by no decree of the Court of Session, but only by the authority of his own Court, broke open the doors of his house on a Sunday morning, ejected his wife and seven children, and flung him into Forfar jail. There he remained in a condition of starvation for over three years. Lyon appropriated the rents of his

<sup>1</sup> *Acts and Decrees*, Durie, February 25, 1688.

<sup>2</sup> *Ibid.*, July 25, 1688.

estate, and the petitioner's wife and children were reduced to extreme poverty. He further stated that, as an indigent person, he had petitioned the Court of Session for a warrant to pursue Lyon and the messenger, and had raised an action of reduction and improbation against them; but, in consequence of his condition, being a minister without a charge, and unable to earn a living in any other capacity, and having bestowed all he possessed on the Earl of Strathmore, he was unable to provide himself with the necessaries of life, far less to employ legal aid. He, therefore, desired the Lords to grant him a sum of money from his estate, as Lyon would give him nothing.

The Lords had previously remitted his petition to a committee to consider whether any and, if so, what aliment should be allowed to him. It was reported that the Lords of Session had granted him the benefit of the Poor's roll. Certificates were submitted from the laird of Balfour and the minister of Lintrathen, testifying to his poverty, and the severity and oppression of his treatment at the hands of the Sheriff-clerk. The Lords found themselves unable to grant aliment from the estate, as Lyon had not been cited; but as Wilson was unable to afford the expense of a citation, and as there was a probable ground for pursuing Lyon, they recommended him to the Lords of the Treasury for a small charitable grant to aid him in his process.

On January 5, 1692, the Privy Council granted him a protection for twenty days that he might attend a process raised by him before them, and, on February 2, granted another. Wilson had represented, on the latter occasion, that he had raised an action before their Lordships against Mr John Lyon, Sheriff-clerk of Forfar, for several acts of oppression, and that, with the object of preventing the trial of the charges against him, Lyon had hounded out some of his creditors to raise horning and caption against him. He stated that the protection formerly granted had expired, and that a committee of the Privy Council on his case had not reported, and craved protection for a further period. The Lords granted his request, forbidding all messengers-at-arms, or officers within or without the burgh, to execute any Letters of Caption, or acts of warding against him, till February 16, save for their Majesties' debts or public dues.

He married Anna Blair before February 5, 1669.<sup>1</sup> He had a family of seven children,<sup>2</sup> of whom one was Thomas.<sup>3</sup>

<sup>1</sup> *Perthshire Decrees (Minutes)*, February 5, 1669.

<sup>2</sup> *MS. Register of the Privy Council, Acta*, August 13, 1691.

<sup>3</sup> Thomas Wilson, son of Mr Thomas Wilson, sometime minister at Kinloch, afterwards of Baikie, obtained Letters of Inhibition, January 20, 1680, against John Wilson of Lochend of Blair, father of the said Mr Thomas, who, by bond (dated August 1, 1671, and registered in the Books of the Regality of Kirriemuir December 12, 1679), became bound to pay to the complainer £5000.

Registered March 5, 1680.

1. *References in the Register of Acts and Decrees (Mack).*

George Storie in Segihall had, *inter alia*, decree against Mr Thomas Wilson, minister of Kinloch, as executor and universal intromitter with the goods of Mr Donald Blair, late minister at Lundie, for £4, 16s. due under a bond by Blair, dated July 16, 1658.

Registered January 15, 1670.

James Blaire of Ardblair raised an action against Mr Thomas Wilson of Baikie. By his bond (dated November 4, 1678), Wilson had become bound to infest Euphan Blair, spouse of John Wilson of Lochend, in life-rent, and after her death, James Blair of Ardblair, as having right from Issabell Stewart, spouse of the deceased Patrick Craigill in Kirkton of Rattray, all the days of her life after the death of the said Euphan, in an annual-rent of £120, to be uplifted from the lands of Baikie, and pendicles called Drumdairne and Carleinwell, or other lands belonging to him. Wilson by bond (dated December 31, 1677) obliged himself to infest John Wilson of Lochend, his father, in life-rent, in an annual-rent of 200 merks, 24 bolls of victual ( $\frac{2}{3}$  meal and  $\frac{1}{3}$  bear) and 3 dozen poultry, to be uplifted from the lands of Baikie, the victual and poultry to be delivered at John Wilson's house, or any place he might appoint within nine miles of Baikie, and the first term's payment to be made before Candlemas 1678. John Wilson constituted Mr Thomas Blair, school-master at Blair(gowrie), his assignee, and he in turn transferred his rights to Ardblair. Decree was granted for payment of the sums craved with annual-rent, etc., amounting to £1081, 12s.

Registered June 2, 1688.

James Blair of Ardblair obtained decree of adjudication of the lands of Baikie against Mr Thomas Wilson for sums due as above; and for sums due to him under bond; and also as assignee of bonds granted originally in favour of Thomas Whitson, writer in Rattray, and transferred to William Cuthbert, writer in Edinburgh, and by him to Ardblair.

Registered July 7, 1688.

2. *References in the Register of Sasines for Perthshire.*

Mr Thomas Wilson, minister of Kinloch, witnessed, September 8, 1670, an instrument of sasine of the lands of Glasclune, in favour of James Blair and his spouse, proceeding on a precept from Chancery, dated August 12, 1670.

Registered October 24, 1670.

John Wilsone of Lochend of Blair, and Mr Thomas Wilsone, minister of Kinloch, his son, had sasine, March 6, 1671, of an annual-rent of 13 bolls, 2 firlots, 2 pecks, half meal, half bear, to be uplifted from the lands of Grange of Aberbothrie, belonging to John Wilson, portioner thereof; proceeding on a precept of sasine in a heritable bond dated February 17, 1671.

Registered April 10, 1671.

Mr Thomas Wilson, as bailie for (1) John Dick, portioner of Lochend of Blair, and John Crockat, son of John Crockat, sometime in the Hill of Cowtie, and (2) Andrew Malcome, skinner in Dundee, gave sasine, May 30, 1673, of the lands of Lochend of Blair, to John Wilson in Kirk-toune of Rattray; proceeding on precepts of sasine in (a) a charter dated May 26, 1658, and (b) charter dated August 15, 1659.

Registered July 23, 1673.

### 3. *References in the Register of Deeds of Perthshire Sheriff Court.*

Mr Thomas Wilson granted at Kinloch, January 4, 1675, in presence of Mr John Hall, Clerk of Newtile, a discharge in favour of James Lindsay, fiar of Dowhill, of the sum of £25, 1s. 10d., as the proportionable part of £106, appointed by the Presbytery of Dunkeld to be paid to him by the heritors of Kinloch for repairing the manse; and also a declaration that Lindsay was free of any payment for repairing and upholding the manse during his incumbency.

Registered January 8, 1675.

David Ramsay of Jordanston and John Ramsay, his cautioner, granted, May 3, 1672, a bond for 350 merks Scots in favour of John Wilson of Lochend of Blair, whom failing, Mr Thomas Wilsone, minister of Kinloch, his son: as only 50 merks and the annual-rent to Martinmas last had been paid, Ramsay, as principal, with Mr John Ratray, minister at Ratray, and Mr Thomas Robertson, minister at Alyth, as cautioners, granted a bond for 300 merks, etc., at Ratray, January 5, 1675, in presence of Mr James Ratray in Ratray, and John Ramsay.

Registered July 13, 1676.

It was agreed between Mr Thomas Wilson at Kinloch and John and James Blair of Wester Gormock<sup>1</sup> (at Parkneuk of Little Gourdie, July 21, 1676) that, as Wilson had granted a discharge for the stipend payable

<sup>1</sup> John Blair, formerly of Balude, who married Annas Blair (*Perthshire Arrestments*, Sheriff Court, 57), had sons, James (*v. Chapter IV. passim*), John, and Mr Gilbert, afterwards minister of Blair, designated of Balgersho, chamberlain to the Master of Balmerino (*Perthshire Deeds for 1682*, p. 125-6).

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from the lands of Baluid for all years since his entry, including 1675, and had also granted a receipt for stipend due from the lands of Tomannet and Balluid for years 1672-5, which receipts had not been delivered back, he should, therefore, allow the said receipts in the first end of the stipend payable from the lands of Tominet; and that John and James Blair should pay from the lands of Balluid the vicarage found due for crops 1672-5, notwithstanding the discharges granted by Wilson.

Registered March 22, 1681.

### 4. *References in the Register of Hornings for Perthshire.*

Mr Thomas Wilson, son of John Wilson of Lochend, cessioner and assignee of a bond for 3000 merks, etc., granted, December 7, 1663, by James Blair of Glasclune, with George Blair of Pittendrich and Thomas Blair of Lethendy, as cautioners, obtained Letters of Horning [and Inhibition], February 6, 1673, against Blair and his cautioners, under which they were denounced, March 25, 1673.

Registered March 25, 1673.

Mr Thomas Wilson, assignee (June 12, 1673) of a bond for 2500 merks granted by James Bisset in Woodsyd of Gormock, William Bisset, his brother, Katherine Blair, his mother, John Blair of West Gormock, and James Blair, his eldest son, on June 3, 1672, in favour of William Stewart of Fongorth, obtained Letters of Horning [and Inhibition, March 28, 1676] against the said Katherine Blair, widow of the deceased James Bisset, John and James Blair, December 10, 1675, under which the said Katherine was denounced, June 24, 1676.<sup>1</sup>

Registered June 24, 1676.

### 5. *Reference in the Register of Inhibitions for Perthshire.*

John Blair of Balied, James Blair, his eldest son, John Blair of Ardblair, and Thomas Blair of Pittendreich, signed, June 12, 1673, a bond for 1000 merks, etc., in favour of Mr Thomas Wilson; and John Blair of Balleid and James Blair, his son, with consent of William Stewart of Fongorth, and Jean Blair, spouse of the said John, became bound to seise the said Mr Thomas in an annual-rent of £40 to be uplifted from the lands of Balied, Tamannand, Wester Gormock, with miln, under provision of reversion: which obligation Mr Thomas Wilson assigned, July 6, 1675, to James Wilson, servitor to Mr James Auchinleck, advocate, one of the Commissaries of Edinburgh, at whose instance letters of inhibition were granted against principals and cautioners, July 9, 1675.

Registered June 2, 1676.

<sup>1</sup> She obtained relaxation July 20, 1676; registered August 11, 1676.

6. *Reference in the Minute Book of the Register of Decrees of Perthshire Sheriff Court.*

Margaret Haliburton, widow of David Duncan, notary in Perth, had an action before the Sheriff of Perth against Catherine Ogilvie, widow of Mr Donald Blair, Mr Thomas Wilson, minister at Kinloch, and Anna Blair, his wife.

February 5, 1669.

7. *Reference in the General Register of Hornings.*

Mr Thomas Wilson, minister at Kinloch, registered in the Books of Council and Session, June 3, 1669, a bond by David Rattray of Rannagullane for payment of £80, dated April 1, 1650. Letters of Horning were obtained against Rattray, who was denounced on November 22, 1669. In the bond Wilson is designated "indweller in Parkheid."

Registered November 22, 1669.

4. William Malcolme, 1678-1684.

William Malcolme, son of Mr Robert Malcolme,<sup>1</sup> minister of Bendochy, and Margaret Guthrie, his wife, matriculated at St Leonard's College, St Andrews, on February 25, 1663, and graduated Master of Arts on July 28, 1666.

He studied Theology at the New College, St Andrews. He was bursar of the Synod of Dunkeld on September 29, 1667, as appears from the *Register of the Kirk-Session of Rattray*, which records under that date: "Given out of the box this day to the minister 7 li., as two zeirs' burserie to be given to Mr William Malcom, Synod burser, and the Sessione desires he may report his discharge thereof to them."

He was entered upon trials, for a certificate in order to license, before the Presbytery of Meikle on July 13, 1669: he was approven on September 21, and was recommended to the Bishop of Dunkeld for a license to preach the Gospel. In April 1672, he is designated "in Meikle."<sup>2</sup>

On September 10, 1672, he was recommended by the Bishop to the Presbytery for trials in relation to the church of Meikle: on November 26, they authorised the Moderator to report to the Bishop that they considered him "qualified for the ministry." On December 2, "it was reported that Mr William Malcom was ordained minister of Meikle by the Bishop, and admitted with unanimous consent of the congregation."

From May 19 until September 20, 1674, he acted as Clerk to the Presbytery. In 1678 he was presented by Bishop Lindsay to Kinloch, and was admitted after May 18, when he is designated minister at

<sup>1</sup> *Perthshire Sasines*, January 10, 1673.

<sup>2</sup> *Ibid.*, June 1, 1672.

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Meigle,<sup>1</sup> and before May 21, when the Presbytery stated that "their is not ane minister at Meigl for the present."

He was matrimonially contracted with Helen Ogilvie, daughter of John Ogilvy of Balfour, on November 23, 1681.<sup>2</sup>

He died before June 15, 1684. On that date the following entry occurs in the *Register of the Kirk-Session of Cowpar-Angus*:—"Given for the Mort-cloth to Mr William Malcolme, 02. 18. 00." He had a son Robert, who was decerned executor of his will on December 12, 1699.

In the inventory of his goods, it was stated that he "did meliorat" the manse of Kinloch by £213, according to a declaration of the heritors on July 13, 1693.<sup>3</sup>

### 1. *Reference in the Register of Sasines for Perthshire.*

Mr William Malcolme, minister at Meigle, witnessed, June 10, 1678, an instrument of sasine, in favour of William Fullartoune, younger, of that Ilk, of the milne of Meigle and others; proceeding on a precept of sasine in a disposition by William Nairn of Kirkhill, dated May 18, 1678.

Registered July 1, 1678.

### 2. *Reference in the Register of Deeds of Perthshire Sheriff Court.*

At Blackstoane, November 23, 1681, in presence of Mr John Lyon, parson at Airlie, Mr Silvester Lammie, minister at Easie, Mr David, Silvester, and Charles, sons of John Ogilvie of Balfour, Mr George Ogilvy, minister at Kingoldrum, and David Crichtone, notary public, a matrimonial contract was entered into between Mr William Malcome, minister at Kinloch, and Helen Ogilvie, daughter of John Ogilvy, elder, of Balfour, with his consent and with consent and advice of John Ogilvy, younger, of Balfour, by which the said Mr William bound himself to infest the said Helen, his promised spouse, in liferent in an annual-rent of 8300 merks Scots if there were children, and if none in an annual-rent of 9000 merks: if there were only a daughter, to pay to her at the full age of 18 years 4000 merks; if two or more, to pay them 5000 merks on attaining

<sup>1</sup> *Perthshire Sasines*, July 1, 1678.

<sup>2</sup> *Perthshire Deeds*, March 2, 1694.

<sup>3</sup> *Dunkeld Com. Testaments*, December 13, 1699.

Mr Robert Malcolme, son of the deceased Mr William Malcolme, sometime minister at Kinloch, signed at Rochallie and Craig, November 8 and 11, 1699, with consent of Mr James Ogilvy of Cluny, his curator *sine quo non*, and with advice and consent of Paull Ferquharson of Rochally, Mr William Manie, preacher of the Gospel, residing at Brunttie, and James Malcolme in Aughter Alyth, the remanent of his curators, a Commission of Factory to uplift debts due to him, in favour of George Ferquharson, eldest son of the said Paull (*Dunkeld Com. Deeds*, December 12, 1699).

that age ; if one son and no daughters, to grant him a portion of 5000 merks ; and if there were a son or sons and daughters, to pay them 7000 merks to be divided among them at the sight of the said John Ogilvy, younger, and Mr John Lammie of Dunkeny, for the mother's side, and Mr Henry Malcom, minister at Bennathie, and Mr Thomas Blair, minister at Blair, for the father's side. If the said Helen were left a widow, she was to have right to one-third of the plenishing in the house, the books being reserved ; and if she died within a year and a day of the marriage without a child in life, one-third of the tocher was to return to John Ogilvy, younger, and two-thirds to John Ogilvy, elder : John Ogilvy, younger, became bound to pay to Mr William Malcolm the sum of 3000 merks at specified terms in name of tocher-good.

Registered March 2, 1694.

### 3. *Reference in the Register of Acts and Decreeets (Mack).*

Alexander Nairne of Tulliefergus, and James Nairne, his son, granted on July 2, 1678, a bond for 250 merks in favour of Mr William Malcolm, minister at Kinloch, assigned in 1679 to James Blair of Ardblair.<sup>1</sup>

Registered November 14, 1684.

### 5. Thomas Murray, 1685-1687.

He was presented to Kinloch by the Bishop before June 28, 1685,<sup>2</sup> and was admitted by the Dean on Friday, August 7.<sup>3</sup> He admitted Mr David Ranken to the church of Rattray on Sunday, September 18, 1687.<sup>4</sup>

On the death of Mr William Nairn, minister of Kinclaven, David Fotheringham of Powrie wrote, on September 8, 1687, to John Stewart, younger, of Grantully, recommending for the vacancy Mr George Thomson as one who deserved well of the Family of Grantully, as having been a second father to John Stewart's dead nephew. He added : " As for his life and conversation, I may say they are nothing short of him who was

<sup>1</sup> He married Margaret Blair, daughter of Patrick Blair of Little Blair. Barbara Grahme, Lady Halcro, widow of Patrick Blair, and wife of George Graham, uncle of Mungo Graham of Gorthie, raised an action against Ardblair and his wife (*Acts and Decreeets*, Mack, March 21, 1682).

<sup>2</sup> *MS. Register of the Presbytery of Dunkeld*, July 1, 1685.

<sup>3</sup> *Ibid.*, August 5, 1685.

A reference to his ministry is found in the *MS. Register of the Kirk-Session of Kinloch*, under date September 19, 1697 :—" This day, Andrew Mitchell in Easter Essendy gave in £1, 4s. Scots, in name of John Butter in Over Ballcairn, the remainder of the price of the timber bought by the said John out of the Churchyard when Mr Thomas Murray was minister."

<sup>4</sup> *MS. Register of the Presbytery of Cowpar-Angus*, September 6, 1687.

ther before : I will not say better." On the same date, he wrote another letter, in which he stated : " I knou ye have the disposall of that place to anie bodie ye think fitt, and my father and I both expects ye will preferr this gentleman, which uill be ane singular favour done to us both." <sup>1</sup>

Murray, however, was presented to Kinclaven. The Edict for his admission was called at Cowpar Angus on December 6, 1687. The *Register of the Presbytery* contains no reference to his admission.

He succeeded Dean Balneaves as Precentor of the Cathedral.<sup>2</sup> He was deprived of his benefice by the Privy Council, on January 10, 1693, for preaching without having qualified as the law enjoined and for disloyalty.<sup>3</sup>

In 1698 the Presbytery obtained Letters of Horning charging him to leave the church of Kinclaven. They were duly executed, as was reported on June 8, 1698, and the Presbytery thereafter supplied the pulpit. Shortly afterwards he intruded upon the parish of Perth.

On December 14, 1698, the Kirk-Session of Perth requested advice from the Presbytery as to what action they should take for suppressing the services held by him and others there. The Presbytery advised them to appeal to the magistrates for the execution of the laws against him, and appointed him to be cited to the next meeting to answer for his intrusion. It was reported by the ministers of Perth at that meeting that " they went to the Provest of this Burgh as appointed, and represented the irregularitie of the mietting house and the dangerous consequence therof, and of their intrusione in such a place as this Towne ; and that the Provest answered he supposed the Presbitrie haid power within themselvs to suppress it, and that they once doing their part, he wold assist as is incumbent for him as a magistrate."

Murray and the witnesses against him disregarded all citations ; and the Presbytery, on March 1, 1699, declared him contumacious, and instructed that their sentence should be reported to the magistrates. It was intimated that the Provost was unwilling to take action against Murray without the instructions of the Council, but promised to make the witnesses appear, if a list of the names were sent to him. The Presbytery appointed the list to be given him. The witnesses duly appeared that afternoon by order of Provost Davidstone, and demanded a copy of the libel that they might inform themselves as to the matters on which they were to give evidence. They received a copy ; and the Presbytery instructed them to appear next morning, at seven o'clock, before a committee of their number. The witnesses, however, absolutely refused to appear before the committee next morning. Mr Alexander Dunning

<sup>1</sup> *Red Book of Grandtully*, ii. 284-5.

<sup>2</sup> *Perthshire Sasines*, May 8, 1688.

<sup>3</sup> *v. Blair—Caputh.*

took instruments on their refusal, protesting that they should be held to be contumacious.

The committee duly met, and the witnesses were summoned. There appeared only Walter Moncrieff, writer, James Reoch, wright, James Wilson, writer, and Joseph Tayler, hammerman. Their evidence was as follows :—

“ Walter Moncrieff depon’d, as to the haille interrogators, that he hath heard Mr Thomas Morray preach within his own dwelling house in this Towne of Perth, within this half yier bygane ; lykwise Mr George M’gruther preach once or twice within the said Mr Morray’s house, and during the said tyme, but did not hear Mr Patrick Aughteronie ; and depons negative as to marriage and baptism, and this to be of veritie as he shall answer to God. *Sic subscribitur*, WALT. MONCRIEFF.

“ James Reoch depon’d that he has heard Mr Thomas Morray preach in his own house within this Towne of Perth often also ; that he heard Mr George M’gruther preach onlie once, and it was at Mr Morray’s also ; and both of them preacht on the Sabbath day, and at the ordinar preaching tyme ; and particularlie that he heard Mr Morray preach on Sabbath last ; and all within this last quarter of ane yier ; and this to be veritie as he shall answer to God. *Sic subscribitur*, JAMES REOCH.

“ James Wilson depon’d he has heard Mr Thomas Morray preach often at his own house within this Town of Perth, and particularlie on Sabbath last at the ordinar tyme of preaching ; and that he heard Mr George M’gruther preach twice at the said Mr Morray’s house ; and all was within this half yier ; and depons negative as to baptisme and marriage ; and this to be of veritie as he shall answer to God. *Sic subscribitur*, JA. WILSON.

“ Joseph Tayler depon’d he has often heard Mr Thomas Morray preach at his own house in this Towne of Perth, and particularlie on Sabbath last, always at the ordinar tyme of preaching ; and that he heard Mr George M’gruther preach twice on the Sabbath day at the said Mr Morray’s house ; and all within this half yier ; and resolvts to hear them again ; and this to be of veritie as he shall answer to God. *Sic subscribitur*, JOSEPH TAYLER.”

On March 22, the Presbytery ordered the absent witnesses with others to be summoned before them. None appeared on April 5 save Patrick Cowpar, flesher, and John Paterson, burnbearer. They testified that they had often heard Murray preach on Sundays in his own house in time of public worship in the church, that great crowds assembled, and that

a collection was taken at the door. At the following meeting, John Stoddart and David M'Commie gave evidence to the same effect, M'Commie adding that he had heard M'Gruther preach twice since Martinmas in Murray's house during the time of public worship; and Hendrie Hardie, younger, "confest he could tell severall things anent them, but wold not tell nor depone any thing."

On July 5, the Presbytery appointed a representation concerning the meeting-house at Perth to be laid before either the Commission or the Lord Advocate. The result was that the Lord Advocate wrote to the magistrates of Perth, advising them to order the meeting-house to be closed.

Mr Alexander Glass was admitted to Kinclaven on April 30, 1700; and at the next meeting of the Presbytery requested that the manse should be visited. A committee appointed for the purpose duly met at Kinclaven, but did nothing because Murray declined to give up the keys. The Presbytery appointed a letter to be written to the laird of Lethindy, the chamberlain of Grantully, and the patron, on the matter; and on July 3, 1700, instructed the minister of Little Dunkeld to ask Innernytie and Mr David Ramsay of Lethindy to give up the keys, and, in the event of their refusal, to make immediate application to the Lord Advocate.

On April 24, 1706, he is mentioned as an intruder on Kilspindie. The Presbytery desired that his meeting-house should be closed. The Sheriff-Depute refused to do so, on the ground that, in his opinion, there was no law against meeting-houses.<sup>1</sup> He continued to discharge ministerial functions in that parish on February 16, 1710, when he was reported to the Presbytery as an "innovator in the worship of God." The Presbytery, on March 22, decided to delay procedure against him for a time.

On September 27, 1711, the Presbytery, acting on a recommendation by the Synod in the previous April,<sup>2</sup> resolved to proceed against him, as an intruder in the parish of Kilspindie, and against Messrs Henry Murray, formerly minister at Dunkeld, and Walter Steuart, "pretended preacher," as intruders in the parish of Perth, and against all as innovators in the worship of God. As Murray was declared to reside ordinarily within the bounds of the Presbytery of Dunkeld, application was made to that Presbytery for a warrant to cite him. The Presbytery of Dunkeld, at Stirling, on October 10, gave the necessary authority to John Crukshank, the officer of the Presbytery of Perth.<sup>3</sup>

<sup>1</sup> *MS. Register of the Presbytery of Perth and Dunkeld*, June 26, 1706.

<sup>2</sup> *Ibid.*, May 2, 1711. *v.* Smyth, Moneydie.

<sup>3</sup> *MS. Register of the Presbytery of Dunkeld*.

On November 21, the three ministers failed to obey a second citation to appear before the Presbytery, but Mr James Smith, apothecary in Perth, was present, and produced a mandate authorising him to answer the summons, and in their name to decline the authority and jurisdiction of the Presbytery, and to protest against any further action against them.

The Declinature and Protestation was in the following terms :—

Declinature and Protestation offered by Mr Thomas Murray, Mr Henrie Murray, and Mr Walter Steuart, ministers of the Gospel, to the Presbyterie of Perth, twentieth first day of November, one thousand seven hundereth and eleven years.

It seems very strange that, notwithstanding the Queen, upon her accession to the Throne, sent a letter to the Privie Council, in Feberuary one thousand seven hundereth and three, bearing that those of the Episcopal persuasion which lived suteable to the Reformed Religion, submissively to Her Majestie's Laws, decently and regularly with relation to the Church established by Law, as good Christians and subjects, should be protected in the peaceable exercise of their religion, and Her Majestie's repeated assurances from the Throne that these who are of the communion of the Church should share most of her Royal favour,—we say it seems very strange that after all this, we should be processed before you, upon the head of intrusion, innovations, and disorderly practices, as our summons bear, since we are ministers of the Gospel, of the Episcopal persuasion, and have observed the qualifications of the Queen's letter.

*1st.* However, we cannot own any spiritual jurisdiction in you, without schismatical separating from the Catholic Christian Church, both ancient and modern, whose government, viz., Episcopacy, hath descended to us with Christianity it self from the Apostles' days, and as we have hitherto lived, so we hope to continue in the unity of the Church.

*2dly.* But than albeit the present Laws (from which you derive all your authority) have subjected Episcopal ministers as continue in their churches, or are realy scandalous, erroneous, negligent or insufficient, to your cognizance and censure, yet, since we are in neither of those cases, we cannot submit to your jurisdiction.

*3dly.* As to the charge of intrusion, we answer, that they are properly intruders in the Scriptural sense of the word, who thrust themselves into the ministry without a legal mission, or canonical Ordination ; and by the Acts and Laws of the Church of England, no Ordination is valid, but what is originally Episcopal ; neither can we be charged with intrusion in the legal or parliamentary sense of the word, because

intruding is properly *in vacuum possessionem*, as the Act one thousand six hundereth and ninty five expresses intruding into vacant churches, possessing manses and benefices, which cannot be charged on us, who only preach in meeting houses and to a willing people. However, if this be a crime, it is purely civil, and consequently cognoscible by the Judge ordinary, and therefore ye cannot be competent judges in this matter.

4<sup>thly</sup>. As to the English Liturgie which you mean by innovations, we think that it's agreeable to the Word of God and the practice of the primitive Church, and likewise our Reformers. For Buchanan tells us in the nineteenth book of his History that the Scots, being delivered from the French slavery by the assistance of the Englishes, did, thereupon, subscribe to the same worship in Religion, and the ceremonies in common with England : so that the using of the Book of Common Prayer, or English Liturgie, is no innovation in this Church, but rather a retring or reviving of that regular worship which was professed and practised at the Reformation ; and we are fully persuaded that it is necessary to the peace of the Church that all churches or congregations (at least under one Prince) should use one form of Liturgie or of Divine worship. Besides, the Queen and Parliament have lately declared in Mr Greenshields' tryal that there is no law in this Nation against the using of the English service, and where there is no law, there can be no transgression. However, you, having declared your selves against the English service, are parties, and, therefore, cannot be judges in the matter, nor we any ways obliged to account to you for the same.

5<sup>thly</sup>. As to what may be mean'd by disorderly practices, for which you charge us in your summonds, we are not conscios to our selves of any that can subject us to your censure :

And, therefore, for these and other reasons to be added if we see cause, we decline your authority and jurisdiction in the premisses, and protest that you proceed no further therein, otherwise to be liable for cost, skaith and damage ; and thereupon we take instruments. *Sic subscribitur*,  
T. MURRAY ; HEN. MURRAY ; WALTER STEUART.

Smith had desired to know whether the Presbytery would deliver the libels to him. The Presbytery resolved that libels should be presented only to the parties libelled, especially as their proxy had declined their jurisdiction. Smith then protested that the process should now sist, that the Presbytery should be liable "for cost, skaith, and damage," and took instruments in the hands of Laurence Chapman, notary. The Moderator counter-protested on the lines of the resolution of the Presbytery, and that they would proceed in the matter as they should see fit : "and then the Proxie went off."

The Presbytery sustained the terms of the libels against the three ministers. That against Murray ran :—

Libel, the Presbyterie of Perth against Mr Thomas Murray, incumbent under the late Prelacie in the paroch of Kinclaven, and for present officiating in the paroch of Kilspindie.

Whereas, by the Blessing of God upon the pious endeavours of our worthy and renowned ancestors, it hath been the mercy and happyness of this National Church to be at first purely reformed, according to the rule of God's Word, in doctrine, worship, discipline, and government, as is evident from our Confession of Faith, Books of Discipline, and Acts of many General Assemblies : likeas, the purity of Gospel ordinances, free from the dregs of idolatrie, superstition and wil-worship, together with a beutifull uniformity in dispensing of the same, hath in a great measure hitherto been preserved, and that by the countenance the Lord hath given to the zealous wrestlings of others since, in contending for the Faith once delivered to the saints in opposition to all attempts for corrupting thereof by ceremonies and inventions of men, as clearly appears from many Acts, both of Assemblies and Parliaments, made for establishing and securing the same to us and our posterity, especially since the late happy revolution : which laudable laws are expresly confirmed by the sixth Act of Parliament, one thousand seven hundereth and seven years. Also, it is expresly provided by the Act ratifying and approving of the Union of the two Kingdoms of Scotland and England, that the purity and uniformity of worship, as now established in this Church, is, in the terms of the foresaid Acts, to continue to the people of this land, without any alteration, in all succeeding generations ; and this to be held as a fundamental and essential condition of the said Union, without any alteration thereof, and derogation thereto, in any sort for ever. Yet, it is a verity that you, Mr Thomas Murray, notwithstanding of all this, and the faithfull warnings that the General Assembly and their Commission hath given to all persons of the dangerous consequences of such innovations, as some by their restless endeavours are labouring to introduce into the worship of God at present in this Church, together with the fatal tendency thereof both to Church and State, ordaining withall inferior Judicatories to take tryal of and prosecute such as shall be found guilty, which you could not be ignorant of,—yet for all this, we say, casting of all regard to the peace, order, and edification of this Church, you do, in a bold manner, fly in the face of all Authoritie, both civil and ecclesiastical, in several lawless and irregular practices : As, *Primo* : That within the paroch of Kilspindie, where there has been of a good

time a Gospel minister settled in a legal and orderly way, you presume to exercise the several parts of the ministerial office without any legal Call thereto, while, in the meantime, you have not owned the Confession of Faith established by law, nor so much as qualified your selfe in terms of law to share in the benefite of that Protection allowed by our gracious Queen to such of your persuasion that are thus qualified :

*Secundo* : That in the administration of the holy Sacrament of the Lord's Supper, you oblige communicants to kneel in the act of receiving, which hath always been condemned by Acts of General Assemblies, and practices of this Church, as not agreeable to our Blessed Lord's practice in the institution of the same ; a gesture symbolizing with idolaters in their idolatrous worship, and a manifest breach of the fore-said purity and uniformity of worship.

*Tertio* : You observe Festival days, and not only these pretended to be kept in honour of our Blessed Saviour, but also, such as are dedicated to saints and Angels ; and that cross to Acts of Assemblies and Books of Discipline, which condemns the same as idolatrous and superstitious, and ranks them among the abominations of the Romish Church.

*Quarto* : You have introduced a Liturgie and set form in the publick worship of God, not only without any warrant from any law of the land establishing it, or so much as a pretended Assembly authorizing the same, but also such as was not so much as attempted under the late Prelacy, nor practised by yourself since your intrusion till within these few moneths, upon what motives or views your self best knows.

*Quinto* : After the like disorderly manner, you have taken upon you to administrat the Sacrament of Baptism cross to the constitutions and practice of this Church, notwithstanding of the known laws of the land against irregular Baptism. Particularly, you baptized several children to William Barnet, tenent in Qua, in the paroch of Errol. Witnesses to prove this libel are, Patrick and Alexander Artlies, tenents in Nether Dourdie, Thomas and William Crystals, there, Alexander Foord, there, William Whittet, tenent in Pitroddie, John Wanles, tenent there, William Windchesly, change-keeper in the town of Kilspindie, George Moon, change-keeper, there, James Moon, son to the said George Moon, all of them in Kilspindie paroch, and William Barnet, tenent in Qua, in the paroch of Errol.

The Presbytery, on the same day, ordered copies of their respective libels to be delivered to the three clergymen ; and instructed the Clerk to require the minister of Kilspindie, Mr William English, to send to him immediately, on receipt of his letter, the names, designations, and places of abode of witnesses to the various articles of the libel, and of persons

whose children Murray had baptised, and to be present himself without fail at the next meeting.

English, however, refused to forward the names of witnesses, and at the next meeting, December 19, offered excuse for his disobedience to the appointment of the Presbytery, viz., "he did fear that this process at the time would not weaken the meeting house of Kilspindie, but rather make them more keen; and therefore did not judge it expedient that he should be the informer in that matter, but it might be better done for edification by others." The Presbytery did not sustain his excuse, and expressed their dissatisfaction with it. The names of witnesses, however, had been obtained by the Clerk, and duly inserted in the libel.

On that day—December 19—the three clergymen were again summoned to appear but failed to do so, and, consequently, were declared to be contumacious. The same pronouncement was made, on January 30, 1712, regarding the witnesses against Mr Thomas Murray, who had disobeyed three citations to be present. On February 20, the Presbytery resolved to proceed to a sentence against him for his declinature of their jurisdiction and his contumacy. The minute continues: "Then the Presbyterie took the whole affair anent Mr Murray into their serious consideration, and having reasoned thereon at some length, they agreed presently to pass sentence against him. And having made application to God by prayer, the vote was stated, Simpliciter, depose Mr Thomas Murray from the Ministerial office, (?) or, Authoritatively discharge him from exercising any part thereof within the congregation of Kilspindy, or any paroch within the bounds of the Presbyterie? Rols being called and votes marked, it carried unanimously, depose. Therefore, the Presbyterie did, and hereby Do, simpliciter depose the said Mr Thomas Murray from the Ministerial office."

The sentence, "extended in ample form," runs:—

Sentence, the Presbyterie of Perth against Mr Thomas Murray, incumbent under the late Prelacie in the paroch of Kinclaven, and for present officiating in the paroch of Kilspindie.

The Presbyterie of Perth being informed that Mr Thomas Murray, late incumbent at Kinclaven, did not only intrude upon the planted paroch of Kilspindie, but also hath of late introduced a Liturgie and set form of worship in the pretended exercise of the ministerial office, and that notwithstanding of the known practice of this Church to the contrary, and the Acts of the General Assemblies thereof, and their Commissions of later years, against innovations in the worship of God, they ordered him to be sisted before them; and being called for the second time,

instead of appearing personally, to manifest his further contempt of the Judicatories of this Church, he subscribed a Declinature, together with Mr Henrie Murray and Mr Walter Steuart, intruders upon the ancient Burgh of Perth, as also a commission to Mr James Smith, apothecarie in Perth, to present and prosecute the same in their names. And upon the reading of the said bold and insolent Declinature tabled by the said Mr Smith in name foresaid, the Presbyterie ordered at the same time a libel to be transmitted to him in conjunction with the other two, together with the witnesses' names given up to prove the same. And the witnesses being three several times summoned in a legal and orderly way, and they not appearing (upon what grounds it is too notourly known), the Presbyterie declared them contumacious; and thereupon, having laid aside the libel, they went into the consideration of the Declinature, together with his contumacy superadded thereto, in refusing to appear before the said Judicatorie upon three several citations. They find that as the Declining of an ecclesiastical Judicatorie is, by the constitutions and practice of this Church, highly censurable, so in this Declinature there is not only a manifest and open avouching of the innovations for which he stood charged in his libel, and such reasons adduced in defence of the same which sufficiently discovers his innovating temper and time-serving principles, which he and his associats have of late broached, together with the dangerous tendency of the same at such a time, but also, in the whole series and strain thereof, there is a displaid banner against the established order and government of this Church, most impudently professing that he cannot own any spiritual jurisdiction in the ministers thereof; and all this in such a mould as arrogantly reflects upon the Civil Government, bewrays his ignorance or worse in reference to the present establishment both of Church and State, a notorious untruth relative to our Reformation, which reflects upon the memory of our worthy ancestors, and, finally, most uncharitably unchurches all the Protestant Churches who disown Prelacy, which, upon an impartial search, will be found to tend to the disgrace of a Protestant profession, and fully manifests his schismatical disposition, tho', at the same time, he declares his resolution to continue in unity, and that he cannot schismatically sepatat from the Catholick Christian Church. Upon the whole, they judge him to be a person unworthy of carrying the office of a minister of the Gospel. And, therefore, being moved with zeal to the Glory of God, a sincere desire to prove faithfull in contending for the Faith once delivered to the saints, and consequently to purge the Church of all such dangerous innovations, we, being now met **IN THE NAME AND BY THE AUTHORITIE OF OUR LORD AND MASTER JESUS CHRIST, SOLE KING AND HEAD OF HIS CHURCH, DO, BY VERTUE**

OF THAT POWER COMMITTED TO US, SIMPLICITER DEPOSE THE SAID MR THOMAS MURRAY FROM THE MINISTERIAL OFFICE ; and appoints this Sentence to be transmitted to him by their officer *quam-primum* ; as also ordains the same to be intimated by the minister of Kilspondie the next Lord's day, being the twentieth and fourth instant, and likewise in all the rest of the churches within the bounds of the Presbyterie the said day, after Divine worship in the forenoon ; and lastly, they require all the brethren to give faithfull warning to the people of the danger of such innovations and corruptions in the worship of God.

Murray afterwards intruded on the parish of Inchtute. In an "Information against Mr Thomas Murray, Episcopall preacher in the meeting house of Balledgerno, within the parish of Inchsture and Presbytrie of Dundee," reported by some ministers of the Presbytery of Dundee, and signed at Inchtute on March 30, 1719, it is stated that he had previously been fined £20 sterling, for conducting public worship in that meeting house without praying in express terms for King George, the Prince and Princess of Wales, and the Royal Family ; that he continued to offend in that manner ; and that, on dates specified, he had preached, and had administered the Sacrament of the Lord's Supper to a large number of "dissaffected people, known and avowed enemies to the government both of Church and State, who resorted from all corners." It is also stated that, early in February 1719, at the Haltoun of Newtyle, he had married, clandestinely and without proclamation of Banns, Henry Crawfoord, younger, of Monorgan, a person under scandal and contumacious to the discipline of the Church, to the only daughter of Mr James Paton, late minister of Ketins.<sup>1</sup>

He was alive on June 28, 1719, when it was reported to the Kirk-Session of Cowpar-Angus that he was supposed to have baptised the child of a delinquent. Two previous instances of clandestine baptism by him are noted in the *Register of the Kirk-Session of Cowpar-Angus*.

1. *References in the Register of Deeds of Dunkeld Commissariat.*

Sir Thomas Stewart of Balcaskie, Sir James Ramsay of Bamff, John Stewart of Innernytie, David Drummond of Cultmaldone, and John Stewart, younger, of Balleid, as commissioners for John Stewart of Grantullie, patron of the church and parish of Kinleavine, disposed in favour of Mr Thomas Murray, late minister there, the whole modified local stipend of the said parish (now fallen into the hands of the said John Stewart of Grantullie by reason of the present vacancy) for crop 1697, the said Mr Thomas being bound to apply the stipend towards the

<sup>1</sup> *MS. Records of Perth City.*

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reparation of the manse ; at Edinburgh, December 20, 1697, before Mr Alexander Symmer, son to the deceased Mr Alexander Symmer, sometime parson of Duffus, and Mr David Ramsay, Writer to the Signet.

Registered March 7, 1698.

Sir Thomas Stewart, Sir James Ramsay, David Drummond, and William Stewart of Balleid, commissioners for John Stewart of Grantullie, patron, disposed in favour of Mr Thomas Murray, minister at Kinclaven, the stipend for crops 1693 and 1694 : at Edinburgh, November 20 and , 1694 ; also for year 1695 : at Murthlie, October 16, 1695.

The Commissioners mentioned March 7, 1698, disposed in favour of Mr Thomas Murray, under the same condition, the stipend for Kinclaven for 1696 : at Canongate, February 18, 1697, before Sir Archibald Cockburn, younger, of Langton, and Mr James Ramsay, writer in Edinburgh.

Registered August 24, 1698.

### KIRKMICHAEL (OR STRATHARDILL)

I. Francis Pearson (Pierson), 1649-1699.

Francis Pearson, son of Mr Francis Pearson,<sup>1</sup> minister at Kirkmichael,<sup>2</sup> matriculated at St Leonard's College, St Andrews, on March 23, 1642, and graduated Master of Arts in 1645.

He was admitted to Kirkmichael as Colleague with, and Successor to, his father in 1649,<sup>3</sup> after the meeting of the Synod in October ; and had succeeded to the full charge of the parish by February 24, 1657.<sup>4</sup>

He was one of the clergy that signed a testimony against Cromwell's toleration in October 1658.<sup>5</sup> In 1662 he declined to submit to the restored ecclesiastical polity ; and was one of the clergy of the Diocese reported to the Privy Council as contemptuous of their Acts, as persisting " in their wicked practises, still labouring to keip the hearts of the people from the present government of Church and State by their pernicious doctrin." On March 24, 1663, the Privy Council ordered letters to be

<sup>1</sup> *Perthshire Sasines*, September 8, 1643.

<sup>2</sup> He was a son of James Persone of Cairnie (*Register of Deeds*, January 29, 1627, vol. 391, folio 111).

<sup>3</sup> *MS. Perthshire Decrees*, March 30, 1653.

<sup>4</sup> *Perthshire Sasines*, September 1, 1658.

<sup>5</sup> It is described as " The Testimony of the Ministers of the Gospel undersubscribing, unto the doctrine, worship, discipline, and government of the Kirk of Scotland, and to the National Covenant of Scotland, and to the Solemn League and Covenant betwixt the three nations of England, Scotland, and Ireland, and to the work of uniformity in religion in one Confession of Faith, Form of Church Government, Directory of Worshup, and Catechising ; and against the errors, heresies, and blasphemies now on foot in these nations, that are contrary and destructive thereunto ; especially against that vast Toleration in things religious, lately framed into a law, and proclaimed throughout this nation " (*Faithful Witness-Bearing Exemplified*, 90).

issued charging him to remove from his manse, and to refrain from the exercise of his ministerial office either in public or in private. Afterwards, however, he conformed to Episcopacy.

On February 19, 1673, he obtained decree for augmentation of his stipend against the heritors and others, viz. :—James, Earl of Airly, Robert Flemyng, John Mustard and John Ferguson, portioners of Easter Balnacruchie, John Fergusone of Ballichandie, John Bruce of Dalnabreik, Fergus Shaw and Duncan M'Kenzie, portioners of Wester Dalnabreik, Alexander Bruce, portioner of Easter Pitcarmick, William Bruce, portioner of Wester Pitcarmick, Alexander Robertstone of Stronamuck, for Stronamuck, the fourth-part lands of Meikle Binziean and part of Easter Cultonie, John and James Robertstone, portioners of Wester and Easter Cultony, Donald and John Robertstone of Balnacraige, for Glengennet, Patrick Robertstone of Dalcabine, for Balnald, Balnakeillie, and one-half of Glengennet, Andrew Rattray of Tullichcurrane, for Tullichcurrane, and the one-half lands of Midle Innerchroskie, Patrick Small of Dalrioch, John Eviot, for the third-part lands of Wester Innerchroskie, John Readgow (M'intosh) for the one-third lands of Wester Innerchroskie, Alexander Spalding, for the one-third lands of Wester Innerchroskie, Robert Flemyng, for the one-fourth lands of Midle Innerchroskie, Robert and Lauchlan M'Coull, for the one-fourth lands of Midle Innerchroskie belonging to them in wadset, John Robertstone of Easter Straloch, and John Robertstone, fiar thereof, for Easter Innerchroskie, Lair and Cay (? Cray), and Midle Downy, Dalnagairn, Glentutnich, and the one-half lands of Runnavey, John Leslie of Morecloich, for Moircloich, Idernarnachtie, and pendicles, John Rattray of Boreland, for Boirland, Kirktown, Tomachlachin, and the wadset lands of Drumycroy, Alexander Robertstone of Downy, Alexander Robertstone, fiar, and Elizabeth Durham, liferentrix, of Downy,<sup>1</sup> John Murray of Balnabruich, Thomas Stewart *alias* Doulach (Doulich) of Merkland, for Merkland, and the fourth-part lands of Balmyle, John Easson (Ayson), for the one-half lands of Balmyle, John Steuart, portioner of Balmyle, Alexander Steuart, for the West half of Easter Balnatuime, John Steuart for the East half of Easter Balnatuime, David Ayson, portioner of Wester Ballintuime, Andrew Spalding of Aushintullie, for the Milntoun of Wearie, John Robertstone of Bleattown, John M'intosh of Ballichragan (Balnachraigane), Alexander Murray, in fee, and Annabel Murray, in liferent, for Nether Solziarie, Alexander Murray, for Solziarie, Toumphiane, and Craigmaikall, Alexander Rattray of Dalrullion (Dalrillion), William Stewart for Balmyle, John Rattray,

<sup>1</sup> She had married Alexander Robertson of Downie. Their son was Mr John. She afterwards married Alexander Menzies of Glassie (*Acts and Decrees*, Mack, February 28, 1688).

portioner of the third-part lands of Easter Ennoch, John Bruce and William Rattray, portioners of Ennoch, John Robertson, for his half lands of Wester Ennoch, John Bruce of Tomnamuirie (Tomnamoon), James Chalmers, portioner of Dalnoid, John Farquharson of Finzead (Fiannzeand), David Spalding of Corridon, Kenneth M'kenzie and Robert M'kinzie, portioners of Litle Binziean, Alexander Steuart, portioner of Meikle Bingzeean, John Robertson of Leanoch(-moir), Robert M'intosh of Dallvoingrie, for Dalvoingie, Litle Leanoch, and the three-quarter lands of Inneredrie, John Stewart of Dunterroloch, for one-half of Dalvoignie and Cuthil, Alexander M'intosh of Calmes (Camys), Duncan M'kenzie of Tomb, Duncan M'coul of Kerro (Kerroa), Alexander Spalding, for the West half of Runnavay, Robert Farquharson, for Brochdarge and Dunnaney, John, Earl of Rothes, John, Earl of Tweeddale, Alexander, Earl of Kincardine, —, Earl of Dunfermling, John, Earl of Lauderdale, then the King's Commissioners, William, Earl of Dundonald, William, Lord Ballantine, Sir John Nisbet of Dirleton, then the King's Advocate, for his Highness' interest, and the Tutors and Curators of such of them as were minors.<sup>1</sup>

On June 30, 1669, when the case was first heard, the defenders objected that the Earl of Tweeddale, the titular of the teinds, had not been summoned as a party. The objection was sustained, and the process delayed till the Earl had been duly cited. The case was heard by the Commissioners for Plantation of Kirks and Valuation of Teinds on February 19, 1673. It was alleged that neither Peirson's presentation nor any other title to sue was produced. It was replied that the Bishop of Dunkeld, by a certificate submitted, declared that he was minister at Kirkmichael, and that his service of the cure was a matter of common knowledge. The Lords repelled the objection and granted an augmentation, beginning with crop and year 1669.<sup>2</sup> The stipend was fixed at 800 merks Scots, with £20 for Communion elements.<sup>3</sup>

On July 6, 1687, he presented to the Presbytery a commission from the Bishop, authorising them to appoint some of their number to apprise the manse of Kirkmichael. The committee nominated met at Kirkmichael on October 26, and declared the value of the manse to be £922, 13s. 8d. The appreciation was approved by the Bishop on February 13, 1688.<sup>4</sup>

His son, Mr John, was presented to the cure as Colleague and Successor on December 3, 1687. In the course of a trial in 1707, Mr John Peirson said :—" 'Tis weell knownen it was not my worthy father's weaknes or

<sup>1</sup> *Perthshire Inhibitions*, February 24, 1710.

<sup>2</sup> Connell on *Tithes*, ii. 187, 209.

<sup>3</sup> *v.* Appendix D.

<sup>4</sup> *MS. Register of the Presbytery of Dunkeld*, February 28, 1721, where the value is stated at 6d. more.

infirmity which made me (him) chuse me for collegue, but to train me before hand by his instruction and example, that I might be the better trained and qualified to succeed him." <sup>1</sup>

Mr Francis Pearson lived twelve years after his son's appointment.<sup>1</sup> His children were : Mr John, Agnes,<sup>2</sup> Isobel.<sup>3</sup>

1. *References in the Register of Sasines for Perthshire.*

Mr Frances Pearson, younger, minister at Strathardill, witnessed, at Wester Downy, July 13, 1655, a charter by William Farquhairstone of Broichdarge and John Farquhairstone, his fifth son, in favour of Andrew Small of Durinanaine and Andrew Small, his second son, of some pendicles of land of Moirclach.

Registered March 19, 1657.

Mr Francis Pearson, minister at Kirkmichael, witnessed, February 24, 1657, a charter by George Small in Berrihillock of Wester Banchrie, in favour of his son, John Small, and Jean Pearson, his wife, of 5 rigs of lands of Wester Banchrie.

Registered September 1, 1658.

Mr Francis Persone witnessed at Dunkeld, August 25, 1669, a bond by Mungo Campbell of Seatt, for £40 Scots, in favour of Mr John Anderson in Seatt.

Registered May 31, 1673.

Mr Francis Pearson, minister at Kirkmichael, witnessed, May 2, 1673, a renunciation by Alexander Fleming, in favour of John Robertson, of the 2 merk land of Eister Cultilony and others.

Registered June 27, 1673.

<sup>1</sup> *MS. Register of the Presbytery of Dunkeld*, September 2, 1707.

<sup>2</sup> Agnes Pearson, eldest daughter of Mr Francis Pearson, minister at Kirkmichael, had sasine, October 1, 1674, in liferent, of an annual rent of £120 to be uplifted from the lands of Eister Dalnabirk and others; proceeding on a precept in a marriage contract between John Bruce of Dalnabrick, elder (=Elspeth Kae), and John Bruce, his son, on the one part, and the said Agnes, on the other part, signed September 30, 1674, in presence of James Crokat of Eister Ratray, John Glas, second son of Mr Thomas Glas, minister at Little Dunkeld, Thomas Whitson, notary public, and Patrick Robertson, his servitor, writer of the deed (*Perthshire Sasines*, October 2, 1674).

<sup>3</sup> *MS. Register of the Presbytery of Dunkeld*, July 16, 1707. On September 2, she is described as "a married woman, aged thirtie six." A "Mistris Robertstone, sister german to the deceast Mr John Pearson, late incumbent at Kirkmichael," was present at the apprising of the manse on February 22, 1721. Her identity with Isobel has not been verified.

Scott (*Fasti*) mentions a daughter, Elizabeth, who married John Peirson, brother of the Laird of Balmadies.

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Mr Francis Peirson witnessed, June 23, 1673, a charter of sale by John Robertson of Cultilonie, in favour of John Robertson, yr., of Eister Stralochie, of some parts of the lands of Cultilonie and others.

Registered July 7, 1673.

Mr Francis Peirson witnessed, July 4, 1673, a bond by John Robertson of Cultilonie in favour of Donald M'Lachlane, for an annual-rent of £24 to be uplifted from 4 acres of land in Eister Cultilony.

Registered July 7, 1673.

Mr Francis Pearson witnessed, June 20, 1679, a contract of marriage between John Rattray of Tullochurrane and Margaret Small, daughter of Patrick Small of Dirnaneane. In terms thereof, she was infest in an annual-rent of 250 merks furth of the 6 merkland of Tullochurrane.

Registered July 11, 1679.

Mr Francis Pearson witnessed, at Balmyle, December 27, 1675, a charter by Janet Stewart, sister of the deceased Alexander Stewart, feuar of the lands aftermentioned, with consent of her brother, William Stewart, and others, in favour of Alexander Aissone, brother of John Aissone, portioner of Balmyle, of the fourth part of the lands of Balmyle, within the barony of Balmacreuchie.

Registered October 24, 1681.

Mr Francis Pearson, Mr John Pearson, and John Pearson in Kirkton, witnessed, April 1, 1686, an instrument of sasine of the 4 merk lands of Borland and others, in the regality of Athol, in favour of John Rattray of Tullychurrane, proceeding on a precept of sasine in a charter by John, Marquis of Atholl, signed May 12, 1684.

Registered April 2, 1686.

### *2. Reference in the Register of Deeds of Perthshire Sheriff Court.*

Mr Francis Persone witnessed at Dunkeld, August 25, 1669, a bond by Mungo Campbell of Seatt, for £40 Scots, in favour of Mr John Anderson, now in Seatt.

Registered May 3, 1673.

### *3. Reference in the Register of Deeds of the Commissariat of Dunkeld.*

John Bruce, younger, of Dalnabreik, with Mr Frances Peirson, minister at Stratherdaill, as cautioner, granted at Dunkeld, November 9, and at —, November 23, 1686, in presence of Mr John Person, a bond for £100 Scots in favour of Alexander M'Kenzie, gunsmith in Dunkeld.

Registered May 24, 1698.

4. *Reference in the Register of Decrees of Perthshire Sheriff Court.*

Messrs Frances Peirsones, ministers at Strathardill, raised an action against Donald Robertson in Glengermell (Glengynell) for payment of £48, conform to a decret obtained in the Duke of Atholl's Court, and for 38 merks of tack and teind-duty for crops 1651 and 1652; Andrew Leslie of Mortcluch for 37 merks tack and teind-duty for crop 1652; Alexander Stewart, portioner of Meikill Binzion, for 16 merks for crop 1652; Alexander Spalding in the Milntoune of Werie for £8, crop 1652; John Robertson of Bleattoune and John Robertstone, son of Alexander Robertson of Downie, for 208 merks of bygone duties; Neill Stewart in Solzeare and Alexander Rattray, son of John Rattray in Milnetoune of Enoch, for £4 for crop 1651; John Couttes in Cray (Lair), £5 for crops 1649-51; John M'intosh, sometime servitor to Robert M'intosh of Dalmonzie, for delivery of one pyett horse received from the pursuers in the previous May and undelivered, or £60; John Robertstone in Croft Micheall for 37 merks and 14 years' interest due to Andrew Young in Cultolony, and assigned to Mr Frances Peirson, younger; Duncan Greigor in Sheriffmoor for one cow received from Andrew Young for grazing in the previous summer and undelivered, assigned to pursuers, or £40; John Bruce (Baine) in Bellamakallane for 5 firlots oats and one firlot bear, eaten by his grices in summer last of the corns of the said Andrew, as valued by honest men and also assigned. They obtained decree against Donald Robertson for £4 yearly for the said years and for 22 merks, with reservation of an act of repetition against Mr Thomas Mollison; Neill Stewart for 2 merks; Alexander Spalding for 4 merks; John Bruce £15 "for the eattin cornes"; and against the other defenders for the sums craved, Donald Robertson being assolizied from the superplus of the libel.

Registered March 30, 1653.

5. *Reference in the Register of Testaments of Dunkeld Commissariot.*

Mr Francis Peirson wrote, and Mr John Peirson, his son, witnessed, at Duny, July 13, 1687, the Will of Alexander Menzies, fiar of Glassie, who married Elizabeth Durham (*Warrants*, November 7, 1687).

## 2. John Peirson, 1688-1718.

The son of Mr Francis Pearson, he matriculated at St Leonard's College, St Andrews, on February 26, 1679, and graduated Master of Arts on July 18, 1682. His theological curriculum was passed at the New College, St Andrews.

On October 5, 1682, he was appointed Bursar of the Presbytery, the

tenure of the bursary beginning after Martinmas. He was continued bursar for the next year in the following April, and held the bursary for a third year.<sup>1</sup> He was entered upon trials, for a certificate in order to license, before the Presbytery on May 6, 1685: on September 2, when he was examined in languages, he stated that he was ignorant of Hebrew. The Presbytery approved him "in all they heard."

He was presented by Spalding of Ashintully to the cure of Kirkmichael as Colleague with, and Successor to, his father on December 3, 1687.<sup>2</sup> The *Register of the Presbytery* makes no reference to his trials for Ordination. The Edict in order to his Admission was returned at Dunkeld on March 21, 1688.<sup>3</sup> He was admitted before May 13, 1688, when, designated minister at Kirkmichael, he preached at Alyth.

Kirkmichael was one of the parishes of the Presbytery in which Gaelic was the common language of the people, but Peirson's knowledge of it was, at the best, very insufficient. He deserves credit, however, for his successful effort to acquire it. In 1707 he stated, "I had not the language so as to be able to discourse in it when I entered, but have made application, especially since my father's death, so that I perform all the parts of the ministerial function in that language, and that with such frequency as there is no reasonable ground of complaint."<sup>4</sup> He succeeded to the full charge on the death of his father, after a joint incumbency of twelve years.<sup>5</sup>

The Synod of Perth and Stirling, in April 1707, recommended the Presbytery of Dunkeld "to enquire into the scandalous behaviour of an Episcopal incumbent in thire bounds, of which there is a flagrant report." The Presbytery identified that incumbent with Peirson, concerning whom it was stated that there was "a *fama clamosa* of several gross immoralities," and ordered the members to make enquiry concerning his alleged flagitious conduct. At the next meeting, May 20, it was declared that there was certainly a *fama clamosa* of disgraceful conduct regarding Peirson. A Committee appointed to "advise further upon that affair" reported, in the afternoon, that there was a *fama clamosa* regarding him of 1° adultery, 2° drunkenness and enticement to drunkenness, 3° supine neglect of his ministerial duties, 4° embezzling the poor's money, and 5° striking David Spalding of Mortcleugh. Next day, the Presbytery appointed a committee to confer with Peirson regarding those charges, and also to report them to the Duke of Athol, and to beg his

<sup>1</sup> *MS. Register of the Presbytery of Dunkeld*, May 6, 1685.

<sup>2</sup> *Perthshire Inhibitions*, February 24, 1710.

His presentation contained the provision that he should have no right to intronit with, or pursue for, the stipend until after his Father's death or demission.

<sup>3</sup> *MS. Register of the Presbytery of Dunkeld*, April 4, 1688.

<sup>4</sup> *Ibid.*, September 2, 1707.

<sup>5</sup> *Ibid.*

Grace's concurrence, if the Presbytery should find it necessary to proceed to an ecclesiastical process. The committee stated, on June 17, that they had met both Peirson and the Duke ; that Peirson affirmed his innocence, and his readiness to be tried on the allegations ; and that his Grace advised the Presbytery to proceed with caution to enquire into the origin and spread of the reports against the minister, and to satisfy him that they were well grounded. On July 15, the Duke met a committee appointed to wait upon him at his request, and, while intimating that he had no objection to proceedings against Peirson, repeated his former advice. The Presbytery, on July 16, drew up a libel on the lines of the report submitted to them in June. The third count of the indictment was amplified thus :—

“*Tertio* : He is supinly negligent in the exercise of his ministerial office ; particularly, First, that he did not administrat the Sacrament of the Lord's Supper above twice or thrice in the space of twentie years ; Secoundly, for the first twelve years of his ministry, he never catechised any, and but seldom preached for the time he was colleague with his father, though these were the very ends of his being admitted his father's helper ; Thirdly, he whollie neglects the necessary dutie of visiting families, and dealling with people's consciences privatly ; Fourthly, he preaches too seldom in the Irish language, and in Glenshee ; Fifthly, as yet he catechises very rarely, especially in Glenshee.” Attached to the libel were the names of 54 witnesses.

On August 5, Peirson attended a meeting of the Presbytery. The minute proceeds : “ and the lybel being read in his hearing, he desired a little time by himself before he can answer thereunto ; which being allowed, and he haveing gone out, after a little time returned and gave in a paper, the tenor whereof followes :—‘ I am surprized to find myself blotted with so foul a libel ; and though I reverence and submit to the holy Providence of God therein, yet I cannot but admire the malice of men, and, if conscience of innocencie and dependence upon God's Providence did not support me, I hade never made a compearance : and indeed, nothing more then the desire of vindication hes oblidged me now to state myself before this Presbyterie ; and I humbly crave they may proceed in it with all justice and equitie, according to the knowen established rules of discipline, and that they will allow me a competent time for giveing in defences, and order to cite witnesses for exculpation, for proveing just and legal exceptions I may have against any of the witnesses named in the libel.’ ” He received a copy of the libel, with the list of the witnesses against him and a warrant for the citation of witnesses for exculpation, and was cited to appear for trial on September 2.

He appeared in due course. In answer to the libel, he read a well-

written, interesting, and cogent defence. He again stated that, if he had not been conscious of innocence, he would never have submitted to trial.

He represented that "Ther hes been an unbounded liberty taken to blast my reputation by unknowen malicious tongues who lurk behind the curtain." He objected to the libel as founded neither on charges signed by an accuser, which he was bound to prove under pain of censure, nor on a credible *fama clamosa*. After offering other objections to the Presbytery's procedure, he referred to former charges: "'tis to be confess'd that, perhaps, I have not been so luckie as to escape the aspersions of clamorous fame in all particulars; and the good Providence of God did so farr clear me to the world's conviction, that even the same was entirely silenced until now awakened in this singular manner, out of the ordinary road."<sup>1</sup> Proceeding to answer the various heads of the libel, he absolutely denied the first and second. In his reply to the third, he referred to the reason of his appointment as colleague to his father given above.<sup>2</sup> His answer to the charge of celebrating the Holy Communion infrequently is of great local interest. He admitted that he had not administered that Sacrament since 1702.<sup>3</sup>

He proceeded: "Thirdly: That I wholly neglect the necessary dutie of visiting and dealling with people's consciences privately; Whatever is meant by this, the lybel characterizes me to be a person against whom some people would have, from such privacie, takeing no occasions of slander. And further, I cannot weell conceive what is meant by it beyond what is comprehended under catechiseing. And as to catechiseing, which is the fourth instance, I am charged with doing it but rarely, and superficially. This is a matter so many must be conscious to that I conceive two witnesses cannot prove catechiseing rarely, since they that are to be led as witnesses might be absent at intimation of the diets, and the diets themselves. A negative is hardly proven. What is meant by superficialnes I know not, excepting it be neglecting to examine on the fundamental and necessary points of Christianity, which is a thing very hard to be proven: to which probation I referr."

His answer to the charge of preaching seldom in Gaelic is given above.<sup>4</sup> He replied thus to the allegation of neglecting Glenshee: "As for Glenshie, I attend the exigencies of the people there so far as health allowes, and as much as ever the use was." To the fourth article, viz., of embezzling the money belonging to the poor, he answered:—"Another

<sup>1</sup> In the *Barons Reid-Robertson of Straloch* (52) the following reference to Peirson occurs:—"Seeing the pastor of the parish was of the prelatical way, and not well reported of, he (*i.e.* John Robertson *alias* Reid of Straloch) choose to go (though further off) to hear those of the Established Kirk, and frequented Sacraments when administered in the neighbouring churches."

<sup>2</sup> *v.* Francis Pearson.

<sup>3</sup> *v.* p. 72 *supra*.

<sup>4</sup> *v.* p. 102 *supra*.

article of my maladministration is the embazeling the poor's money, whereof two instances are given, first, compounding to my own interest, secondly, freely discharging penalties of several persons. As to both, the compounding for, discharging gratis, or applying the poor's money or penalties to my own use are calumnious untruths. But as to not uplifting the penalties of the three mentioned in this Article, I confess it. I have indeed several times craved them, appointed days both publicly and privately, within which payment should be made, with certification of using diligence, wherein I am resolved effectually to proceed."

His answer to the last Article runs:—"Finally, the lybel charges me as being a striker, and, for proveing it, gives only one instance, viz. :—of David Spalding. Seeing ther is but one instance, it proves not a habit. The best of men have been guilty of one act of that kind: Peter cut of Malchus's ear. Ther are *motus primo primi* in all men, preventing the exercise of judgement and reason. I confess my passion might have broke out upon that provocking occasion further then was meet, yet I refuse strikeing. Here it appears that David Spalding is represented as an injured person, and, therefore, may be presumed to have malicious resentments. Wherefore I crave he may not be admitted as a witness, nor his son Charles. And I further offer to prove that they have professed malice against me."

Having complained that the names of witnesses were not attached to the counts on which they were expected to depone, he concluded:—

"I might justly have expected to have had two named to every Article. But the Presbyterie have named fiftie-foure, and, it seems, have a mind to make them all depone upon every article, though 'tis incredible that fiftie-foure should be conscious to any one Article, and it is taking God's name in vain to make all depone on each of them. Yea, this looks rather lyker a Spanish Inquisition then a fair tryal: wherefore craves that witnesses may be stated and led according to the information given to the Presbyterie, because, otherwayes, the oath must be *Super Inquirendis*, and lykewayes deprives me of the benefit of exculpation; for when witnesses have once sworn any matter of fact ther is no place for proveing alibi. This proceeds not from conscience of guilt, or fear, but to assert the just rights of mankind and of ministers, and to prevent illegal stretches."

The Presbyterie repelled his objections to their procedure, and, with his consent, proceeded to the trial of the allegations against him. On their petition, Mr Leonard Robertson of Straloch, and a number of heritors and masters of families in Kirkmichael, were permitted to be present, as were Lord James Murray and the Commissary of Dunkeld, at the request of the Duke of Athol.

The Cathedral of Dunkeld was crowded when the Presbytery administered the oath of verity to a number of witnesses. Straloch requested that the women summoned as witnesses should be examined that night in the house of a Mistress Robertson, because, as it was the harvest season, they were anxious to be at home as soon as possible and for other reasons; and the Presbytery adjourned for that purpose. Twelve witnesses were examined, but not one gave evidence in support of the libel. The testimony of the first witness was in effect that of all:—

“Jean Robertson, spouse to Orchell Beg, being called, compeared, aged about twentie three years, and purged of malice and partial counsel, as to Master Peirson’s alleged uncleannes, drunkennes, embazelling the poor’s money, and strikeing, deponed negativie: as also to his supin negligence; and this to be the truth, as she should answer to God, and declares she cannot write.”

The Presbytery met at 8 o’clock next morning for the examination of other witnesses in the case. Twenty-two were examined, but, as before, no evidence in support of the libel was obtained. Objections were offered by Peirson against two heritors cited as witnesses, viz.:—George Rattray of Dall-Rulion,<sup>1</sup> and Kenneth M’Kenzie of Ronavey.<sup>2</sup> Of Rattray, Peirson declared that he bore resentment toward him, and that he was an instigator of the libel. Against M’Kenzie these charges were made: 1, That, when buying horse shoes from David Miller, merchant in Alith, he had said that he hoped to obtain the deprivation of Peirson, before those shoes were worn out; and 2, that he was prepared to commit perjury in a case before the Court of Logierait. Those objections against M’Kenzie were afterwards submitted to proof, but no finding was arrived at concerning them. At that meeting, also, a committee was appointed, at the request of Straloch, to examine absent witnesses at Kirkmichael.

On September 23, the Presbytery called for the report of that committee, but found that none was forth-coming, as only two members had met at Kirkmichael on the day appointed. Straloch complained of the delay caused by the failure of the committee to meet; and, at the second session of the Presbytery on that day, in his own name, and on behalf of the minister, the heritors, free holders, and masters of families of Kirkmichael, offered a lengthy “Protestation” against the procedure of the Presbytery. The Moderator, however, protested that, as Straloch had no written commission from the heritors and others for presenting that document, no attention should be paid to it; while Peirson, in turn, protested that it should be sustained as from Straloch and himself, and that time should be allowed to them to obtain a written commission. In

<sup>1</sup> Dallrullion, Dall-rulian.

<sup>2</sup> Rannavey, Ronovey.

consequence of that "Protestation," containing, as was affirmed, gross and calumnious reflections upon them, and of "the prejudices taken up against them by" Peirson, the Presbytery recalled the appointment of a committee for the examination of witnesses at Kirkmichael, and all citations of witnesses or parties, and referred the case, as it stood, to the Synod.

Peirson was implicated, as was alleged, in the Rising of 1715, and, on that charge, was imprisoned in Perth from the beginning of April till the beginning of August 1716.<sup>1</sup> His attitude to that Rising, with that of the other Episcopal incumbents and preachers within the bounds, came under the review of the Presbytery. On February 21, 1716, that body appointed a committee to report upon intruders, "and of what disorders they have been guilty off since the beginning of this Rebellion." The committee presented their report on the same day. They stated:— "Item, Mr John Peirson, incumbent att Kirkmichael, influenced the Rebellion, and pressed people to take up arms against the Government; and himself, mounted on his horse with arms, attended the Earl of Mar in his way from Kirkmichael to Mouline." The Presbytery appointed that the representation of their committee should be transmitted to the Duke of Atholl, Sheriff-principal of Perthshire, or his depute, that Peirson and others might be tried for their alleged disloyalty. His Grace, having examined that representation, stated "that he was fully satisfyd they should be prosecute before his depute." On April 17, the Presbytery ordered a letter to be written to the Sheriff-depute, to the effect that the Presbytery would be content if, before the meeting of the General Assembly, he could induce the Episcopal incumbents and intruders implicated to bind themselves not to exercise the ministerial office within the bounds; and, in accordance with the instructions of the Synod, appointed that a copy of the Representation, with an additional memorial against Peirson and others, should be transmitted to the Sheriff-depute and the General Assembly. The Sheriff-depute, however, stated that the time before the meeting of the General Assembly was so short, and the prospect of obtaining such a promise as the Presbytery desired so slight, that the Duke of Atholl had transmitted the Presbytery's list of offenders to the officer commanding the Perthshire district, who would issue orders for their arrest; "in which case," it is added, "he doubts not but that they will be more pleyable."<sup>2</sup>

On May 22, 1716, the Presbytery, in obedience to the instructions of the General Assembly, resolved to prosecute the offending incumbents and intruders, for their disloyalty, before themselves; and, on August 21, appointed a committee to draw up a libel against Peirson.

<sup>1</sup> MS. Register of the Presbytery of Dunkeld, April 12, 1716; June 4, 1717.

<sup>2</sup> *Ibid.*, May 22, 1716.

The libel<sup>1</sup> was duly read to him at Weem on September 26, 1716. It bore that he had "aided and comforted the rebels in their late unnatural rebellion against our only rightfull and lawfull Sovereign, King George, in favours of a popish pretender, and concured very avowedly with them in their pernicious designs." In particular, it charged him with (1) instigating and compelling fencible men to join the rebels; (2) ordering proclamations issued by the Pretender to be read to the congregation of Kirkmichael; (3) requesting and permitting Mr Ludovick Grant, stated to be a chaplain to the Jacobite forces,<sup>2</sup> to preach in his church; (4) continuing in their offices his precentor and beadle, who had actively promoted the Rebellion; (5) being in the company of rebels on their way to the camp at Perth, lodging with them at the Kirkstile of Kinloch, drinking the health of the Earl of Mar there, praying that God would bless him in his project, and saying that he was the vicegerent of God, or of the King, in Scotland, and that it was a Scotsman's duty to pray for his success; (6) urging rebels, "if they should meet with the Duke of Atholl's men, who, as they were informed, were to meet them and take their prisoners from them," to "fire sharp shot," and promising to send assistance, if required, to "the party who were to return the deserters"; and (7) despising the Proclamation for a Thanksgiving for the King's Accession, failing to pray in express terms for King George, and praying so vaguely "that, in common construction, your people could not but understand you meant the Pretender."

On October 23, the Presbytery, and certain brethren associated with them by the Commission of the General Assembly, proceeded to the trial of Peirson on the libel, and, on the 26th, adjourned the further hearing of the case till November 20. On December 12, the Presbytery appointed a committee to request the Duke of Atholl to compel certain contumacious persons to attend as witnesses in the case. Further proceedings were delayed, on January 15, 1717, because of Peirson's illness and the absence of witnesses, of whose non-compearance the Presbytery ordered a report to be made to the Lord Justice-Clerk. On that date also, it was reported that there had been no sermon at Kirkmichael for the previous nine Sundays. The Presbytery appointed one of their number to preach there on a certain Sunday if Peirson consented.

A committee appointed to sum up the evidence in support of the libel reported these findings on April 24:—1. That proclamations and other papers in the interest of the Pretender had been read by the precentor in the church of Kirkmichael during the Rebellion. 2. That Peirson had

<sup>1</sup> *MS. Register of the Presbytery of Dunkeld*, September 25, 1716.

<sup>2</sup> "Chaplain to Borlum M'Intosh and his men" (*Ibid.*). Peirson denied the allegation (*Ibid.*, June 4, 1717).

accompanied rebels to Kinloch. 3. That the precentor and beadle of Kirkmichael were continued in office. 4. That Mr Ludovick Grant had preached in the church of Kirkmichael, and had prayed for the Pretender as King James the 8th ; and that no armed force was in the neighbourhood at the time.

The Presbytery referred the case as it stood to the Commission of the General Assembly. That body, however, had risen before Mr John Gow, minister at Cargill, the representative of the Presbytery, reached Edinburgh. He, therefore, brought the case under the notice of the General Assembly, and they in turn transmitted it to their Commission.<sup>1</sup> The Commission appointed Mr Archibald Campbell, minister at Weem, to obtain the advice of the Lord Advocate upon the case, and referred it back to the Presbytery. The remit of the Commission, and the advice of the Lord Advocate, were submitted to the Presbytery on May 28. Mr Peirson, being in ill-health, was represented by an agent, James Man, writer in Dunkeld, who produced a "Petition and Representation," to which, as untimeously presented, the Presbytery declined to give weight. After voting, the Presbytery decided to proceed in the case at once. Another vote was then taken on the motion and amendment, "Depose Mr Peirson presently," or "Delay till this day eight days." The amendment for delay was carried by a large majority, Mr Robert Bowis, minister at Rattray, dissenting. Peirson was present on June 4, when the Presbytery resumed consideration of his case. He produced a lengthy "Representation and Petition," complaining that he had not been informed concerning the Presbytery's reference to the Commission and the General Assembly, and thus had been prevented from stating the alleviating circumstances of the heads of the libel proved against him, affirming his innocence of Treason, and requesting that the whole case and his Representation should be referred to the Commission for their advice. In conclusion, he requested the Presbytery to inform him of the terms of the advice of the Commission, protesting, in the event of a refusal, that any mistake arising should not prejudice any appeal he might make, but that it should be sustained as duly made to the proper Court.

The minute of the meeting continues :—"The Presbyterie reassuming Mr Peirson's process, and having fully considered all the particulars in his Petition and Representation, as also what is proven by the depositions of witnesses, they find the said Mr Peirson guilty of the scandalous facts of dissafection after mentioned, viz.—They find the third article of the Lybel proven, in so far as the person mentioned in the said article did preach att the said church of Kirkmichael, and one one of the days Lybelled, and prayed for the Pretender, the defender himself being present, and

<sup>1</sup> *MS. Register of the Presbytery of Dunkeld, May 21, 1717.*

no armed force in or about the church ; and it's highly presumptive that the said defender did entertain the said Grant the same night in his house, one of the witnesses having positively asserted it ; neither does Mr Peirson in his Representation this day deny it, which the said Presbyterie find a sufficient proof of his having invited, or ordered, the said Grant to preach. *Secundo* : The said Presbyterie find the fourth article of the Lybell proven, in so far as the said Presbyterie find it proven that Gilbert Stewart, the precentor, was guilty of reading the Proclamations during the time of the Rebellion, and that James Aison, the bedle, was guilty of serving the rebels in severall particulars publicly known, and confessed by him in his own deposition ; and that, nevertheless, the said precentor and bedle have been continued in their respective offices under the said Mr Peirson, without any censure or complaint made. *Tertio* : They find the fifth article of the Lybel proven, in so far as Mr Peirson, in the moneths lybeled, did accompany Andrew Spalding and other rebels, men in arms, in their way to the camp of the rebels at Perth, as far as the kirk of Kinloch ; and that it is highly presumable that it was upon treasonable designs, one witness having depon'd that the said Mr Peirson drunk the Earle of Mar's health, and said at the time it was the interest of all Scotsmen to pray for him."

Then the Presbytery were all of one mind that Mr Peirson was censurable : thereafter the question was stated :—"What shall the censure be ?—whither, Depose ? or, Suspend, and remitt to the Commission for further censure ?—and after calling upon God for light and direction, the roll was called and votes marked, and it carried by plurality of votes, Depose." The sentence of Deposition was then pronounced, and ordered to be intimated at Kirkmichael, with the declaration that the church was vacant.

Having heard the judgment and sentence of the Presbytery, Peirson asked whether the Presbytery would transmit the case to the Commission, with his Representation and Petition. The Presbytery declined to do so, and Peirson appealed to the superior judicatories.

Peirson had been deposed by the local ecclesiastical court, but the feeling of his parishioners was strongly in his favour. The minister of Moulin was aware of the fact, and delayed to obey the appointment of the Presbytery to intimate his deposition, and to declare the church of Kirkmichael vacant. On June 18, he was reappointed to do so, but still delayed. On July 16, he explicitly stated the reason of his delay, viz.:—"in regard it might prejudice that people against him, if he should be first sent" ; and stated "that he was informed that there were a sett of men and women in that paroch that were ready to fall upon him, or any other minister that should be sent to preach their and intimate the said

sentence." No further action was then taken ; and, by advice of the Synod, the Presbytery delayed to supply the parish with sermon until after the meeting of the Commission of the General Assembly.<sup>1</sup>

Peirson's appeal was duly submitted to the Commission. It was reported, on December 10, 1717, that the Commission found that they had no authority to deal with it, and that the immediate Court of Appeal was the Synod.

On August 26, 1718, Mr Alexander Ross, minister of Clunie, who had been appointed to preach at Kirkmichael, reported that he went thither on Saturday the 16th, and had been opposed by the people. On the same date, it was intimated that the Commission had rejected Peirson's appeal from the sentence of the Presbytery, "as not duely and legally entered in the terms of the Acts of Assembly," and, therefore, that the sentence of the Presbytery remained operative. A letter from the Commission to the Duke of Atholl, requesting him to assist the Presbytery to obtain possession of the church of Kirkmichael, was also produced to the meeting. The letter was transmitted to the Duke. It was reported, on September 16, that his Grace had advised Peirson "to lay aside his pretensions to that kirk and paroch," but that he had sent no reply. The Presbytery appointed Mr Adam Ferguson, minister at Logierait, to preach at Kirkmichael and to declare the church vacant, if the Duke of Atholl should give his concurrence ; and, in the event of the refusal of His Grace, the Presbytery appointed that a representation of the circumstances of the parish should be laid before the Lord Justice-Clerk, then at Perth. The Duke concurred. The result of Ferguson's attempt to obey the ordinance of the Presbytery is described in the following minute :—

*" Att Dunkeld, November the fourth, one thousand seven hundred  
and eighteen years.*

" Which day and place, the Presbytery met *pro re nata*, being called by the Moderator att the advice of several brethren. . . .

" The Presbytery having heard the *res nata*, viz., that when Mr Ferguson was going to Kirkmichael, in order to preach there and declair the church vaccant, according to their appointment, his Grace the Duke of Atholl having so far concurred to give the Presbytery possession of that church, as to give a commission to Barron Reid, younger, Balnacraig, and Tullichurran, to assist the said Mr Ferguson in giving access, and getting new locks put upon the said church, in caice the keyes should be refused ;

<sup>1</sup> *MS. Register of the Presbytery of Dunkeld, October 29, 1717.*

and that Baron Reid, younger, being indisposed, and the other gentlemen not having given their concurrence, he only went with Baron Reid, older, and some witnesses ; and, when he was in the way towards the church, he was opposd by a great many people to the number of two or three hundred, who layd violent hands on old Baron Reid and him, and the said Baron was almost killd by the mob ; as the said representation, given in in write by Mr Ferguson to be kept *in retentis*, att more length bears ; and that, therefore, he thought it was necessary that this affair might be layd before the Commission that is to meet att Edinburgh next week. The Presbytery considering the *res nata*, and that all the brethren were advertised of this meeting, they sustained the *res nata*.

“ Mr Ferguson also reported that he did, att the Milntoun of Inverchroskie, within the said paroch of Kirkmichael, represent to about fourtie or fiftie persons there present what commission and authority he was cloathed with ; and, having read his commission from the Presbytery of Dunkeld, he did declair the church of Kirkmichael vaccant, upon which he required witnesses, and then retired to Inverchroskie, where he preached to as many as were pleased to follow him, some having gone to Kirkmichael, where, no doubt, they related what happened, so that, without all question, the declairing of the church vaccant in that place was little less nottour then if it had been done from the pulpit.

“ Mr Ferguson was approven, and thanked for his diligence.”

The affair was reported to the Commission, who, after consultation with the Lord Justice-Clerk, appointed that another letter should be written requesting the Duke of Atholl to assist the Presbytery to obtain possession of the church, and recommended the General Assembly to defray the expenses of the Presbytery from public funds, if it should be necessary to raise a criminal process against the rabblers, and the Presbytery of Edinburgh to assist the Presbytery of Dunkeld in carrying on that process. The Presbytery endeavoured to bring Mr John Peirson and the rabblers at Kirkmichael before the criminal courts,<sup>1</sup> but failed. On May 5, 1719, on the ground that they had performed their duty by endeavouring to obtain admission to that vacant church by appeal to the civil magistrate, and yet without effect, they reported the matter to the General Assembly.

It was declared, on August 11, 1719, that there had been no preaching at Kirkmichael since the 1st of June. The Presbytery appointed Mr James Stewart to preach there on August 30, on condition that the concurrence of the Duke of Atholl were obtained. He failed to obey

<sup>1</sup> On March 3, 1719, the Presbytery added to their Information regarding Peirson and the rabblers, an article with reference to his “ not praying *nominatum* for King George.”

the appointment till early in October. Thereafter Kirkmichael was supplied by the Presbytery.

Peirson had either died or submitted to deprivation before January 6, 1720, when the Presbytery, having obtained encouragement from the Duke to proceed to fill the vacancy, "in commiseration to the souls of that poor people though they have signified no desire to have a minister settled among them," appointed a meeting of the heritors, elders, and masters of families for the calling of a minister.<sup>1</sup>

He married, 1° Elizabeth Durham. By a bond of provision, signed at Ballbrogie, October 30, 1699, he obliged himself to infest her in liferent in the lands of Over Peirsie, parish of Bendochie. She had sasine of those lands on November 23, 1699,<sup>2</sup> in presence of Patrick Rattray of Persie, George Fergusone, apparent of Rochallie, David Spalding of Corrydour, and Patrick Muray in Dunkeld.

2° A sister of David Spalding of Ashintully,<sup>3</sup> probably Elizabeth.<sup>4</sup> He had a daughter Elizabeth. From the Inventory of his goods, given up by John Walker of Persie, husband of Elizabeth Peirson, his daughter, decerned executrix-dative on November 14, 1732, it appeared that these were indebted to him:—David Spalding of Ashintully for three years teind-duty for crops 1717-19; for £18 Scots as the price of an large House-Bible bought from him; and for a bond in favour of Francis Young in Ballinald, assigned to him, etc.; and Charles Spalding of Mort-clough, for balance of stipend.

Andrew Spalding of Glenkillry became cautioner for the executrix.<sup>5</sup>

#### 1. *Reference in the Register of Sasines for Perthshire.*

Mr John Pearstone, son of Mr Francis Pearstone, minister at Kirkmichael, as attorney for Grissall Glas, daughter of the deceased Mr Thomas Glas, minister at Little Dunkeld, and Agnes Anderson, his wife, received sasine in liferent, October 5, 1682, in presence of Mr Thomas M'Lagane, Student in Divinity, of one-half of the Haugh of Fongorth and of an annual-rent of £60 to be uplifted from the other half; proceeding on precept of sasine in a marriage contract between her and Gilbert Greig of the Haughhead of Fongorth.

Registered October 24, 1682.

<sup>1</sup> He was probably dead. On December 8, 1719, an appointment of supply was made, but the Duke of Atholl was not requested to provide access as he was to Fortingal. Peirson's successor, Mr Robert Bisset, was elected on February 28, and admitted on May 11, 1720.

<sup>2</sup> *Perthshire Sasines*, January 19, 1700.

<sup>3</sup> *MS. Register of the Presbytery of Dunkeld*, October 23, 1716.

<sup>4</sup> *Ibid.*, July 16, 1707.

<sup>5</sup> *Dunkeld Com. Testaments.*

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### 2. *Reference in the Collection of Papers relating to Bishops' Rents (Register House).*

Mr John Peirson granted a certificate, February 7, 1718, in favour of Robert Smith, schoolmaster at Glenshee (Portfolio vii., vouchers, 1715-16).

### 3. *Reference in the Register of Inhibitions for Perthshire.*

Mr John Peirson raised Letters of Horning, January 17, 1708, charging Charles Spalding of Whitehouse and others to pay stipend due from the lands of Mortlich, Dunecroy, Edinarnachdie, the third part lands of Innerchroskie and Borlomb, etc. They were executed on October 25 and 27, 1709. Spalding was denounced on February 24, 1710.

Registered February 24, 1710.

## LETHENDY

### 1. John Ros, 1648-1670.

The only son of John Ros, minister at Blair,<sup>1</sup> who married Jean, daughter of William Shaw of Pitmurthlie,<sup>2</sup> he graduated Master of Arts at the University of Edinburgh on July 24, 1619. He was admitted to Lethendy after April 11,<sup>3</sup> and before June 13, 1648.<sup>4</sup> He conformed to Episcopacy in 1662, in virtue of his benefice becoming Chancellor of the Cathedral.<sup>5</sup> He was alive on June 23, 1669.<sup>6</sup> He married Beatrix Strachan.<sup>7</sup>

### 1. *References in the Register of Sasines for Perthshire.*

John Ros, "famulus" of John Nairn, servant of the Chancellor, as attorney for Grissel Hay, wife of the said John Nairn, received sasine, January 28, 1628, of the lands of Jaxstoun, etc., in the regality of Dunfermline; proceeding on precept of sasine in a charter signed at Littilhour and Perth, November 19 and December 6, 1627, before John Ross, minister.

Registered January 29, 1628.

<sup>1</sup> *Perthshire Sasines*, January 29, 1643; *Perthshire Decrees*, January 27, 1653.

<sup>2</sup> *Perthshire Sasines*, February 18, 1606.

<sup>3</sup> He is mentioned neither among those present at the meeting of the Synod of that date, nor among the members absent, nor among the members excused in October for absence from that meeting.

<sup>4</sup> *Perthshire Sasines*, July 10, 1648. His name appears for the first time in the *Register of the Synod* on October 10, 1648.

<sup>5</sup> *v.* vol. i., p. 300.

<sup>6</sup> On that date, he had an action in the Sheriff Court of Perthshire against William Rattray of Moortoune of Creuchie (*Minutes*).

<sup>7</sup> *Perthshire Sasines*, December 8, 1657.

John Ros, minister at Blair, and Mr John Ross, his son, witnessed, October 15, 1636, (1) a charter by George Drummond of Blair, of the equal shadow half of the third part lands and town of the Kirktown of Blair (formerly occupied by John Guthrie, afterwards by Patrick Blair, and then by Catharine Sanders, widow of James Soutar in Blair), in favour of John Soutar, son of the said Catharine, redeemable on payment of 2000 merks ; and (2) an instrument of sasine proceeding on the precept of sasine therein.

Registered October 31, 1636.

Mr Johne Ros, son of John Ros, minister of Blair, had a reversion of the lands of Magdalens in the Lordship of Chartrous, sheriffdom of Perth, and of the lands of Pitmurthlie in the barony of Loncardy, from Patrick Butter, son to the deceased Patrick Butter of Gormack, who had obtained rights from Robert Hepburn, advocate, under a letter of alienation, dated May 5, 1638 ; to be operative at any term of Whitsunday, after Whitsunday following, that Ros should pay 4600 merks, etc., within the parish church of Perth at the pulpit foot between sunrise and sunset.

Registered April 30, 1638.

John Ros, minister at Blair, brother-german of the deceased Mr Robert Ros of Craigie, signed at Blair, January 10, 1643, in presence of John Dow, schoolmaster there, letters of disposition of the acres on the east side of the calsay called the " Lang Cassay " of St Leonard's Chapel and the loanings and riggs on the west side of the said Lang Cassay, with one-fourth part of the lands of St Leonard's Ley, and Littlehaugh, in favour of Mr John Ros, his only son, and his heirs, whom he also constituted his irrevocable cessioner in and to a letter of reversion granted, May 28, 1607, by the deceased Colin Campbell of Aberurquhyll, for redemption of his lands pledged for 8300 merks. The disposition was made because of " his dewitiefull careage toward me now in my old age."

Registered January 29, 1643.

Mr John Ros had sasine, January 11, 1643, of the above mentioned lands, proceeding on precept of sasine in a charter signed by his father at Blair, January 10, 1643, before John Dow, schoolmaster at Blair.

Registered January 31, 1643.

Mr John Ross, minister at the Kirk of Lethendy, witnessed at Littleton of Rattray, July (June ?) 13, 1648, a charter by John Sanders, portioner of Welton and nearest heir-male of the deceased John Sanders, in favour of James Haliburton of Buttergask, of the lands of Welton of Blair.

Registered July 10, 1648.

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Mr John Ross, minister at Lethendie, witnessed at the Boat of Cupar, November 29, 1653, a precept of clare constat by John Blair of Lethendie, superior, for infesting James Strachan, as heir of the deceased Mr John Strachan, son of the deceased John Strachan of Kirkton of Lethendie, in the lands of Kirkton of Lethendie; and witnessed the instrument of sasine thereon, dated December 7, 1653.

Registered January 31, 1654.

He also witnessed, November 29, 1653, a charter by James Strachane of Kirkton of Lethendie, of one half of the town and lands of Kirkton of Lethendie, in favour of Bessie Auchinleck, daughter of Mr James Auchinleck in Kathins, his promised spouse. He witnessed the instrument of sasine thereon, dated December 7, 1653.

Registered January 31, 1654.

Mr John Ross, and Beatrix Strachan, his wife (who was represented by Mr William Drummond in Burnhead of Blair), had sasine, November 10, 1657, of an annual-rent of £40 to be uplifted from the lands of Lethendie, proceeding on a precept of sasine in a bond by Johne Blair of Lethendie and Thomas Blair, his son and heir, dated October 8, 1657.

Registered December 8, 1657.

Mr John Ross witnessed, August 19, 1664, an instrument of sasine in favour of Thomas Fairholme, of an annual-rent of £144 from the lands of Fettercairne and Inschtuithill; proceeding on a precept of sasine in letters of obligation by John, Earl of Midletoune.

Registered September 26, 1664.

Mr John Ross witnessed at Meiklour, April 10, 1666, letters of obligation (written by Neill Forrester, schoolmaster at Kinloch) by James Stirtonne, of an annual-rent of £6 to be uplifted from the lands of Wester Nether Fornocht, in favour of Thomas Blair of Lethendie.

Registered June 22, 1666.

Mr John Ross witnessed, June 25, 1667, a bond by Thomas Blair of Lethindie, of an annual-rent of £40 from the lands of Lethindie, in favour of David Kinloch of Easter Gourdie.

Registered January 30, 1669.

### *2. References in the Register of Deeds of Perthshire Sheriff Court.*

Andrew Halyburtoune of Maines of Mawes, and James Halyburtoune, fiar thereof, his son and apparent heir, granted a bond, for 200 merks, in favour of Mr John Rosse, now minister at Lethintie, January 6, 1651.

Registered May 6, 1653.

Mr John Ross witnessed, May 9, 1667, an assignation by William Auchinleck, son of Mr James Auchinleck, minister of Aughterhouse, of certain securities, in favour of Catherine Auchinleck; proceeding on a payment of 600 merks.

Registered December 2, 1674.

3. *Reference in the Register of Deceets of Perthshire Sheriff Court.*

Mr John Ross, minister at Lethindie, raised an action before the Sheriff of Perth against the following persons:—Hairy Crokot in Newtown of Blair for payment of £4 principal and 8s. expenses, under a decret obtained in the Commissary Court of St Andrews, October 20, 1647, and for one boll, 2 firlots victual yearly for 1640-45 for the parsonage teinds of the third part of the half lands of Welton, belonging to the deceased William Sanders, and 16s. 8d. yearly for vicarage; Janet Spalding, relict of John Rettray in Muirtoune of Cruchies, Gilbert Done in Tulliemurdoche, and Thomas Gellatie, there, for 20 merks 6s. 8d. for parsonage and vicarage of the lands of Muirtowne of Cruchie for crops 1645-46; John Sowtar, lawful son to the deceased Christane Dickson, sometime in Drumlochie, for £20, under decree against her in the Commissary Court of St Andrews; David Hering in Lochallie and Janet Chalmers, his mother, for 14 merks yearly for years 1640-46 for parsonage and vicarage, and £10 of expenses; James Hallyburton in the Maines of Maws; David Dickson in Blair, for £10 yearly for 4 years for parsonage and vicarage of his land; Patrick Sowtar, son of the deceased John Sowtar in the Bankhead of Blair, and Donald Crockat in Morinte, Donald Drummond in Rattray, and Walter Rattray in Blair, his tutors, for 400 merks principal and annual-rents since Whitsunday 1651, and 100 merks expenses, under a bond in his favour, dated May 21, 1651. He obtained decree against Sowtar and his tutors.

Registered January 27, 1653.

4. *Reference in the Register of Deeds (Mack).*

Mr John Ross, minister at Lethindie, granted a bond for £100 Scots in favour of George, Bishop of Dunkeld, at Dunkeld, October 19, 1662.

Registered October 3, 1663.

2. David Young, 1671-1687.  
(*v.* Dunkeld.<sup>1</sup>)

<sup>1</sup> For his successor, *v. infra*, Presbytery of Cowpar-Angus.

## LITTLE DUNKELD

1. Thomas Glas, 1647-1682.

The eldest son of Mr William Glas, minister at Dunkeld<sup>1</sup> and Little Dunkeld,<sup>2</sup> he was Sub-dean of the Cathedral on December 27, 1634.<sup>3</sup> He matriculated at St Leonard's College, St Andrews, on February 22, 1637, and graduated Master of Arts in 1640.

Mr Alexander Rollock was translated from Dunkeld to the collegiate charge of Perth on September 16, 1645.<sup>4</sup> On October 24, 1646, at Newcastle, a presentation to the vacancy was signed by Charles I., the patron of the living, in favour of Mr Thomas Glas, designated lawful son to the deceased Mr William Glas, sometime minister of the said kirk; and, on November 12, Mr John Baine, writer in Edinburgh, became cautioner for him that he would leave the kirk of Meikle Dunkeld unhurt and unvitiate.<sup>5</sup> It is not known whether Glas was admitted to Dunkeld. He was a member of the Synod in November 1647, having been admitted to a charge<sup>6</sup> after April 13. He was minister at Little Dunkeld in succession to his father on March 17, 1648.<sup>7</sup>

Dissenting from the Public Resolutions, he became a member of the Protesting Presbytery of Dunkeld, and was one of the clergymen who, on June 11, 1655, irregularly ordained and admitted Mr James Strachan to the charge of Dunkeld.

In July 1655, the Earl of Athol presented a complaint against him to the Synod of Perth and Stirling. His Lordship alleged that, in a letter written to Mr Gilbert Menzies, schoolmaster at Dunkeld, Glass had implicitly referred to him and others in a very opprobrious and unchristian manner, as "like their father the devil who was a liar and a murderer from the beginning." The letter was produced, and Glass acknowledged that he had written it, but denied that its terms related either to the Earl of Athol, or to any minister. The complaint was referred to a committee appointed to meet at Dunkeld for the trial of charges against Mr James Strachan. That committee, however, failed to meet, and their commission was renewed by the following Synod. In April 1656, it was reported that the Earl of Athol's grievance against Mr Thomas Glas was removed.

<sup>1</sup> *Perthshire Sasines*, June 30, 1635.

<sup>2</sup> *Ibid.*, March 23, 1636.

<sup>3</sup> *Ibid.*, January 8, 1635 (vii. 286).

<sup>4</sup> The date of the Act of Transportation by the Presbytery of Dunkeld (*MS. Register of the Presbytery of Perth*, September 17).

<sup>5</sup> *MS. Register of Presentations* (Register House), vii. 143.

<sup>6</sup> That charge was probably Little Dunkeld. Sir Thomas Stewart of Gairntully was present at the meeting as ruling elder for Little Dunkeld. No elder was present from Dunkeld.

<sup>7</sup> *Perthshire Sasines*, May 5, 1648.

On October 22, 1659, he signed his adherence to a Testimony against Cromwell's Toleration. He declined to conform to Episcopacy in 1662; and, on March 24, 1663, the Privy Council ordered letters to be issued charging him to remove from the bounds of the Presbytery, and to refrain from exercising any part of the ministerial office either in public or private. He afterwards changed his attitude to Prelacy, and retained his living.

He died in 1682. His tombstone in the churchyard of Little Dunkeld bears the inscription, "Here lyes Mr Thomas Glas, min[ister] of the Gospel at Litle Dunkell, who died the 23 of March, [year] of God 1682, of his age 63, [of] his ministry 34," with the text Isaiah xxvi. 19, 20.

He married Agnes Anderson,<sup>1</sup> and had issue, Thomas, who died September 13, 1653,<sup>2</sup> Alexander, John,<sup>3</sup> and Grissal, who was contracted in marriage with Gilbert Greig of the Haughhead of Fongorth.<sup>4</sup>

His Will was subscribed, on March 20, 1682, in presence of Mr John Glass, his son, Andrew Kippen in Grandtullie, afterwards designated chamberlain to the laird of Grandtullie,<sup>5</sup> John Glass, Provost of Perth, and Mr Francis Peirson, minister at Kirkmihill. John Glass, merchant in Perth, his brother, and Alexander Robertson of Inver were declared to be debtors to him. He bequeathed 1000 merks Scots to Mr Alexander Glass, his eldest son, reserving the liferent to his widow, whom he constituted his executrix, and for whom Gilbert Greig of Hauchend became cautioner. He desired to be buried in his parish Church.<sup>3</sup>

#### 1. *References in the Register of Sasines for Perthshire.*

Thomas Glas, "adolescentulo," eldest son of Mr William Glas, minister at Dunkeld, as attorney for John Hall, son of the deceased Michael Hall, messenger in Hauch of Fungorth, received sasine, June 23, 1635, from William Fyfe, notary in Dunkeld, of the one-fourth part of the lands of Hilhead of Fungorth; proceeding on precept of sasine in a charter of sale dated February 2, 1634.

Registered June 30, 1635.

Thomas Glas, subdean of the Cathedral of Dunkeld, superior, with consent of the Bishop, Dean, and Canons of Dunkeld, and with consent of Mr William Glas, minister at Little Dunkeld, his father and tutor, gave sasine by the hands of their bailie, February 12, 1636, of the lands of Sloighnohill and others, in the barony of Dunkeld, to Sir Thomas Stewart, fiar of Grantullie.

Registered March 23, 1636.

<sup>1</sup> *Perthshire Sasines*, April 11, 1671.

<sup>2</sup> *Dunkeld Com. Testaments*, May 21, 1694.

<sup>3</sup> *Perthshire Sasines*, October 24, 1682.

<sup>4</sup> *Dunkeld Com. Testaments*, March 18, 1689.

<sup>5</sup> Tombstone.

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Mr Thomas Glas, eldest lawful son of the deceased Mr William Glas, minister at Dunkeld, witnessed, July 6, 1643, a renunciation by John Cunnesone in Ardie, of the pendicle of Balleyewkane, called Belnacruit *alias* Comconoquher (Cunconoquher), in favour of William Ferguson of Balleyewkane, following on redemption by payment of 600 merks ; and, on the same date, witnessed a renunciation by John Cunesoune in Ardie, formerly in Edradour, with consent of Margaret Robertson, his spouse, of the 30s. land of Ballemanocht, following on payment of £1000.

Registered August 4, 1643.

Mr Thomas Glas, minister at Little Dunkeld, as attorney for Mr Alexander Rollock, minister at Perth, received sasine, March 17, 1648, in presence of Mr Andrew Creichtoun, schoolmaster of the Grammar School of Dunkeld, of the mansion or manse with garden, etc., in the city of Dunkeld, lying between the manse of the Prebendary of Fongorth on the west, the manse of the Prebendary of Ruffill on the east, the common way on the south, and the Scots Raw on the north ; proceeding on precept of sasine in a charter of sale by John Rollock, merchant, burgess of Perth.

Registered May 5, 1648.

Mr Thomas Glas, minister at Little Dunkeld, and Agnes Anderson, his spouse, (in presence of Mr John Murray, pedagogue to John, Lord Murray,) gave sasine, February 12, 1671, by the hands of their bailie, to John, Earl of Athol, of the manse formerly belonging to the Prebendary of Muckarsie, etc., proceeding on precept of sasine in a charter of sale.

Registered April 11, 1671.

### 2. *Reference in the Register of Deeds of Perthshire Sheriff Court.*

Mr Thomas Glase, minister at Little Dunkeld, and Mr James Strachan, preacher, witnessed at Dunkeld, November 9, 1652, a matrimonial contract between William Reid, eldest son to Thomas Reid at the Mylne of Laichwood, and Janet Gilloche, daughter of John Gilloche in Chepelloune of Logie (her said father and John Gilloch, younger, her brother, taking burden for her), under which the said John Gilloch, elder and younger, became bound to pay to William Reid £100 at specified terms in name of tocher-good.

Registered November 23, 1655.

### 3. *References in the Register of Decrees of Perthshire Sheriff Court.*

On February 21, 1668, an action at the instance of Mr Thomas Glas against Dame Catherine Lindsay was in dependence before the Sheriff of Perthshire.<sup>1</sup>

<sup>1</sup> *Minute Book.*

Mr Thomas Glais, minister at the kirks of Logieallochie and Little Dunkeld, raised an action, for payment to him as minister of the vicarage teinds due to him as part of his local stipend for years 1674-75, against the following persons :—John Stewart of Wester Dalguise for 3 teind lambs as teind of 30 lambs, price of each lamb 26s. 8d., 6 fleeces, price of each fleech 10s., 3 stoncs of cheese at 40s. per stone, 1 stone of butter at £4 Scots, 2 kids at 26s. 8d., 1 pint of honey at 56s., 2 teind geese at 13s. 4d. each, 1 teind gryce of ilk litter of three, being 3 yearly, at 12s. each, 30 beats of lint at 13s. 4d. the beat, 12 beats of hemp at 13s. 4d. the beat, 3 turses of hay at 18s. the turs, also 13s. 4d. yearly as the accustomed vicarage for his stirks and staigs ; John Stewart of Middle Dalguise, John Bining, portioner there, Patrick Heres and Margaret Rorie, each for 3 teind lambs, 6 fleeces wool, 3 stone cheese, 1 stone butter, 2 kids, 1 pint honey, 2 teind geese, 1 gryce of ilk litter of 3 litters, 20 beats of lint, 10 sheaves of hemp, 3 truses of hay, or the prices above written, and 30s. for vicarage of the stirks and staigs ; John Bain, Robert Low, elder, in Tulliemait, James Camrone and David Borrie, portioners of Wester Dalguise, each for 3 teind lambs, 6 fleeces of wool, 3 stoncs cheese, 1 stone butter, 2 kids, 1 pint honey, 2 geese, 1 gryce of each litter of 3, 20 beats of lint, 10 sheaves hemp, 3 truss hay, and 30s. vicarage of each of the stirks and staigs ; David Borrie, portioner of Bellie-Lochan, and John M'Duff, there, each for 2 lambs, 4 fleeces, 1 stone of cheese and butter, 2 kids, 1 pint honey, 2 geese, 1 gryce of each litter of 3, 10 beats lint, 6 sheaves hemp, 2 turses hay, and 30s. vicarage for the stirks and staigs. The defenders alleged that there could be no process until Glas produced his presentation and collation. The pursuer answered that, by decree of the Commissioners for the Plantation of Kirks, August 11, 1649, he had right to the vicarage teinds as part of his local stipend. They also affirmed that the vicarage teinds due from Little Dunkeld were due and payable to the minister of Caputh, as vicar pensioner of the Diocie of Dunkeld ; that Mr John Blair, minister at Caputh, had granted tacks of the small teinds ; and that any benefit the pursuer reaped was only during the abolition of Episcopacy. He obtained a modified decree against the defenders, save David Borrie, against whom no proof was led.

Registered August 9, 1678.

#### 4. *References in the Register of Hornings for Perthshire.*

Mr Thomas Glas, minister at Little Dunkeld, obtained decret before the Commissioners for administration of justice, June 21, 1653, against Sir Thomas Stewart of Gairtullie, Thomas Stewart, apparent of Ladie-

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wall, Mr Gilbert Stewart of Polcak, John Robertson of Inware, David Borye, elder and younger, of Bellilochane, Duncan M'Erwine *alias* Camrone, James M'kyleonich, Robert How (?), James Bynneing, William Stewart, John Harries, James Bynneing, John Stewart of Dalgcoose, Alexander Stewart, his son, John Scott of Glenielbet (?), Thomas Stewart of Kynnaird, Margaret Stewart, his mother, Duncan Stewart, her spouse, for his interest, William Menzies, Isobell Stewart, his spouse, and John, Earl of Atholl, ordaining them—heritors, titulars, and tacksmen of the teinds, and the tenants and occupiers and others liable in payment of the parsonage and vicarage teinds—to pay to him and his successors yearly 3 chalders victual,  $\frac{2}{3}$  meal and  $\frac{1}{3}$  bear, and £500 Scots, as the modified constant stipend and provision of the said kirk, and 50 merks Scots for Communion elements, beginning with crop and year 1649 out of their lands as follows:—Bellintaggart, £24; Belnagaird, £93, 6s. 8d.; Ladielands (*i.e.* lands be-east the kirk of Little Dunkeld toward the burn of Jackewane [Inchewan], £5, 6s. 8d.; Strabrane, £81; Port, £10; Sock, £8; Kinnaird, £40; Meikle Dalmarnoch, £53, 6s. 8d.; Inver, £20; Burnebaine, £26, 13s. 4d.; Brydicstone, £26, 13s. 4d.; Meikle Findowie, £32; Towgarrow, £16; M'Andlaes-land, £5, 6s. 8d.; Little Findowie, £26, 13s. 4d.; Pittinferme, £20; Balmelone, £12; Balinreich, £4; Tonagow, £8; with £21 for the vicarage of Easter, Wester and Middle Dalguise, Glenellert, Port, Soack, Drummacarsies, Craigmusk, Belnaverth, Belnagert, Balintaggart, and Sketuen as formerly paid; and also the following quantities of victual out of the lands aftermentioned, viz. :—Sketuen, 3 bolls; Craigmusk, 4 bolls; Wester Dalguise, 6 bolls; Easter Dalguise, 5 bolls; Middle Dalguise, 5 bolls; Bellilochane, 2 bolls; Temmwallie (?), Wallat croft, and Malcome Rinds rig, 1 boll; Little Dunbold pertaining to Mr Johne and Thomas Stewart, 6 bolls; Easter Burnebanie, 3 bolls, 3 pecks, 2 lippies; Maynes of Murkley and Dalchowie, 12 bolls; from the teinds of Inver, 3 firlots, 2 lippies.

Letters of Horning were granted at his instance, October 13, 1654, under which John Robertson, proprietor of the lands of Craigmusk, was denounced on March 23, 1655, and Thomas Stewart, apparent of Ladywell, and Mr Gilbert Stewart of Polcak on May 31, 1655.

Registered May 31, 1655.

He obtained Letters of Horning, December 17, 1661, under which Mungo Campbell of Seat was denounced for failure to pay 80 merks, as stipend due for the years 1659-60 and all years since the last discharge. Having paid £120 for all dues for his lands of Dalmarnock, Campbell was relaxed on January 26, 1664.

Registered February 22, 1664.

Thomas Watson in Bridiestone was charged to pay 40 merks for crop 1667, and Thomas M'Duff in Port £10 yearly for crops 1660 and subsequent years; and Thomas Stewart of Ladywell and James Grimen in Little Dunkeld were charged to pay 8 merks due from the lands of Ladylands, lying toward the Burn of Inshsterevin (?), for 1668 and other years resting. Grimen, Watson and M'Duff were denounced April 17, 1669.

Registered April 17, 1669.

2. Alexander Robertson, 1686-1687.

A grandson of John Robertson in Glenelbert, and Margaret Scot, his wife,<sup>1</sup> he matriculated at St Leonard's College, St Andrews, on February 21, 1673,<sup>2</sup> and graduated Master of Arts on July 25, 1676.

He was appointed schoolmaster at Dunkeld after April 7, 1679, in succession to Mr James Ross,<sup>3</sup> and, on August 2, 1682, was admitted Clerk to the Presbytery.

He was entered upon trials for licence on April 4, 1683; and, on June 6, was appointed both to exercise and add at one meeting, "upon consideration that he wold have oftener occasion to neglect his charge in going through the countrey to borrow books, if he had the said tryalls at severall tymes." On August 1, 1683, he was recommended to the Bishop for licence.

He is designated preacher at Little Dunkeld on August 13, 1684,<sup>4</sup> and on September 19<sup>5</sup> still retained his office of schoolmaster at Dunkeld. He was admitted minister of Little Dunkeld between April 7, 1686, when his name is appended to the minutes of the Presbytery, but does not occur in the sederunt, and June 2, when his name appears there for the first time.

Robertson held services in Gaelic. He is the clergyman referred to in the Little Dunkeld case of 1722-23. It is recorded "that there was never a minister in that parish who had the Irish language but one for the space of two years or therby, and that he did not find it for edification, as the Presbytery are inform'd, to preach in Irish but twice or thrice at most."<sup>6</sup>

He was presented by the Bishop of Dunkeld, the patron for that turn, to the united parishes of Fortingall and Killichonan on April 27, 1687,<sup>7</sup> and was admitted before July 6.

<sup>1</sup> *Perthshire Sasines*, May 23, 1719.

<sup>2</sup> Not as in *Matriculation Register*, 1672.

<sup>3</sup> *MS. Records of Perth City*.

<sup>4</sup> *Perthshire Deeds*, August 15, 1684.

<sup>5</sup> *Perthshire Sasines*, January 8, 1685.

<sup>6</sup> *MS. Register of the Presbytery of Dunkeld*, January 22, 1723.

<sup>7</sup> *Ibid.*, September 5, 1721.

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He resigned the office of clerk to the Presbytery. His successor was admitted on August 3, 1687.

A complaint against him was laid before the Presbytery of Perth, on January 25, 1700, by Agnes Dick, wife of Robert Kennedy in Fortingall. It bore "that he had abused and wounded her; and that by force he had putt her in the branks, both a painfull and shamefull punishment, without any trew cawse or provocatione, and had made her stand in the branks about the space of thrie hours." The Presbytery ordered Robertson to be cited to appear before them on February 28, with the following witnesses: Donald Menzies, gardener in Comrie; Donald Camerone, Mr William Stewart, schoolmaster, Robert M'greiger, Robert Stewart, and Hugh M'intyre, all in Fortingall. None of the witnesses were present on the day specified, but Agnes Dick appeared and produced her libel, but was unable to subscribe it. She declared that the assault had been committed at the cross of Fortingall about the middle of January. Robertson appeared before the Presbytery on March 20, heard the original libel, with an additional count, read, and was appointed to answer it the next day. He duly appeared, listened to "a long lybell of many and greivous accusations," and desired that the allegations might be proved. The Presbytery ordered Robertson and the witnesses to appear at the next meeting. Robertson obeyed: but no witnesses were present on April 3; and Lord Tullibardine having written a letter to the Presbytery on the case, they appointed a committee to interview him at Huntingtowr, and to complain of the absence of the witnesses and to discuss the process. His Lordship, as the committee reported next day, declared "that Mr Robertson is ane innocent persone, free of all immoralities, and was a most fitt man for that post of Fortingall"; and absolutely refused to compel the witnesses to appear. On June 5, Agnes Dick presented another libel against Robertson, to the effect that "he was instrumentall in separateing her husband and her." The Presbytery appointed the minister of Dull to interview her husband, and ascertain the real reason of their separation; and instructed the minister of Tibbermuir to request the Earl of Tullibardine to "lay furth himself to procure that this woman may cohabite with her husband safely." On July 17, the Presbytery, finding that she had produced no witnesses to prove her libels, found that they could not proceed further in her case at that time.

He was implicated, as was alleged, in the Jacobite Rising of 1715. On February 21, 1716, a committee of the Presbytery, appointed to report on the conduct of the intruders into churches and parishes, in connection with that Rising, stated:—"Item, Mr Alexander Robertstone, incumbent att Fortingale, prays for the Pretender under the name of

King James the 8th ; read, or causd read, all the Proclamations emitted by the Earl of Mar, particularly the Proclamation for the Thanksgiving, January twintie-second, and kept the Thanksgiving, January twintie-sixth.”<sup>1</sup> The terms of a libel against him were adopted by the Presbytery on May 23. In that libel, Robertson was charged with<sup>2</sup> :—

1. Praying on one or more Sundays, within a specified period, for the Pretender, under the name of King James the 8th.
2. Publishing, or causing to be published, to the congregation of Forthingale, a Proclamation by the Earl of Mar for a day of fasting and prayer for his success in his rebellion against the Government, and observing that day or permitting it to be observed.
3. Intimating, or causing to be intimated, a Proclamation for a Thanksgiving for the safe arrival of the Pretender in Scotland, and observing that Thanksgiving, or permitting it to be observed.
4. Inciting the congregation to rebellion from his pulpit, and going “from house to house to hound them out to carry arms in the Rebellion with the rest of the rebels.”

On the same day, the beadle of Dull was appointed to deliver a copy of the libel to Robertson, and to summon him, and the witnesses against him, to appear before the Presbytery on June 12 ; and application was ordered to be made to the Lady Weem and the Duke of Atholl to compel the witnesses to attend.

The Presbytery met on June 12, 1716. Robertson was called but did not appear. The Presbytery, however, proceeded to examine witnesses to the counts of the libel, but, apparently, were not satisfied with the evidence adduced against him. They, accordingly, appointed a committee to make further enquiries concerning his alleged part in the rebellion.<sup>3</sup> On August 21, the committee reported that they could not obtain cogent evidence against him, but that they had visited him at his manse, and that he absolutely denied that he had prayed for the Pretender in express terms by the name of King James, or had read any Proclamations for Fasts or Thanksgivings issued either by the Pretender or the Earl of Mar. He confessed, however, that he had permitted his sons, Mr George and Mr James, who were associated with the rebel forces, to preach in his church, but declared that he would not do so again.

On the following day, a committee appointed to sum up the evidence of the witnesses against him reported as follows :—1. That it did not appear that he had prayed in express terms for King George. 2. That several papers emitted by the Earl of Mar had been read by him during the rebellion. 3. That a service of Thanksgiving for the safe arrival of

<sup>1</sup> For the subsequent procedure, *v.* John Peirson, p. 295 *supra*.

<sup>2</sup> *MS. Register of the Presbytery of Dunkeld*, June 12, 1716.

<sup>3</sup> *Ibid.*, July 10, 1716.

the Pretender in Scotland had been held in Fortingall church a little before Candlemas, and that either he, or his son, Mr George, had preached on the occasion.

On September 5, the Presbytery approved of the terms of an additional count of the libel against him, to the effect that, in the year 1716, he had employed one or both of his sons to preach in his church, "albeit it was nottour that both of them were chaplans to the rebels, and followed the rebellious army, and one or both of them were in arms att Shirreffmuire." They ordered him and the witnesses to the additional article to be cited to appear before them at Dull<sup>1</sup> on September 25, and ordered letters to be written to the Earl of Breadalbin and Lord Glenorchie, requesting them to compel the witnesses on their estates formerly absent to be present at that place and time.

Neither Robertson nor the witnesses against him compeared on the day specified; and, accordingly, the Presbytery ordered them to be summoned to appear before them on the third Tuesday of October.

Robertson again failed to appear, but the Presbytery at once proceeded to examine witnesses whom Lord Glenorchy had ordered to appear; and on the 23rd the witnesses whom the Duke of Atholl, on the complaint of the Presbytery, "had caused" to appear. On October 26, the Presbytery, and a committee associated with them by the Commission of the General Assembly, found "the following articles proven and evident, viz. :—

"1<sup>mo</sup>, that the said Mr Alexander Robertsons did read from his pulpit several traiterous and scandalous papers and intimations emitted by the rebels; 2<sup>do</sup>, that he kept a publick Thanksgiving for the Pretender's arrival in Scotland; 3<sup>tio</sup>, that he most scandalously read a paper for censing the countrey for meal, and carrying it to the rebels' camp, although ministers of the Gospel by their prayers, and all other wayes in their stations, are oblided to suppress disloyaltie and rebellion, as well as other immoralities; and 4<sup>to</sup>, that though it was nottour, and is now found proven, that his sons, Messrs James and George Robertsons, were in the Rebellion before, yet he employed them, or allowd them to preach frequently in his church and paroch, even since the Rebellion was quashd; 5<sup>to</sup>, that he is contumacious to the Presbytery; and, besides, there is a pregnant presumption of his observing the traiterous Fast before Shirreff Muire battle, as also of his hounding out several persons in his paroch to the late Rebellion, one witnes having deponed to each of these; upon all which," the minute proceeds, "the Presbytery, with the Committee, after mature deliberation, and calling upon the name of

<sup>1</sup> The Presbytery met at Dull for the convenience of the witnesses, it being harvest.

God in Christ, did state the question :—Depose, or not ; and votes being marked, it carried unanimously Depose.” The Presbytery, therefore, deposed him, and forbade him to exercise any part of the ministerial office in future, under the pain of the highest censures of the Church.

They also appointed that Fortingall should be declared vacant, “ Sabbath come a month ” ; and instructed a committee to seek the “ concurrence ” of the Duke of Atholl. The minister of Logierait, accordingly, went to Fortingall. Robertson, however, refused to admit him to the church ; whereupon, after knocking fruitlessly at the church door, he preached in the churchyard, intimated the sentence of the Presbytery against Robertson, and declared the church vacant.<sup>1</sup> The concurrence of the Duke had not been obtained ; and, on December 11, the Presbytery approached his Grace with the object of obtaining it. His reply was an expression of his desire to examine the depositions on which the Presbytery’s sentence was founded. His Grace, accordingly, obtained an extract of the evidence, and transmitted it to his depute.<sup>2</sup> On February 12, 1717, the Presbytery resolved to approach the Sheriff-depute with the view of obtaining access to the church. The Sheriff-depute, however, before proceeding in the matter, required a legal document to the effect that the keys of the church had been demanded from Robertson or the supposed holders of them.<sup>3</sup> By the authority of the Presbytery, accordingly, the keys were demanded by instrument <sup>4</sup> by Thomas M’Nab, notary, acting on the instructions of the minister of Moulin.<sup>5</sup> On October 9, the Presbytery resolved to approach the Sheriff-depute again with the view of obtaining access to the church. That official issued a commission to Robert Menzies, factor to the Laird of Weem, “ to make patent doors of the Kirk of Fortingale,” to place new locks on them, and to deliver the keys to the Presbytery.<sup>6</sup> When Menzies went to Fortingall to execute his commission, he was opposed by a mob, and particularly by the deposed incumbent.<sup>7</sup> The Presbytery ordered that the matter should be reported to the Sheriff-depute, and that he should be entreated to support his own authority. Robertson was summoned by him to answer for his conduct, and was fined £20 Scots for contumacy. The Sheriff-depute also suggested that the Presbytery should petition him to the effect that, as Menzies had been opposed, he, in person, or by a substitute, should procure access to the church ; and promised that the access should be effectual, and that if Robertson offered opposition he would be immediately apprehended. The Presby-

<sup>1</sup> *MS. Register of the Presbytery of Dunkeld*, December, 11, 1716.

<sup>2</sup> *Ibid.*, February 12, 1717.

<sup>4</sup> *Ibid.*, July 16, 1717.

<sup>5</sup> *Ibid.*, November 26, 1717.

<sup>3</sup> *Ibid.*, March 12, 1717.

<sup>6</sup> *Ibid.*, September 24, 1717.

<sup>7</sup> *Ibid.*, January 7, 1718

tery, accordingly, framed a petition to that effect.<sup>1</sup> It was reported, on July 29, 1718, that the Sheriff-depute had sent a messenger to apprehend Robertson ; and, on the same day, the Presbytery, being informed that the Duke of Atholl had undertaken to give them possession of the church, appointed one of their number to remind his Grace of his promise. It was reported, on September 16, that, in a conversation with the Duke, Robertson had affirmed that he did not refuse access to Robert Menzies, and that no instrument had been taken against him ; that his Grace had warned him that, as he had been deposed, he must leave his church ; and that Robertson had stated that he would do so shortly, and give the Presbytery no further trouble. It was reported, on November 25, that the Duke had refused to concur with an appointment by the Presbytery of Mr John Hamilton, minister of Blair-Atholl, to preach at Fortingall, on the ground that he was in consultation with Robertson regarding his resignation ; and on the same day, it was stated that his Grace had received a letter from Robertson of an uncompromising character, that Robertson was apparently determined to maintain possession of the church of Fortingall, and that his Grace advised the Presbytery not to send supply until the rabblers at Kirk-michael had been dealt with, as the punishment of them would render access to both churches easy. The Presbytery, however, considering that his Grace delayed to fulfil his promise to give them possession of the church, even after a legal process, and being informed that the Lady Weem (Dame Christian Campbell), for whose son the patronage of the parish was claimed, would give access to the church, and obtain a unanimous call to a suitable Gaelic-speaking preacher, decided to write her, to the effect that they would admit to the parish any suitable clergyman agreeable to the people, but that it was impracticable to send a preacher there till access were secured, and to request her to provide it. On February 4, 1719, it was stated that the Lady Weem had promised to give the Presbytery possession of the church. An attempt on the part of the Presbytery to prosecute Robertson before the Circuit Court failed. On May 5, they appointed their Commissioners to report the circumstances of Fortingall to the General Assembly. On January 6, 1720, his Grace again promised access to the church ; and, on March 29, the keys were delivered to the Presbytery. Robertson's successor, Mr Fergus Ferguson, was ordained and admitted on May 8, 1722.

He married Margaret Moncur, and had issue Alexander, George and James.

His will was confirmed on February 27, 1722, being given up by Mr George Robertson, his son and executor dative, as nearest of kin.

<sup>1</sup> *MS. Register of the Presbytery of Dunkeld*, April 22, 1718.

It appeared that his debtors were the Duke of Atholl, for a sum of 2000 merks, etc., due under a bond dated November 21, 1701, the Laird of Weem, for stipend for 3½ years preceding Martinmas 1717, and the Laird of Culdres, for stipend due at Martinmas 1719. John Williamson, maltman in Dunkeld, became cautioner for the executor.

The Rev. William Campbell, B.D., minister of Fortingall, states that there is a tradition in the parish that Robertson retired to Over Blairish, and conducted services there and in the surrounding district.

His sons, Mr George and Mr James, were in holy orders. On July 5, 1715, it was stated that Mr George, then under process before the Lords of Justiciary, intruded on Logyrate : in that year, the Lords of Justiciary forbade him to preach for three years.<sup>1</sup> Both were processed before the Presbytery on the charge of rebellion. On October 26, 1716, after leading evidence, the Presbytery, and a Committee associated with them, found that both had joined the rebels and had preached to them, and were contumacious ; that Mr James had intruded on the church of Aberdalgie ; that Mr George had intruded on the church of Logyrate ; and that traitorous and scandalous papers for a Thanksgiving for the Pretender's arrival in Scotland, and other traitorous designs, were intimate in the Kirk of Logyrate while he was in the pulpit. They, therefore, forbade them to exercise any part of the ministerial function, under pain of the highest censures of the Church.

On April 1, 1718, it was reported to the Presbytery that Mr George Robertson kept a meeting-house at Fascalie in Mouline parish ; and, on March 20, 1722, that he and Mr Duncan Stewart were intruders on Blair Athole and Fortingall.

#### 1. *References in the Register of Sasines for Perthshire.*

Mr Alexander Robertsons, Master of the Grammar School of Dunkeld, superior, on September 19, 1684, granted a precept of clare constat for infefting John Gilbert in Dunkeld in a tenement of land in Dunkeld. Registered January 8, 1685.

Mr Alexander Robertson, minister at Little Dunkeld, witnessed, February 7 and 9, 1687, (1) a Bond of Provision by William Stewart in Kinnaird in favour of Jean Drummond, his wife, for infefting her in the Westertoun of Kinnaird called Belmakneill, and (2) Instrument of Sasine following on precept therein.

Registered March 15, 1687.

<sup>1</sup> *Register of the Presbytery of Dunkeld*, May 5, 1719.

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John Robertson in Glenelbert and Margaret Scot, his spouse, received sasine, March 21, 1627, from Robert Stewart of Ballachan, of the lands of Craignusk (a 40s. land in the Lordship of Dunkeld), in terms of a wadset and charter of the same date, but under provision of redemption on payment of 1300 merks. Mr Alexander Robertson, minister at Fortingall, had sasine of those lands, in terms of a charter of confirmation and a precept of clare constat, for infetting him as heir to his grandfather, granted by the deceased John, Marquis of Atholl, who had acquired the right of reversion. At Huntingtour, on May 18, 1719, Robertson granted a receipt for 1300 merks, and a renunciation of the lands of Craignusk, in favour of John, Duke of Atholl,<sup>1</sup> in presence of Alexander Murray, secretary to the Duke, and Thomas Bissat, Commissary of Dunkeld.

Registered May 23, 1719.

### 2. *Reference in the Register of Deeds of Perthshire Sheriff Court.*

James Fergusone, messenger in Dunkeld, became cautioner, August 13, 1684, for Mr Alexander Robertstone, preacher at Litle Dunkeld, and Margaret Moncure, his spouse, that the maills, fermes, and duties, arrested in the hands of John Lamb, George Laicoock, William Davidson, and William Sclaiter, elder and younger, tenants in Mickclairie, by virtue of a precept of the sheriff, at the instance of Thomas Robertson at the Wood of Methvend, should be safe and forthcoming, Robertson binding himself to relieve his cautioner.

Registered August 15, 1684.

### 3. *References in the Register of Deeds of Dunkeld Commissariat.*

Mr George Robertson, schoolmaster at Foules, constituted Mr Alexander Robertson, minister at Fortingall, his cessioner and assignee in and to sums of money due by the heritors of Foules to him as schoolmaster; at Leith, March 21, 1691.

Registered October 19, 1692.

Mr Alexander Robertson wrote, and with Niell Stewart, schoolmaster at Fortingale, witnessed, at Fortingall, October 1, 1690, a bond by Neill Stewart of Brea of Moness, for £90 Scots, in favour of William Stewart of Drummacharie.

Registered [?] January 13, 1698].

<sup>1</sup> There is an interesting reference to the Duke in the *MS. Register of the Kirk-Session of Logierait*:—"22 November, 1724.—No sermon here, the minister being at Huntingtour, preaching to the Dutchess of Athole and family, after his Grace the Duke dyed. He left an hundred pounds to the poor of our parish; and dyed on Saturday, the 14th current, at eight in the morning, uttering these remarkable words as his last farewell to his family, 'I command and charge that all my house after me fear and worship the Lord, as I endeavoured to do.'"

Mr Alexander Robertson witnessed at Logireat, October 8, 1696, a bond by James Stewart, son of Allan Stewart of Inchiheriach, principal, and Neil Stewart in Inchdave, and Donald Stewart in Inchiheirach, cautioners, for 500 merks Scots, in favour of John Robertson of Gay.

Registered February 23, 1699.

3. Alexander M'Lagan, 1687-1722.

Schoolmaster at Clunie on August 27, 1670,<sup>1</sup> he graduated Master of Arts at St Salvator's College, St Andrews, on July 26, 1673, and matriculated as a student in Divinity in St Mary's College on February 22, 1675. He continued to hold the office of schoolmaster of Clunie on February 27, 1679.<sup>2</sup>

After the usual trials, on December 7, 1681, he was recommended by the Presbytery of Dunkeld to the Bishop for licence as an expectant.

On January 3, 1683, the Bishop intimated to the Presbytery that he intended to settle him in the ministry at Little Dunkeld, on condition that he should be found qualified to discharge the various parts of the ministerial office in Gaelic. M'Lagan, accordingly, appeared before the Presbytery for trial. He claimed to have some acquaintance with Gaelic, but admitted that he could neither preach nor pray in that language. At the next meeting, it was represented to the Presbytery, in the name of the Bishop, that a gentleman had undertaken on M'Lagan's behalf that he should be competent within a year to catechise, baptize, and marry, in Gaelic, but that M'Lagan himself had no such confidence in his future sufficiency. The Bishop requested the Dean to enquire if it were necessary that the minister of Little Dunkeld should be able to preach in Gaelic, and if in a year, a man might acquire the language, so as to discharge the duties of his office in it. To the first question, the Presbytery answered affirmatively: in reply to the second, they declined to express any opinion on a man's future competency. On May 15, 1683, he is designated minister of the Word of God,<sup>3</sup> from which it appears that he had received the orders of a Presbyter.

Little Dunkeld became vacant in 1687 by the translation of Mr Alexander Robertson to Fortingall. M'Lagan was presented to the cure, and was admitted before November 2, 1687, when his name appears for the first time in the sederunt of the Presbytery. He became sub-dean of the Cathedral.<sup>4</sup>

He appeared before the Synod on October 12, 1692, and requested that he should be received into ministerial communion and recognised

<sup>1</sup> *Perthshire Sasines*, August 29, 1670.

<sup>2</sup> *Dunkeld Commissariat Deeds*, July 12, 1690.

<sup>3</sup> *Perthshire Sasines*, May 25, 1683.

<sup>4</sup> *Ibid.*, October 29, 1688.

as a constituent member of the Presbytery of Perth and Dunkeld. The Synod appointed a committee to confer with him. Mr William Spence reported, on the following day, that he had conversed with him and "apprehends the man to be ingenuous."

By a majority, the Synod referred him to the Presbytery for trial until the next meeting of the Synod, the minority supporting the proposal that the Presbytery should at once receive him as a member. The Synod, however, "allowed him familiar converse with the brethren of the Presbitrie of Perth, and allowed them to preach at his kirk of Litill Dunkell, or imploy him at ther kirks as they should think fitt." On March 29, 1693, M'Lagan, having stated to the Presbytery that "he, having for the most part attended the Presbitrie since the last Synod, haid no reasone to complain of the former, nor could attribute the omitting the other part of the Synod's appointment to any other thing nor the season of the winter," requested them to apologise to the next Synod for his absence from their meeting for reasons then given at length.

The Synod again referred him to the Presbytery, who appointed him to preach at their next meeting on the Gospel according to St John iii. 21: "Butt he that doeth truth cometh to the light." The sermon was not delivered at that meeting. On October 10, 1693, the Synod, finding that the Presbytery had not obeyed their instructions, again referred his case to them, "requiring them to give all suitable incouragement to him and to deall with him as they will be answerable at the next Synod." He delivered the sermon prescribed—"his exercise and addition"—on December 20, but the Presbytery were dissatisfied with his performance; "and, considering that in the doctrine delivered by him he did not touch the main thing in the text," prescribed him another sermon on Job xxxiv. 32. He delivered it on February 21, 1694: because of the paucity of their number, the Presbytery did not pass an opinion on it, but ordered him to submit his manuscript for consideration by all the members. M'Lagan, however, stated that he had no manuscript with him, and was ordered to produce it at the next meeting.

M'Lagan was not present at the meeting of the Synod in March 1694. In October, they again referred his case to the Presbytery. In October 1695, they asked him to produce his manuscript of the sermon preached at Perth: he stated that he had only prepared notes of that sermon and had lost them. The Synod prescribed to him a sermon on Jeremiah xv. 19, to be preached before the Presbytery, and exhorted him to attend the meetings of the Presbytery more frequently, and to submit the notes of his previous sermon so far as he could remember them.

In 1696, he obtained decree against the heritors in an action for the

Augmentation of the Stipend of Little Dunkeld. The stipend was modified at 850 merks.<sup>1</sup>

On September 9, 1696, a petition was laid before the Presbytery by Stewart of Ladywell and some other heritors, subscribed by them and others in the parish, requesting assistance in calling a minister to Little Dunkeld. "The Presbitrie were surprysed with the matter and intent of their paper and petition," and delayed procedure upon it till their next meeting.

John Stewart of Dalguiss, one of the heritors, appeared before the Presbytery on September 23, in support of the petition. It was again read; "and the Presbitrie, finding that therein its expreslie asserted that one half of the said parish is not capable of the Lowland language, and that Mr M'Claggan, their minister (now present), asserts the verry contrair—that a far greater number then the half both understands and speaks the Lowland language," recommended M'Lagan to prove his assertion as soon as convenient, meanwhile reserving further consideration of the petition as they should find cause.

The Synod of October 1695 had instructed M'Lagan to preach before the Presbytery on Jeremiah xv. 19. At the same meeting—September 23—the Presbytery ordered him to deliver his sermon on October 7. He did so; and the Presbytery judged "by what they hard that he renounces Prelacie, and declared his approbatione of, and affectione to, Presbyterian government."

The Presbytery, on March 31, 1697, ordered him to preach on the afternoon of the following Sunday at Dunbarnie before three of their number. It was reported, on April 13, that two of the members were well satisfied with his preaching and praying on the occasion. The Presbytery, therefore, referred his case to the Synod. His name appears on the sederunt of the Presbytery on May 12.

Some parishioners appeared before the Presbytery on that day, and requested that M'Lagan should be removed from Little Dunkeld because of his ignorance of Gaelic. M'Lagan stated that the great majority of the parishioners understood English. The Presbytery, "for taking away that debeatt," requested M'Lagan to support his assertion by the testimony, in their presence, of the elders and many of the parishioners.

The minute on June 2, 1697, proceeds:—"Mr M'Clagane, as was recomended to him, brought in a multitude of parochiners, which the Presbytrie resolved to examine. The whole elders of Litle Dunkeld paroch being first called in, and compeareing, and being interrogate severallie anent what was referd to Mr M'Clagane to prove, each of them, one after another, answered that the far greater part of his pariochioners under-

<sup>1</sup> *Teind Office Records*, March 4, 1761.

stands him very wiell, and that they were all weill satisfied with him, and had no mind to want him. And therafter a great number of the heads of families within the said paroch of Litle Dunkeld were calld in, compeared, and each of them being severallie interrogate, as were the said elders, they all answered as before (save one man) that the far greater number of the pariochiners understood Mr M'clagan in the English tongue: therfor the Presbytrie delayed any further medleing in it att this time."

At M'Lagan's request, a visitation of the manse of Little Dunkeld was held on September 14, 1698.<sup>1</sup> The committee reported, on September 21, that "they found difference betwixt the heritors compearing and the minister; the heritors asserting they haid no present manse to visite, though ther was ground long agoe designed for both manse and glyb and grass, but the designatione has never yett taken any effect; and Mr M'Claggan affirmed that he bought his present dwelling house from the deceast Ladywell under the notione of a manse, but that it is verry insufficient. The differences being such, the committee found they could proceed no further."

On March 22, 1699, M'Lagan was rebuked by the Presbytery for failing to obey an appointment to preach at Lethindie.

The Presbytery held a visitation of Little Dunkeld in 1701. The minute is as follows:—

*"Att Litle Dunkeld kirk, Weddensday, the sext day of August  
Jajvii<sup>o</sup> and ane years.*

. . . . .

"Mr M'clagan haveing preached on the 9<sup>t</sup> verse, 32 chapter [of Genesis]: 'And Jacob said, O God of my Father,' &c., was approven.

"And the Moderator haveing enqyred at Mr M'clagan If he had made dew intimatione of this daie's visitatione, answered he had made intimatione therof as appointed: and haveing also enqyred at the said Mr M'clagane anent his elders if they kept Sessione, he ansured, they did for the most part: iff they prayed in their families, he told he frequently enjoyed them: whether they had the Acts of Assemblie, and had signed the Confession of Faith, he told they had neither of the two, but should endeavour to purchas both and cawse signe the Confession of Faith as soon as procured. The Moderator also enqyred at the said Mr M'clagan if he had any thing to say against his people and elders,

<sup>1</sup> Under date June 12, 1698, Mr George Turnbull, minister at Alloa, states that "Mr M'clagan, minister att litle dunkeld, a freind of my wiis, did preach for me." Mrs Turnbull was Elizabeth Glass, of the family of Sauchie (*Diary*, Miscellany of the Scottish History Society, i. 376, 308-9).

to which he answered he had not ; also he was enquired if he had a Sessione book, answered he had, but it was not filled up, and he was enjoyned to cawse fill it up. He was also enquired if he had a precentor and Sessione-clerk, wherunto he answered he had : if he had a scholemaster, answered he had one in Strawbrand, who has a sallerie out of the bishop rents, but he had none near the church. The Moderator enjoyned the minister to apply to the heretores for getting the Act of Parliament putt in executione. The Moderator haveing also enquired anent mortificationes to the poor, the minister answered there was two, one of sex hundreth merks, mortified by the laird of Grantully, and another of fyve hundreth merks by John Cowan in Straw bran, both which mortifications the minister has in his own hand. He being also enquired anent kir utenciles, answered they had thrie silver cups, but wanted a mortcloath and basone.

“ The heretores being thereafter called, compeared Thomas Stewart of Stenton for the Marqueis of Athole, Thomas Ratray for the laird off Grantullie, John Stewart of Ladywell, Charles Robertstone of Ballnagard, Archibald M'Duff of Bel-lone, David Berrie, portioner of Belli-lochane, James Camerone, portioner of Dallguise, John Binning, there, and John Stewart, factor for the Earle of Tullibardine ; and being enquired, if they had any thing to say against their minister, elders, and church officer, they anwered Not. And the Moderator haveing signified to them somewhat anent the Act of Parliament concerneing scholemasters' salleries, they acknowledged the thing : and being also enquired if their minister had a manse and a gleib, they answered he had a gleib : and as for the manse, it was expected that they and the minister might accord.

“ The elders being called in, and enquired if they were pleased with their minister, and if they did sett up God's worship in their families, and if they were pleased with their beddell and precentor, and they haveing answered, they were pleased, were exhorted by the Moderator to family worship, and to be earnest with others also to keep family worship, and to lay forth themselves to have a scholemaster, and encourage him.

“ The heads of families being called in, and enquired how they were pleased with their minister, elders, reader, and beddell, answered they were well pleased ; also if they were willing to encourage a scholemaster, answered they were ; and if they kept the church, they said severalls of them went to ministers that could preach in Irish. The Moderator exhorted them to keep the parish church better.

“ And the precentor, being also called in, was exhorted to be faithfull.

“ Mr M'clagan is appointed to transcribe his Session-book, and bring

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it in to the Presbytrie to be revised. The Presbytrie . . . closed with praier."

He failed to appear and deliver the Exercise on November 5, 1701. The Presbytery appointed him "to be wreate to, to keep peremptorely the next day."

The Presbytery, on December 22, 1703, by a majority, resolved to delay consideration of a call from Scone to Mr James Walker, minister at Auchtergaven: "whereupon Mr Alexander M'claggan, in his own name, and in name of the brethren of Dunkeld bounds, protested against the giveing of the said Mr Walker within their bounds a call to the said parish of Scone, in regard that not only he is a member in Dunkeld Presbitrie, but also the said Presbitrie hes been by the Generall Assembly, and Commissione thereof, declared a Nothren priveleged Presbitrie; as also in regard of the paucity of ministers in Dunkeld bounds, and fullnes of the Presbitry of Perth, and thereupon took instruments in the Clerk's hands." The brethren of Dunkeld present adhered to his protestation. Mr Walker was not translated to Scone.

A new manse was built for Little Dunkeld; and on June 7, 1704, M'Lagan in his own name and that of the heritors petitioned the Presbytery to visit it. The visitation, delayed for eleven months, was held on May 10, 1705, when Patrick Murray, mason in Dunkeld, and John Miller, wright in Colleray, workmen selected by M'Lagan, none of the heritors having appeared, declared "that the said mansion house with all the severall apartments thereof are sufficient work."

On December 31, 1706, the Presbytery rebuked him for failing to supply Lethendy, and exhorted him to give more precise obedience to the appointments of the Presbytery in time to come; and a year after, on December 24, 1707, minuted their dissatisfaction with his excuses for absence from their meetings, and ordered him to attend better in the future. In 1710, he was again a defaulter. He had been instructed to preach at Moneydie, but had failed to do so. On January 24, the Presbytery refused to sustain his excuse, and ordered "him peremptorie to obey appointments of the Presbitry better in time coming." His absence from meetings of the Presbytery again came under review in 1711. On April 3, the Presbytery accepted his excuses, "only he was exhorted to attend more punctually in time coming." In 1712, the Presbytery of Perth complained of his conduct. They represented to the Presbytery, on June 3, that they had twice asked him to cite a delinquent in his parish before them, and that he had failed to do so. The Presbytery appointed him to summon her, and send the note of execution to the Presbytery of Perth. He duly summoned her, but failed to forward the note of execution; and the Presbytery, on August 13, expressed their dissatisfaction

with his conduct, and ordered him again to make the necessary citation, and to send the evidence of the summons to the Presbytery of Perth.

With other ministers, he took the Abjuration Oath before the Justices of the Peace at their quarterly meeting, at Perth, on October 28, 1712, with the declaration that he took the Oath "only in a sense not any way contrary to, or inconsistent with, the true Protestant Religion, Presbyterian Church Government, Worship, and Discipline, established" by the Act of Security, and that he regarded himself "no wayes oblidge from any thing in this Oath to approve off or support the hierarchy and ceremonies of the Church of England, or any thing contrary to the Presbyterian Church Government, Worship, and Discipline."

In 1714 he was again in trouble. The Kirk-Session of Moneydie, on December 7, represented to the Presbytery that he had caused a woman resident there to be proclaimed in order to marriage at Little Dunkeld without informing them; and that though he had been warned by the minister to desist, and had promised not to make the third proclamation, he had nevertheless proceeded with the banns, and had married the parties in defiance of ecclesiastical order. After examination of the complaint, the Presbytery, on May 3, 1715, ordered him to be rebuked, and exhorted to be more careful in future.

With other members of the Presbytery, at Perth, on March 20, 1716, he subscribed an Act of the Synod of Perth and Stirling, dated April 15, 1714, "asserting our Presbyterian principles, and testifying against the corruptions of the times."

On May 21, 1717, at a diet of Privy Censure, the Presbytery "exhorted him not to baptize without either lecturing or preaching."

He was buried on July 30, 1722,<sup>1</sup> and was succeeded by his son, Mr Alexander.

M'Lagan was twice married. Children of the first marriage were Mr Alexander, and Helen.<sup>2</sup> His second wife was Eupham Drummond. Their only son was Thomas, who died between June 2, 1718, and November 25, 1720.<sup>3</sup>

His will was confirmed on June 11, 1723, being given up by his only son, Mr Alexander, executor-dative. His debtors were:—Mr John Mackenzie of Delvin, for 2 years' stipend of Brydiestown, Thomas Drummond of Logiealmond, for 5 years' stipend of Meikle and Little Fandowie, Achagowar, etc., Sir George Stewart of Grantully, for 1 year's stipend, the Duke of Atholl, for four years' stipend, James Binning of Dalmarnock, the heritors and tenants of Tomgarrow, David Campbell of Tomnagraw,

<sup>1</sup> *MS. Register of the Presbytery of Dunkeld*, July 31, 1722.

<sup>2</sup> Probably Helen. She married Mr William Duncan, minister at Monievairst. They had a daughter, Jean (*Dunblane Com. Testaments*, July 3, 1729).

<sup>3</sup> *Perthshire Sasines*, December 15, 1720.

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Mungo Campbell of Kinloch, for Balnrioch for two years' stipend, Archibald M'Duff of Ballaloean, Dorothie Stewart, liferentrix of a part of Ballachlathan, John Robertson of Balnagaird, John Stewart of Wester Dalguise, for stipend and for his proportion of the cost of building the manse of Little Dunkeld and annual-rent since Martinmas 1702, the heritors and tenants of Middle and Easter Dalguises and Ballaloean, the tenants of Ladywell and Little Dunkeld, William Crichton in Logiealuchie, for the rents of the glebe of Logiealuchie, John Drummond of Collquhillie, for 3000 merks, etc., due under a bond dated June 2, 1718, and Mungo Duff in Kindallathan.

Thomas Greig of Haughend became cautioner for the executor.

### *1. References in the Register of Sasines for Perthshire.*

Alexander M'Claggan, schoolmaster of Clunie, witnessed, August 27, 1670, an Instrument of Sasine in favour of James Stewart, son of George Stewart in Ilay, and spouse, of the lands called Laich of Clunie.

Registered August 29, 1670.

Mr Alexander M'Laggane, minister of the Word of God, witnessed at Baleid, May 15, 1683, a precept of clare constat by William Stewart of Balleid for infesting Grissel and Jean, sisters of Thomas Scot in Wester Logie, in two acres of land in Longbank of Chapletoune.

Registered May 25, 1683.

John M'Inroy in Dunkeld, as attorney for Mr Alexander M'Lagan, minister of Little Dunkeld, and Eupham Drummond, his spouse, had sasine, November 25, 1720, of an annual-rent of £100 from the town and lands of Blacklaw and Coatyards in the parish of Bennethie; proceeding upon an heritable bond containing precept of sasine (dated at Perth, June 2, 1718) by John Drummond of Culquhilze in favour of Mr Alexander M'Lagan and his said wife in liferent, and after their death to the deceased Thomas, their only lawful son.

Registered December 15, 1720.

### *2. References in the Register of Deeds of Perthshire Sheriff Court.*

Mr Alexander M'Laggan wrote and witnessed at Meikleour, April 13, 1681, a bond by John Bruce in Easter Essendie, for 3 bolls oats, in favour of Jean Stewart, Lady Aldie; and also at Kinloch, May 13, 1686, a bond by John Rattray now in Kinloch, for £45, in favour of the said Lady Aldie.

Registered November 30, 1687.

Mr Alexander M'Laggan wrote and witnessed at Meikleoure, August 9, 1688, a bond by Robert Fergusone in Belmacrurch and Donald Fergusone

in Wester Calley, for 10 bolls oatmeal; on August 9, 1687, a bond by Patrick Trumbell in Easindie, for 2 bolls meal; on August 9, 1688, a bond by John Freguson (Ferguson) in Achantish, for 3 bolls oatmeal; and on August 10, 1687, a bond by Alexander Heron in Newtoun of Persie, for 4 bolls meal, by James Fergusone, for 4 bolls meal for self, and one for Frances Fraser in Blackcraig; all at £6 per boll, in favour of Jean Stewart, Lady Aldie.

Registered December 28, 1688.

Mr Alexander M'Lagan witnessed at Meikleour, June 4, 1685, a bond by John Wattson in Breaside of Meikleour for £45, 13s. 10d., and wrote a bond, dated August 22, 1687, by George Rattray of Dalruilian, for 6 bolls meal at £6 Scots per boll, in favour of Jean Stewart, Lady Aldie.

Registered September 16, 1690.

### 3. *References in the Register of Deeds of Dunkeld Commissariat.*

Mr Alexander M'Lagan wrote and witnessed the following bonds in favour of Jean Stewart, Lady Aldie:—

By John Wilson in Nether Balcairn, for £8 for 6 firlots meal, dated at Kinloch, May 5, 1687. By Alexander Stewart of Roughsheall, for 4 bolls meal at £6 per boll, dated at Meiklehour, August 9, 1687; at the same place, April 15, 1687, a bond by John Mitchell in Over Balcairne, for 3 bolls meal at £5, 3s. 4d. per boll; and also, on August 2, 1686, a bond by Donald Robertson of Midle Cardney, for 3 bolls meal at 8 merks per boll.

Registered November 13, 1688.

Mr Alexander M'Lagan, schoolmaster at Cluny, witnessed, February 27, 1679, a bond by Thomas Ballantyne of Drumbuie, for £88, in favour of Janet Clerk, spouse to John Young in Laichwood.

Registered July 12, 1690.

## MONEYDIE

### 1. David Drummond, 1655-1678.

The third son of John Drummond of Culquhalzie,<sup>1</sup> he matriculated at St Leonard's College, St Andrews, in 1629, and received the degree of Master of Arts in 1632.

He was admitted to Muckhart before September 9, 1640, when he appeared before the Presbytery of Perth, in the name of the Presbytery of Auchterarder, to require them to provide some supply for the pulpit of Mr John Graham, minister at Aberruthven, who had been chosen by the Earl of Montrose as a military chaplain, and who was employed in that office by the Presbytery of Perth.

<sup>1</sup> *The Genealogy of the House of Drummond*, 54.

In October 1640, he requested the advice of the Synod in some questions in dispute between him and Margaret Paton, widow of Mr Alexander Fotheringham, his predecessor, regarding the manse and glebe and the Ann. The Synod appointed a committee, of which Messrs Robert Murray, minister at Methven, John Robertson, minister at Perth, and Hearie Guthrie, minister at Stirling, were members, to judge and determine in the matters in dispute.

He was called to the Parish of Linlithgow as colleague with Mr John Cornwell. His translation was opposed by the parishioners of Muckart, and the subject came under the notice of the Synod. Sir John Sterline of Carden and others, commissioned by the burgh, parish, and minister of Linlithgow, and Mr Thomas Spittell, commissioner from the Presbytery of Linlithgow, appeared before the Synod, on April 13, 1642, to sue for his translation. Parties were heard, James and John Hootoun representing the parish of Muckart. The Synod, four members of the Presbytery of Ochterardour objecting, agreed that he should "instantly transport" to Linlithgow. Drummond acquiesced, but asked leave to officiate at Muckart until a successor was appointed.<sup>1</sup> The Synod, however, refused his request, and ordained him to proceed to Linlithgow without delay. He was admitted to the Second Charge of Linlithgow on April 21, 1642,<sup>2</sup> and on May 6, 1646, was presented by the Crown to the First Charge. On the following day, George, Lord Levingstowne, became cautioner for him that he would leave the stipend "wnhurt and unvitiat."<sup>3</sup>

He was appointed a member of the Commission of the General Assembly on June 18, 1646; and, on November 20, was one of a leet for the chaplaincy of the regiment of the Master of Yester. The Commission appointed him, on December 25, one of the clergy with whom David Grahame, sometime of Gorthie, should confer, that they might "make him sensible of the offences for which he wes excommunicat; they always abstaining from communion with him in worship, eating or drinking, and in evrie way keeping such a distance as becometh to one in his condition." On February 16, 1647, the Commission appointed him to preach before the Parliament if required on March 28, 1647.<sup>4</sup>

He was conspicuous among the ministers who opposed the surrender of King Charles I. to the English Parliament in 1647.<sup>5</sup>

In 1648 he was implicated in the Divisive Supplication. On January 30, 1649, the Commission ordered him to be cited to their next

<sup>1</sup> The Commissioners from Muckart also acquiesced, and presented a petition to the effect that Mr Thomas Strachan, minister at Doler, should be translated to Muckart. Their petition was referred to the Presbytery of Ouchterarder.

<sup>2</sup> Ferguson's *Ecclesia Antiqua*, 230.

<sup>3</sup> *MS. Register of Presentations*, vii. 138.

<sup>4</sup> *Records of the Commission*, 1646-47, 3, 112, 160, 201.

<sup>5</sup> Guthrie's *Memoirs*, 239.

quarterly meeting to answer for his part in that petition, and recommended the Presbytery of Linlithgow to try him on that account. The Commission, on February 28, appointed a committee for the trial of the persons implicated, as was alleged, in the Divisive Supplication. That committee reported on his case on March 8. The Commission "having found that Mr David Drummond hath not only subscribed the same, but hath delt with others, and drawne them vnto that Malignant divisive designe, hath contrived and dispersed articles to be grounds of like Petitions in other Presbyteries, and hath traffigued in, and promoted the said designe; And considering that he is vnder censure for other points of Malignancy," referred him to the next General Assembly. On March 12, the Commission ordered him to be cited as a witness against Mr William Colvill for his accession to the Divisive Supplication. Colvill excepted against him as "Correus." The Commission, however, repelled his objection.<sup>1</sup>

Drummond was deposed from the ministry on October 4, 1648, and the sentence was approved by the General Assembly of 1649.<sup>2</sup>

"His mouth was opened," and he was declared capable of the ministry by the Synod of Lothian. He was called to be minister at Moneydie, and was admitted before July 10, 1655. He preached before the Synod on the second day of their meeting in October 1656.

The admission to Moneydie of Drummond, a minister "formerly deposed for scandalous and malignant carriage," was cited among the "Evidences of the growth of defection in the Province of Stirling and Perth," in a pamphlet of that title recorded in the Registers of the Synod and the Presbytery of Perth; and it was affirmed, as reflecting on the conduct of the Synod and of the Presbytery of Dunkeld, that he had obtained liberty to preach, and admission to the ministry, without affording evidence of his repentance for the causes of his deposition. In the Answer to that pamphlet recorded in the above-mentioned Registers, it was declared that the Synod of Perth did not grant him licence to preach, but the Synod of Lothian, and that an Act of the Synod of Lothian could not be reckoned evidence of defection in the Synod of Perth. The Answer proceeds:—" . . . for his mouth being opened by the Synod of Lothian, and being declared capable of the ministry then, he was orderly called by, and admitted to, the congregation of Moneydie without so much as a dissent to the contrary: nay when he was received a member of the Synod, there was not any made so much as an objection against him, as is to be seen in the Register of the Synod, and yet it is strange that this act of receiving him in our Synod in an orderly way should be called an evidence of our defections."<sup>3</sup>

<sup>1</sup> *Records of the Commission*, 1648-49, 186, 233, 237, 280.

<sup>2</sup> *Fasti*, pt. i., 159; *Peterkin's Records of the Kirk of Scotland*, 557.

<sup>3</sup> *MS. Register of the Presbytery of Perth*, April 8, 1657.

Difficulties arose among the heritors regarding his stipend. The Presbytery appointed a meeting to be held at Moneydie, on May 19, 1658, for the purpose of endeavouring to compose them, and, on May 12, requested the assistance of commissioners from the Presbytery of Perth.

He was elected Moderator of the Synod in October 1658, and preached at the meeting of the Synod at Stirling on April 12, 1659, his text being Revelations ii. 1.

He was invited to return to Linlithgow as minister of the Second Charge. The process for his translation was referred by the Presbytery of Dunkeld to the Synod of April 1661. Lord Carden, Thomas Drummond of Rickartoun, Mr James Hamilton of Westport, Mr Alexander Hamiltoune, and George Bell, heritors, Andrew Glen, Provost, Thomas Heart and Alexander Crichtoun, Bailies, James Crauford, Dean of Guild, Umphra Welch, Treasurer, Alexander Neilson, John Smyth, James Smyth, Johne Whyte, Harrie Salton, Deacon of the Tailors, Alexander Jack, burgess, and Mr Andrew Ker, Town-clerk, and others, Mr James Ramsay, minister at Linlithgow, and Mr Edward Wright, minister at Falkirk, as commissioners from the burgh, parish and Presbytery of Linlithgow, appeared before the Synod and sued for his translation, while Mr Alexander Clerk of Newtown, an heritor of Moneidy, and Alexander Millar, one of the elders of that parish, opposed it. Before proceeding to a decision, the Synod asked Drummond to indicate his desire in the matter. He replied that "he was perplext to give his judgment, but humbly submitted to the Synod to do as they thought expedient." By a majority, the Synod declined to transport him from Moneydie. Against that decision Lord Carden and the other commissioners appealed to the General Assembly. Those commissioners, however, on the following day, April 11, presented another petition for the translation, based on reasons which had not been before the Synod, and requested that a committee should be appointed, with full power, to determine whether or not Drummond should be translated to Linlithgow. Their request was granted. Among the members of the committee were Messrs Alexander Irland, senior and junior, Hew Ramsay, William Rattray, William Colvill, Alexander Balnevis, and John Blair of Balathie.

In 1661 the Estates voted him a sum of £100 sterling. The warrant is as follows<sup>1</sup> :—

" 12 July 1661.—For alsmuch as Mr David Drumond hath bein a great sufferer for his sacred Majestie and his royall Father, haveing bein thrust from his ministerie at Linlithgow, therfore the Kingis Majestie, with advyse and consent of his Estates of Parliament, doe modifie and ordaine

<sup>1</sup> *Supplementary Parliamentary Papers* (Register House), ix. ii. 215.

the summe of One hundreth pund sterline to be payed to the said Mr David Drummond out of the first and readiest of the vacand stipends : And ordaines Mr Johne Wilkie, Collector of the Vaccand Stipends, to mak payment to him of the same accordingle."

Drummond conformed to Prelacy in 1662. A presentation in his favour to the parish of Moneydie was subscribed by Graham of Balgowan, the patron, on December 15, 1662.<sup>1</sup>

As minister of Moneydie, he was a member of the Chapter of Dunkeld. At the Synod of Dunkeld held in April 1663, he was appointed a commissioner to represent to the Parliament the grievances of the clergy. Sir William Stewart raised an action against him and Dean Ireland, in place of the deceased Bishop of Dunkeld, for approval of a valuation of teinds led before the sub-commission. On July 19, 1665, the Lords decided for the defenders.<sup>2</sup> In 1669, he was collector of the contributions appointed to be made throughout the Diocese on behalf of the Bridge of Almond.<sup>3</sup> The date of his death is uncertain.<sup>4</sup>

Drummond has been characterised as "a worthie man and of good parts."<sup>5</sup> He married Catherine Smith, sister of Patrick Smith of Braco, and widow of Mr John Cowan of Taylzeortoune,<sup>6</sup> and had issue, David,<sup>7</sup> John,<sup>5</sup> and several daughters.<sup>8</sup>

### 1. *References in the Register of Sasines for Perthshire.*

David Drummond, minister at Monydie, and Catherine Smyth, his spouse, had sasine, February 14, 1665, of an annual-rent <sup>9</sup> of £20 Scots from the lands of Newton and Over Pitcairnies ; proceeding on precept of sasine in a charter, granted, January 30, 1665, by Alexander Clerk, elder and younger, in presence of Alexander Broune, schoolmaster at Monydie.

Registered February 17, 1665.

<sup>1</sup> Morrison's *Dictionary*, 9927.

<sup>2</sup> Connell on *Tithes*, ii. 166-7.

<sup>3</sup> *MS. Register of the Kirk-Session of Rattray*, April 25, 1669.

<sup>4</sup> [See, however, the *Scottish Historical Review* for April 1916 (p. 231), where Mr John A. Inglis, in his article on the *Last Episcopal Minister of Moneydie*, states that Drummond died before 1676.]

<sup>5</sup> *The Genealogy of the House of Drummond*, 54.

<sup>6</sup> *Acts and Decrees* (Dal), July 21, 1669.

<sup>7</sup> *Perthshire Deeds*, June 6, 1674. David Drummond, son of Mr David Drummond, minister at Monydie, witnessed at the Wood of Methven, April 10, 1673, a Tack between Patrick Smith of Braco and John Smith in Balbeigie of the town and land of Hall of Sconebrain, for 19 years, for 580 merks and 2 bolls of oats of stipend payable to the minister of Scone (*Perthshire Deeds*, June 6, 1674).

<sup>8</sup> Wilson's *The Presbytery of Perth*, 156.

<sup>9</sup> A renunciation of that annual-rent was subscribed, January 8 and registered January 10, 1667.

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Mr David Drummond witnessed, January 10, 1671, a renunciation by Catherine Reid and Mr Robert Lundie, in Perth, her husband, of an annual-rent of £92 from the lands of Braco and others, in favour of Sir William Grahame of Braco.

Registered January 12, 1671.

Mr David Drummond witnessed, September 26, 1671, (1) an instrument of sasine in favour of Patrick Smith of Braco, of the lands of Braco and others; (2) instrument of sasine in favour of Anne Keith,<sup>1</sup> his wife, of said lands in liferent; and (3) an instrument of resignation in favour of the said Patrick Smith of Braco of said lands, proceeding on procuratory of resignation by Viscount Stormont, with consent of his tutors.

Registered October 12, 1671.

Mr David Drummond witnessed, April 29, 1672, a charter of confirmation by Patrick Smith of Methven, of a tenement of land in Methven, in favour of Alexander Moncreiff.

Registered May 31, 1672.

### 2. *Reference in the Register of Hornings for Perthshire.*

Mr David Drummond obtained decree before the Commissary of Dunkeld, April 21, 1670, against Alexander Clerk of Newton, as heir of his father, for payment of 330 merks due by his said father to the pursuer and £4 Scots of expenses. Letters of Horning were issued at his instance on July 30, 1673, under which Clerk was denounced on September 30, 1673, letters of inhibition having been registered on June 30, 1671.

Registered October 1, 1673.

### 3. *References in the Register of Arrestments, Lawburrows, etc., of Perthshire Sheriff Court.*

Gilbert Ireland in Mylneholl became cautioner for Mr John Ireland of Mylnholl that the goods and money arrested at the instance of Duncan Drummond and Mr David Drummond should be forthcoming.

Registered February 6, 1663.

<sup>1</sup> "Mistress Ann Keyth," who married Patrick Smith of Braco, younger, on September 28, 1652 (*Edinburgh Marriage Register*, Scottish Record Society), was one of the two daughters and only children of James Keith of Benholme (*Acts and Decrees*, Dal, Jan. 29, 1668). The other daughter, Elizabeth, married Sir Archibald Primrose of Chesters, knight baronet, Lord Register and a Lord of Session. The widow of James Keith married Sir John Johnston of Johnston (*Ibid.*, Jan. 29, 1669).

Dame Marjorie Cowane, wife of Sir William Graham of Braco, and Catharine Smyth, wife of Mr David Drummond, minister at Moneydie, outwith the presence of their husbands, ratified and approved, at Moneydie, August 12, 1669, a letter of alienation and disposition (dated August 4 and 12, 1669) by the said Dame Marjorie Cowane, heretrix, and Catherine Smyth, liferentrix, of the lands underwritten, with consent of their husbands, and of Patrick Smyth of Braco, and others, curators of the said Dame Marjorie Cowane, and of the said Patrick Smyth for himself, of the lands of Poiners called Poines, Tayliortoun, with the lands of Kilsyth and other lands in the burgh of Stirling, in favour of Mr James Forsyth, minister at Stirling, and Margaret Elphinstone, his wife, etc. (p. 80).

4. *Reference in the Register of Acts and Decreets (Dal).*

Mr David Drummond, minister at Moneydie, raised an action against Marie Cowan, daughter of Mr John Cowan of Taylzeortoune, and wife of Sir William Grhame of Bracco, for payment to him as having right *jure mariti* by his marriage with Catherine Smith, widow of Cowan and mother of Marie Cowan, of the annual-rent of 7000 merks, due to Catherine Smith under the contract of marriage between her and Cowan (dated March 2, 1644), from Martinmas 1656 to Whitsunday 1669, amounting to £3780, and of 252 bolls victual at £4, 3s. 4d. per boll, extending to £1050, in which Catherine Smith was infest; to be uplifted from the Hals of Airth, which lands were sold to Alexander Miln by Mr John Cowan without his wife's consent; and of £200 yearly from 1655 to 1668 for her board and education, and for £1175, 13s. 4d. as admittedly due in 1656, in all £8805, 13s. 8d. He obtained decree for £5496, 16s. 4d.

Registered July 21, 1669.

In an action raised by Gilbert Ratrie' of Gilliebanks *alias* Newtoun against John Grahame of Balligoune, it was stated that, on December 1, 1666, Grahame obliged himself to pay 500 merks to Drummond and 600 merks to Dame Catharine Lindsay, widow of George, Bishop of Dunkeld.

Registered July 9, 1681.

2. William Smyth (Smith) 1678-1693.

The brother of Patrick Smith of Braco,<sup>1</sup> he was born in 1646,<sup>2</sup> and graduated Master of Arts at the University of Edinburgh in 1665. He matriculated as a student of Divinity at St Mary's College, St Andrews,

<sup>1</sup> *Perthshire Sasines*, September 28, 1666.

<sup>2</sup> *Burke's Landed Gentry*—Smythe of Methven.

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on February 24, 1667. In 1666, he was appointed Prebendary of the College Church of Methven.<sup>1</sup> He became minister of Moneydie in 1678,<sup>2</sup> in succession to his brother-in-law, Mr David Drummond, and, in virtue of his benefice, was a member of the Chapter.

In April 1687, he was appointed by the Bishop and Synod constant Moderator of the Presbytery. He was one of the incumbents against whom several elders of Perth complained to the Presbytery on November 26, 1690; but the Presbytery took no action against him at that time. He appeared before the Privy Council, on January 10, 1693, to answer a complaint of disobedience to the Government and disloyalty made against him at the instance of the Solicitor-General. He admitted that he had not prayed for William and Mary as King and Queen, and had not observed the Fasts and Thanksgivings appointed by the Government; and, consequently, was deprived of his benefice, forbidden to exercise any part of the ministerial function at Moneydie, ordered to remove from his manse at Whitsunday, and discharged to till the glebe.<sup>3</sup> Smyth disregarded that sentence and continued to preach at Moneydie. The Presbytery, on May 11, 1698, appointed that Letters of Horning, for the ejection of him and other ministers from their churches, should be obtained, and on May 26, 1698, ordered them to be executed. That appointment was duly obeyed as was reported on June 8. On June 16, 1698, he reported to the laird of Balgowan "that, in obedience to the charge of Horning given him, he had removed himself and plenishing from the manse of Moneidie, and that before a notar and witnesses; and did lock the hall door, taking instruments thereon; and that he had resolved and promised he would send the keys to his patron," and accordingly forwarded the keys of the hall and church.<sup>4</sup> On the 22nd, the Presbytery ordered that Moneydie should be declared vacant on the following Sabbath. The minister appointed—Mr Dunning—reported on July 6 that he had done so. He informed the Presbytery, however, that he had not obtained access to the church. The Presbytery instructed their Clerk to write to Balgowan, to the effect that they desired him to cause the keys of the church to be delivered up, "els they will be obliged to take another course." At the next meeting, it was intimated that Balgowan had promised to provide access to the church to any whom the Presbytery might send.

<sup>1</sup> *Perthshire Sasines*, September 28, 1666.

<sup>2</sup> [Cf. *Scottish Historical Review* for April 1916 (p. 231), where Mr John A. Inglis, in an article on *The Last Episcopal Minister of Moneydie*, states that Smyth, shortly after a visit he paid to England in the years 1667-68, was collated by Bishop Guthrie to be colleague to his brother-in-law, Mr David Drummond.]

<sup>3</sup> *v.* Blair, p. 186 *supra*.

<sup>4</sup> *MS. Register of the Presbytery of Dunkeld*, August 6, 1754.

Smyth afterwards held public worship at his residence in the parish of Methven. On November 23, 1709, the Presbytery of Perth were informed "that some of the Episcopal Incumbents living within the bounds of this Presbyterie did, in their gowns, perform a number of superstitious ceremonies, altogether forraign to the people of this Church and Kingdome, at the interring of the corps of Mr Patrick Strachan (sometime Episcopal Incumbent in the paroch of Mains) in the Burrial yeard of Perth, before a confluence of people." They decided to process those clergymen, and ordered their Clerk to ascertain who they were, and to cite them to the next meeting. It was reported, on December 21, that two clergymen had "performed the English Ceremonies" at the burial of Mr Patrick Strachan, viz: Messrs William Smith, and Thomas Rhind, designated chaplain to the laird of Balgowen, elder, both of whom lived in the parish of Methven; and that they had been cited to appear before the Presbytery. Neither was present, however. On February 16, 1710, the Presbytery approved the terms of libels against them. That against Smyth ran:—

"Libell by the Presbyterie of Perth against Mr William Smith, incumbent under the late Prelacy in the paroch of Moneidie, and for present residing within the bounds of the paroch of Methven.

"*Primo*: That Whereas the purity of Religion, and particularly of Divine worship, and uniformity therein is a signal blessing to the Church of God, and that it hath been the great happynes of this Church ever since her reformation from Popery to have enjoyed and maintained the same in a great measure, Yet it is a verity that you, the said Mr William Smith, have not only in a most disorderly and irregular manner intruded upon the paroch of Methven, where there is a fixed Gospel ministrie, but also, by an avowed discharging the several parts of the ministerial function, you have introduced a sett form of worship, and that in direct opposition and contradiction to the known principles of this Church contained in the Confession of Faith, (which is, that God should not be worshipped according to the imaginations and devices of men—or any other way not prescribed in the Holy Scriptures), contrarie to the constant practice of this Church, yea and which was not so much as attempted during the late Prelacie; and likewise in contempt of the standing Acts of the Judicatures of this National Church peremptorily prohibiting these and the like Innovations, particularly the fifteen Act of the General Assembly mett at Edinburgh, the twentieth first day of Aprile, Anno One thousand seven hundereth and seven, entituled Act against Innovations in the worship of God, which further declares such attempts to have been, and still to be, of fatal and dangerous consequence to the Church, and visibly tending to corrupt the puritie of

Religion, marr the uniformity of worship, and to foment schism and division, to the disturbance of the peace of both Church and State ; and that notwithstanding the Doctrine, Worship, Discipline, and Government of this Church is ratified by good and laudible laws made since the late happy Revolution establishing and securing the same, particularly the fifth Act of Parliament held Anno One thousand six hundereth and ninty, and the twentieth third Act Parliament One thousand six hundereth and ninty three, which Acts are most expressly ratified and confirmed by the sixth Act Parliament One thousand seven hundereth and seven years ; as also by the Act ratifying and approving the Union of the two Kingdoms of Scotland and England, it is expressly provided that the form, puritie, and uniformity of worship, as now established in this Church, is, in the terms of the foresaid Acts, to continue to the people of this land without any alteration in all succeeding generations, and this to be held as a fundamental and essential condition of the said Union without any alteration or derogation thereto in any sort for ever.

“ *Secundo* : Upon the . . . day of November last, One thousand seven hundereth and nine years, you did, in a most disorderly way in and about the burial yeard of the Burgh of Perth, assist at the funerals of Mr Patrick Strachan,<sup>1</sup> a late incumbent in the paroch of Mains, in performing such rites and ceremonies as are condemned by the Constitutions of this Church in The First Book of Policie, and her constant practice consonant thereto, being altogether strange and forraign to the people of this Church and Kingdom since our reformation from Popery ; which is likewise of most dangerous consequence, as manifestly tending to grieve the godly, lay a stumbling block before the weak, and to harden papists in their superstition, and fostering the same among protestants ; such superstitious practices at burials being also expressly condemned in The Directorie for Publick Worship.

“ *Tertio* : That you, in the like disorderly course, have taken upon you to administer the Sacrament of Baptism cross to the Constitution and practice of this Church, and that notwithstanding of the known law of the land against irregular baptisms : and particularly you baptized several children within these five or six years immediatly by past to John Stewart, sometime living in the Milne of Pitcairn in the parish of Regortowne, where there was a setled minister at the time.

“ Witnesses to prove the foresaid libell, John Stewart, sometime living in the Milne of Pitcairn, as said is, now at Rome in the paroch of Scone, James Maxuel, gardener to the laird of Methven, John Hume in the

<sup>1</sup> Ordained before March 12, 1673, he was admitted to “ the Maines ” by Mr Patrick Mackgill, elder, on March 16 (*MS. Register of the Presbytery of Dundee*, March 12 and April 3, 1673). He was the son of James Strachan in the Maynes of Carmylie (*Acts and Decreets*, Mack, 62, fol. 296).

ground of Tibbermalo, John Simson, couper in Perth, Joseph Talzier, Decan of the hammermen, there, Mark Wood, merchant, there, Nathaniel Fife, merchant, there, David Walker, late Decan Conveener, there, Patrick Richie, bellman, there, George Wilson, younger, change keeper, there, Charles Wilson, sometime Decan of the glovers, there, John Alexander, grave maker, there, Janet Whytock, living at Lochty, in the paroch of Methven, and Margarit Huton, at Taft-towes, in the paroch of Tibbermuir."

On March 8, the Presbytery proceeded to consider the case. Smyth, though duly summoned, did not appear, but Mr James Smyth, Apothecary in Perth, his son, presented the following commission :—

*"Commission, Mr William Smith to Mr James Smith.*

"I, Mr William Smith, minister of the Gospel, being cited to appear this day before the Presbyterie of Perth for Intrusion, Baptizing, etc., as the libell bears, and not inclining to attend my selfe, I do hereby grant full power and commission to Mr James Smith, apothecarie in Perth, in my name, and upon my account, to compear before the said Presbyterie and decline them as no ways judges competent in the matters libelled against me, conform to, and for the reasons mentioned in, a declinator and protestation subscribed by me of this date, which he is to present and produce to them, and thereupon take instruments, and to do every other thing as if I were present : by thir presents, subscribed at Perth, the eight day of March, One thousand seven hundereth and ten years, before these witnesses, Mark Wood, merchant in Perth, and Mr James Milne, writter hereof. *Sic subscribitur*, WILLIAM SMITH."

Mr James Smyth also requested the Presbytery to read two papers, which he styled declinators and protestations. The Presbytery, however, resolved first to consider the commission presented to them. They found that the reasons for which Smyth was summoned to appear did not admit of his appearance by a proxy ; that the commission subscribed by him set forth no relevant excuse for his non-appearance, the date shewing that he was in Perth ; and lastly that he had authorised a person to decline a court of Jesus Christ established by law. They, therefore, rejected the commission signed by him, and, in regard of his failure to appear though regularly cited, declared him contumacious, and consequently refused to allow the declinators to be read.

Nathaniel Fife, aged about 26, John Simson, aged 30, John Alexander, aged 78, Charles Wilson, aged 60, George Wilson, aged over 30, and Patrick Richie, aged 40, all married men, were examined in support of the second article of the libel. Their evidence was to the effect that, in

the previous November (the 16th), Smyth, robed in a black gown, had conducted the service at the burial of Mr Patrick Strachan, after the English form, that is, in accordance with the order of the Book of Common Prayer.

John Hume, married, aged 30, was examined concerning the first article of the libel. He stated "that he kept the Kirk all the time he was serving Mr Smith, except one Sabbath he heard Mr Smith preach in his own house, and he performed the whole worship after the English form. He further deponed that he administered the Sacrament of the Lord's Supper in his own house on a Lord's day, and he was desired to stay at home that day, but he would not do it."

Margaret Huton, married, aged above 50, gave evidence on the third article, to the effect "that she saw Mr William Smith baptize several children to John Stewart, then living in the Milne of Pitcairn, now in Rome, in the said Mr Smith his own house in Methven paroch."

On March 22, the Presbytery heard the evidence of James Maxuel, a married man, aged about 44, on the first article of the libel. He "deponed he heard Mr Smith preach in his own house in Methven paroch: the deponent said that Mr Smith did not perform the parts of worship as the ministers of this Church do: he said he heard him read prayers out of a book, and saw and heard him make use of the Book of Common Prayer, and that he allows his hearers to speak in the time of prayer." On the same day, a Committee of the Presbytery reported that they found the second article of the libel proven; and recommended the Presbytery to refer the processes against Smyth and others to the Synod, that they might either give advice as to further procedure, or represent them either to the Commission of the General Assembly, or to the ensuing Assembly. The Presbytery adopted the recommendation. On April 5, John Stewart in Rome, a married man, over 30 years of age, appeared before the Presbytery, in obedience to a third citation, and deponed that, since his deprivation, Smyth had baptised several of his children in his (Smyth's) house in the parish of Methven.

The processes against the innovators duly came under the notice of the Synod, and were referred to the General Assembly, the Presbytery of Perth being appointed to submit them to that court.<sup>1</sup> On May 31, the Commissioners from the Presbytery to the General Assembly reported "that they had laid that matter fully before the Committee of the General Assemblie for Overtures; and they, having taken it into their consideration, gave it as their advice, that this Presbyterie should proceed to declare them intruders and innovators in the worship of God, and require the Magistrat to make their sentence effectual; and if he shall refuse

<sup>1</sup> *MS. Register of the Presbytery of Perth*, April 19, 1710.

to do it, that they instrument him, and send over their instrument extended to the Church Agent, that Criminal Letters may be raised against the saids Innovators.”

The Presbytery unanimously determined to proceed to a sentence against the Innovators. On September 13, they approved of the draughts of a sentence against them. That against Smyth was in the following terms :—

“ Sentence, the Presbyterie of Perth against Mr William Smith, late Incumbent at Moneidie.

“ The General Assemblie of the Church of Scotland and their Commissions, being moved with zeal to the Glory of God and a tender regard to the peace both of the Church and State, have given sufficient warning to persons of all ranks as to the dangerous consequences of the innovations introduced by these of known disaffection to the present Establishment, as manifestly tending to corrupt the purity, deface the uniformity, of worship (at present so happily established, and so fully ratified to this Church), and to disturb the tranquillity of the Land, more particularly by their Act, dated at Edinburgh, August fifth, one thousand seven hundereth and nine years, ordered to be intimated in all the congregations of this Church that none may pretend ignorance ; which Act as it peremptorily discharges the practice of all such innovations, so it enjoyns Presbyteries in particular to take all due methods for suppressing the same within their bounds, and particularly to prosecute the innovators that, after full tryal, they may be censured accordingly ; as also that, conform to the twentieth third Act of Parliament, one thousand six hundereth and ninty three, they do apply tne Civil Magistrat for rendering their censure effectual, as the foresaid Act of the Commission, entitled, *Act against Innovations in the Worship of God*, more fully bears.

“ In pursuance whereof, the Presbyterie being informed that Mr William Smyth, late incumbent at Moneidie, and now residing within the paroch of Methven, continued in the manifest and avouched contempt of the said Act, they ordered the said Mr William Smyth to be cited to compear before them ; and after two due and orderly citations, and his disobedience to the same, they ordered at the third citation a libel to be formed, bearing his intruding upon the foresaid paroch of Methven, and his irregular and innovating courses, which was transmitted to him with the witnesses’ names that were adduced to prove each article, that so he might have full access to object against any of them, if he should find cause ; but, instead thereof, to manifest his further contempt to Authority, he did by a commission under his hand (without so much as

a shadow of excuse for his not personal compearing, the same being subscribed at the place where, and the day when, the Presbyterie did meet) substitute one Mr James Smyth, apothecarie in Perth, as his proxie, authorizing him, in his name, simpliciter to decline the said Presbyterie, and that in as ample form as he could; notwithstanding of his insolent contempt, the Presbyterie resolved to put the libel to tryal; and, accordingly, witnesses then present for each article thereof were sworn, purged, and examined in all legal and due form in the hearing of his proxie and several gentlemen espousing his cause, who desired to be present during the said tryal, for what end they know best themselves; and the same being finished, upon a review of the whole, they do find his intruding upon the paroch of Methven, where there is and hath been for many years a fixed Gospel ministry; his introducing a set form and ceremonies in the worship of God, contrarie to the Confession of Faith, founded upon the Word of God, and cross to the known principles and practice of this Church in her purest times, nay, which was not so much as attempted under the late Prelacy, but rather cryed down by many of that persuasion, as much as they seem to applaud it now; his baptizing in an irregular and disorderly manner; his assisting in performing such rites and ceremonies at the funerals of Mr Patrick Strachan, late incumbent at Mains, within the burial place at Perth, as were never known in this land since our Reformation from Popery: all which particulars are sufficiently proven as the process at more length bears.

“ And the Presbyterie of Perth, having given him time to reflect upon his former way, and to deliberat upon the dangerous and dismal tendency of the course he is engaged in; as also, they being called by the above named Act to give an account of their diligence to superior Ecclesiastical Judicatories; withall being desirous to consult with the same in whose bounds the like innovations are found, that there may be the greater harmony in those measures and methods that may be judged most expedient for suppressing and preventing the growth of such scandalous and innovating courses, which the abettors thereof are bestirring themselves with so much vigour on all hands to advance, have for some time sisted there procedure. But, now, after all, finding that any longer delay is not like to be profitable, but rather prejudicial to such whom by their restless endeavours they are labouring to seduce; and that by our silence we may not be found guilty in not doing what at present we judge incumbent to us, in giving our joynt testimony against the shameful defection which he hath made from the purity and simplicity of Gospel ordinances, and the divisive courses that he is still cleaving to: *Therefore, we, being now met in the Name, and by the Authority, of our Lord Jesus Christ, Sole Head and King of His Church, do, by vertue of that power*

*committed to us, discharge the said Mr William Smyth* from intruding any longer upon the paroch of Methven, or any other paroch within the bounds of this Presbyterie ; as also from introducing innovations and ceremonies not warranted by the Word of God, and contrary to the purity of doctrine professed, and the uniformity of worship at present practised in this Church, least he meet with that challenge : ‘ Who hath required these things at your hand ? In vain do you worship Me teaching for doctrines the commandments of men.’ And providing he would suffer the word of exhortation, then, if either he tender the Glory of God, the success of the preached Gospel, and the quiet of this Church and Kingdom, or if he have any regard to his own peace, either now or at a dying hour, we would in the fear of the Lord obtest him seriously to consider what such innovating and divisive courses, if not timely prevented, will terminate into him and those seduced by him ; but if, to his former contumacy, he shall superadd this, to despise our faithfull warning and authoritative prohibition, then as he may tremble to be found among those by whom offences come, and cause divisions contrary to the doctrine that we have received, and of the dreadfull doom of evil men and seducers, their waxing worse and worse, deceiving and being deceived, so we must proceed according to our duty and his merit. And the Presbyterie appoints a double to be transmitted by their officer to the said Mr William Smyth, and ane other double to be given to Mr William Moncrief, minister at Methven, and one to each of the ministers of the Presbyterie to be intimated from their pulpits by them in their respective paroches, on the twentieth fourth of this current moneth of September, in the hearing of their congregations, after the forenoon’s sermon : and that as they at the same time caution the people anent the danger of being seduced, so they exhort all the members of the Presbyterie to give their respective flocks seasonable and faithfull warning of the danger of forsaking the Assemblies of the Saints ; but rather provock one another to love and good works, standing fast in the liberty wherewith Christ hath made us free, that we be not again entangled with the yoke of bondage.”

That sentence was read in every parish church within the bounds on September 24.<sup>1</sup>

Smyth, however, disregarded the Act of the Presbytery ; and the Presbytery were advised by the Synod to require the civil magistrate to enforce their sentence.<sup>2</sup> On February 28, 1711, they ordered his parish minister to submit a list of witnesses to his contumacy to the next meeting ; but, on March 21, resolved, before proceeding further in

<sup>1</sup> *MS. Register of the Presbytery of Perth*, October 4, 1710.

<sup>2</sup> *Ibid.*, October 25, 1710.

his case, to obtain the advice of their Synod with reference to their action towards all the innovators within the bounds. The Synod passed the following Act <sup>1</sup> :—

“ The Provincial Synod of Perth and Stirling, considering the fearfull advances which are made towards introductions of innovations in the worship of God in this Church, particularly within thir bounds, tending so much to the corrupting of Christ’s pure ordinances and institutions, and how much it concerns them in their stations to act to the utmost of their power for suppressing the same, do, therefore, *Primo* : In the Bowels of our Lord Jesus Christ, exhort and recommend to all the ministers within the bounds of this Synod, faithfully and zealously, to warn the people under their respective charges of the danger of such practices, and that both publickly and privatly in the exercise of their ministrie among them ; *Secundo* : That the several Presbyteries in this Synod call the innovators in their respective bounds to an account, according to the power committed to them, and that as they will be answerable at the next Synod ; *Tertio* : That all the Presbyteries within the bounds of this Synod do instruct their commissioners to the next ensuing Assembly, that they, in conjunction with others, may carefully endeavour such proper methods be taken for the effectual preventing and suppressing the said dangerous corruptions and innovations, threatening so much mischief to this Church, as they in their great wisdom may find out.”

The Presbytery, therefore, decided to wait for the guidance of the General Assembly ; whatever that Court advised, it appears that the Presbytery took no further action against Smyth.

Smyth died at Perth on July 28, 1718.<sup>2</sup> He married Marion, daughter of the Bishop of Galloway<sup>3</sup> (Aitkine), and was survived by a son, Mr James, Apothecary in Perth,<sup>2</sup> the executor of his will.

#### I. *References in the Register of Sasines for Perthshire.*

Mr William Smith had sasine, September 24, 1666, from Patrick Smith of Braco, his brother german, of the prebend of the College Church of

<sup>1</sup> *MS. Register of the Presbytery of Perth*, May 2, 1711.

<sup>2</sup> *St Andrews Com. Testaments*, August 5, 1719.

<sup>3</sup> *Acts and Decreeets* (Durie), November 30, 1688 (vol. 119, 271).

Her sister, Lillias, married Patrick Smith, advocate, probably the person designated brother of the deceased George Smith of Rapness (*Acts and Decreeets*, Dal, February 8, 1678) : she died in October 1710 : her executor-dative was her son, Archibald, writer in Edinburgh (*Edinburgh Com. Testaments*, April 26, 1718) : her sister, Alison, married Duncan Robertson, Sheriff-Clerk of Argyleshire (*Acts and Decreeets*, Durie, *supra*). Aitkine or Atkins was importunate for a Scottish Bishoprick (*Miscellany of the Scottish History Society*, i. 275).

Methven, proceeding on a letter of presentation and institution, dated September 22, 1666.

Registered September 28, 1666.

Mr William Smith, brother of Patrick Smith of Braco, witnessed, October 16, 1667, a contract of wadset whereby the said Patrick Smith obliged himself to infest Patrick Smith, advocate, and Liliias Aitkin, his wife, in one-half of the town and lands of Myreside. Sasine in terms of the precept was given on April 25, 1669.

Registered April 26, 1669.

*2. References in the Register of Deeds of Perthshire Sheriff Court.*

Mr William Smith, minister at Moneydie, William Cochrane, chamberlain to Lord Nairn, and Hugh Smith and John Whytt, merchant-burgesses of Perth, curators of Bathia Omev, eldest daughter of the deceased Mr John Omev, Provost of Methvine, granted a commission of factory in favour of David Smith in Westwood, her maternal uncle, at Westwood, January 25, 1694, in presence of Mr Henry Young, schoolmaster at Methven, and Walter Moncrieff, notary in Perth.

Registered February 5, 1694.

Thomas Grahame of Balgowan, patron of the parish church of Monydie, having power to dispone the vacant stipend of the said parish for pious uses, doted and assigned to Mr William Smyth, sometime minister there, the whole stipend of the vacant church for crop and year 1695, to be employed by him for repairing the manse which was ruinous, Smith being accomptable to him and his heirs; at Balgowan, March 1, 1695. [Also November 23, 1695.]

Registered April 1, 1695.

Mr William Smyth, minister at Monydie, and the other curators of Bethiea and Jonat Omay, children of the deceased Mr John Omay, minister at Methven, and David Smith in Westwood, their factor, set to Angus Sinclair at the New Milne of Pittmurthlie, the half milne and lands of Curdrachie, and one-half of the multures, knaveship, bannock and sequels thereof, with liberties of muir, myre, moss, grass, and common pasturage, for 5 years and 5 crops at £40 yearly, his entry to be at Whitsunday 1694, and crop 1695 to be the first; at Monydie, February 17, 1694, in presence of Mr John Moore, schoolmaster, there.

Registered March 13, 1696.

Andrew Smith in Courthill of Nairne and John Mercer in Ardonoch granted at Auchtergaven, December 3, 1690, a bond for 50 merks in

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favour of Mr William Smith, minister at Monydie, and the remanent elders serving the cure at the said church.

Registered July 9, 1697.

### MOULIN

I. Robert Campbell, c. 1649-1663.

A son of Archibald Campbell of Lagvinshoch and Christian, daughter of Alexander Robertson of Inchmagranoch, his second wife,<sup>1</sup> he matriculated at the University of St Andrews, as a student of St Leonard's College, on February 19, 1639, and received the degree of Master of Arts in 1642.

On February 15, 1647, the Commission of the General Assembly recommended him to the special consideration of the Presbytery of Dunkeld, and the committee associated with them for the plantation of the vacant churches in Atholl, for appointment, if qualified, "to any of the vaking kirks as they find fitting."<sup>2</sup>

On April 10, 1649, he was minister of Moulin.<sup>3</sup> He was appointed by the Commission, on May 11, 1649, a chaplain to the infantry under command of Lieutenant-General David Lesly, and was directed to serve in that capacity until relieved by the ensuing General Assembly. On June 12, 1651, he was appointed by the Commission of the General Assembly to act for two months as chaplain to the regiment of the Earl of Atholl.<sup>4</sup>

He disapproved of the Public Resolutions, and was one of the Protesters who, in March 1652, separated from the rest of the members of the Presbytery of Dunkeld, and sat in Presbytery by themselves. On October 11, 1654, he protested against the Act of the Synod granting liberty to Mr John Robertson, formerly minister of Perth, to preach the Gospel. The Moderator asked if any members of the Synod adhered to his protest; none did so. During the fifth Session of that Synod, he gave in a protestation, signed by himself and other members, including several ministers within the Presbytery of Dunkeld, viz., Messrs Thomas Lundie, Colin Campbell, Francis Pearson, James Moray, and Thomas Glass, in these terms:—"Whereas the brethren of the Synod of Perth have proceeded to open the mouths of men formerly deposit by the General Assembly of this Kirk and their respective Commissionnes, which, beside what may be said against it as inroaching upon the privileges

<sup>1</sup> He was a brother of Mr Colin Campbell, minister at Blair-Atholl, *q.v.*

<sup>2</sup> *Records of the Commission*, 1646-7, 199.

<sup>3</sup> *MS. Register of the Synod*. Scott (*Fasti*) states that he was minister prior to April 4, 1647. Moulin was vacant on November 20, 1646 (*Records of the Commission*, 1646-7, 114).

<sup>4</sup> *Ibid.*, 1648-9, 262; 1650-2, 463.

A Mr Robert Campbell was chaplain to Lord Mauchline's regiment (*Ibid.*, 366).

of the Supream Judicatories of this Kirk, is at this time most unseasonable and dangerous, when inferior Judicatories through the land are violating the General Assembly; therefore under-subscribers do dissent from, and protest against, their said procedure for these and other reasons, to be given in time and place convenient."

The Synod declared that protestation null for these reasons:— 1° because, although several members signed it, only one protested when the Act was passed, and none adhered to him; 2° because several of the signatories, on the same occasion, admitted that the Synod had acted within their power; 3° because they were satisfied with the conduct and repentance of Robertson; 4° because they delayed to offer their protestation so long after the Act was passed; and 5° because three members of the Synod, who carefully observed the voting, affirmed that one of the Subscribers voted for the Act, and that each of the others voted "non liquet." The Synod ordered that the Protestation, and their remarks upon it, should be inserted in their Register.

In 1655, he was one of four ministers who, on June 11, irregularly ordained and admitted Mr James Strachan to the charge of Dunkeld.<sup>1</sup> He was one of the signatories to a Testimony against Cromwell's Toleration in October 1658.

He refused to accept Prelacy in 1662. He was reported to the Privy Council as one of the ministers in the Diocese of Dunkeld disaffected toward the government of Church and State, and an instigator of disaffection. On March 24, 1663, the Privy Council ordered Letters to be issued charging him to remove from the bounds of the Presbytery, and no longer to exercise the ministerial office, either in public or private.<sup>2</sup>

He married Jean Menzies,<sup>3</sup> and had issue, Alexander, Collin, and Robert.<sup>4</sup> He died before March 18, 1681.<sup>5</sup> He was at one time proprietor of the lands of Nether and Over Tullibannachar.<sup>5</sup>

#### 1. *References in the Register of Sasines for Perthshire.*

Mr Robert Campbell, minister at Mullion, had sasine, January 28, 1653, in presence of Patrick Campbell, his brother german, of the lands

<sup>1</sup> *v. infra*, Lundie (Ratray); Strachan (Weem).

<sup>2</sup> "4 of November 1655, No sermon: the minister being in Mulling helping Mr Robert, quho was then visited with sicknes" (*MS. Register of the Kirk-Session of Logerait*).

<sup>3</sup> If he continued to serve his cure in defiance to the Act of Glasgow, he would be among the clergy deposed by Bishop Haliburton in October 1664 (*Row's Life of Blair*, 473).

<sup>4</sup> *Perthshire Decrees*, March 18, 1681.

<sup>5</sup> *Perthshire Sasines*, August 3, 1667.

Colonel Alexander Campbell of Finnab was served heir to his Father on June 8, 1723 (*Retours*, December 5, 1723).

<sup>5</sup> *Perthshire Sasines*, February 10, 1653.

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of Nether and Over Tullibannachar, proceeding on precept of sasine in a charter of confirmation under the Great Seal, dated December 6, 1652.

Registered February 10, 1653.

Mr Robert Campbell, minister at Muling, granted at Lagvinschoch, April 16, 1653, in presence of Mr James Strauchanne, expectant of Divinity, a charter of alienation in favour of Colin Campbell of Lagvinschoch, of the lands of Nether and Over Tullibannachar.

Registered October 12, 1658.

Mr Robert Campbell, son of the deceased Archibald Campbell, once of Lagvinschioch, and Robert Campbell, son of the deceased Mr Robert (Colin) Campbell, minister in Blair, as attorney for Jean Menzies, wife of the said Mr Robert, and for Collin, Alexander, and Robert, their sons, received sasine, August 2, 1667, of the lands of Dumfallandies; proceeding on precept of sasine in a charter of sale by John Campbell, younger, of Glenurchy, signed May 16, 1667.

Registered August 3, 1667.

Mr Robert Campbell had sasine, May 28, 1668, of an annual-rent of £40, to be uplifted from the one-half town and lands of Auchianick, etc., redeemable on payment of 1000 merks; Alexander, his eldest son, had sasine, January 15, 1691, proceeding on a precept of clare constat signed at Balloch, January 5, 1691, by John, Earl of Breadalbane. He subscribed a renunciation on January 16, 1691.

Registered January 16 and 17, 1691.

### 2. *Reference in the Register of Deceets of Perthshire Sheriff Court.*

Mr Robert Campbell, minister at Mulling, obtained decree for payment of stipend as follows:—(1) Against David Rattray,<sup>1</sup> wodsetter of Edradour, for 5 bolls victual (half meal, half bear, the meal at £12 per boll and the bear at 20 merks) yearly, for 1650-52, due for wodset and occupation of the lands of Edradour, and 2 bolls victual due from the lands of Argie, pertaining to him in wodset and occupied by himself and tenants, for the said three years; (2) against Dowgall Stewart of Stragarrie for 1 boll, 3 firlots, 2 lippies victual yearly, due from the lands of Stragarrie for the said years; (3) against David Murray, wodsetter of one part of the lands of Edradour, for 1 boll victual yearly for one

<sup>1</sup> Androw, John, and David Ratteray are stated to be children of David Ratteray of Tillechorane (= Jannet Morray), who died in August 1651, and whose Testament, confirmed February 20, 1656, was made at Eddrador on August 8, 1651 (*Perthshire Com. Testaments*, Sheriff Court).

part of his wodset of Edradour for the said years ; and (4) against Johne Barrone of Croft Michache for 1 boll 3 pecks victual yearly from the lands of Croft Michache for 1651-2.

Registered March 23, 1653.

2. William Balneaves, c. 1670-1705.

Son of Mr William Balneaves, minister at Moulin,<sup>1</sup> who married Marion Guthrie,<sup>2</sup> he matriculated at St Salvator's College, St Andrews, on February 11, 1650, and graduated Master of Arts on May 13, 1653.

In October 1655, he was bursar of the Presbytery of Dunkeld at the New College, St Andrews.<sup>3</sup> He was admitted to Moulin before November 12, 1670.<sup>4</sup> In 1702, he was cited before the Presbytery of Perth and Dunkeld in connection with the baptism of a child. He duly appeared on August 25, 1702. Having considered an accusation brought against him by one Robert Menzies, the Presbytery "thought fitt to trouble Mr Balneavis no further."

He died, minister of Moulin, before March 28, 1705.<sup>5</sup> He married Helen Menzies, and had issue Henry and William.<sup>6</sup>

1. *References in the Register of Sasines for Perthshire.*

Mr William Balnaves, minister of Mullione, witnessed, June 3, 1678, an instrument of sasine, of the lands of Pitarak, in favour of Thomas Menzies and his wife ; proceeding on the precept in a contract of wadset between John, Marquis of Atholl, and the said Thomas.

Registered June 4, 1678.

Mr William Balnaves, minister at Muling, and Hellen Menzies, his wife, had sasine, May 7, 1679, of an annual-rent of £84, from the lands of Newbiggine in the parish of Duallie ; proceeding on a precept in letters of obligation granted by Robert Menzies of Rotmell, with consent of Ann Stewart, his wife, at Dunkeld, November 20, 1678, in presence of William Stewart of Balleid, Gilbert Stewart, Commissary Clerk of Dunkeld, John Stewart, younger, of Balnakeillie, Thomas Menzies of Tullimot, and Robert Robertson, notary public.

Registered May 14, 1679.

<sup>1</sup> *Perthshire Sasines*, September 28, 1654.

<sup>2</sup> *Perthshire Testaments* (Perth Sheriff Court), February 20, 1656.

It is suggested that she was the mother of the younger Balneaves, the sister of Margaret Guthrie, wife of Mr Robert Malcolme, minister of Bendochy, and of Mr Henry Guthrie, Bishop of Dunkeld, and daughter of Mr Henry Guthrie, minister at Bendochy (*Perthshire Deeds*, March 10, 1664). v. vol. i. p. 161.

<sup>3</sup> *MS. Synod Register.*

<sup>4</sup> *Perthshire Sasines*, January 10, 1673.

<sup>5</sup> *MS. Register of the Presbytery of Perth and Dunkeld.*

<sup>6</sup> *Perthshire Sasines*, July 14, 1702.

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Mr William Balneavis, minister at Mulling, and Mr Duncan Menzies, schoolmaster there, witnessed, at Mulling, August 15, 1685, a contract of marriage between Patrick Small of Dirnavaine and Agnes Robertson, daughter of James Robertson of Domvoird. The said Agnes was infert, in liferent, in the 4 merklands of Dalreoch in terms of the precept in the contract.

Registered October 8, 1685.

Mr William Balneavis, minister at Mulling, and Mr Duncan Menzies, schoolmaster there, witnessed, February 5, 1685, a disposition, of the £9 land of Runrorie, Urchillmoir, etc., in the parish of Mulling, in favour of James Stewart, son of John Stewart of Urrard.

Registered January 12, 1686.

Hary Ballneavis of Rottmell, son of Mr William Ballneavis, minister at Moulin, and Hellen Menzies, his wife, gave sasine, June 30, 1702, to his father and mother of an annual-rent of 300 merks Scots to be uplifted from the lands of Rottmell, Auchagouan and Craigilto; proceeding on a precept in a Bond, signed, on that date, at Pittarock, in presence of Mr William Ballneaves, his brother german, and Alexander Stewart, notary.

Registered July 14, 1702.

### 2. Reference in the Register of Deeds of Dunkeld Commissariat.

Mr William Balneavis, minister of Moline, Patrick Small of Darneane, and James Murray in Morclich, witnessed at Callie, March 12, 1692, a bond by Donald Bruce in Craigeshaell, principal, and Alexander Bruce, his brother-german, cautioner, for 50 merks Scots, in favour of James Stirtoone in Tullieneydies.

Registered December 24, 1696.

## RATTRAY

### 1. Thomas Lundie, 1637-1663.

The son of Mr Thomas Lundie, minister at Alyth,<sup>1</sup> who married Jean Blair,<sup>2</sup> he matriculated at St Salvator's College, St Andrews, on February 14, 1632, and graduated Master of Arts in July 1635.

A presentation to the benefice of the Subchantrie of Dunkeld, con-

<sup>1</sup> *Acts and Decrees*, Dal, December 9, 1664; February 22, 1665. In *Acts and Decrees*, Dal, December 9, 1664, *Ibid.*, Durie, February 22, 1687, and in the *General Returns*, 3732, January 12, 1653, he is designated son of Mr Thomas Lundie, "sometyme minister at Capeth." Lundie, the elder, died, minister of Alyth, on June 8, 1836 (*Tombstone*).

<sup>2</sup> *Perthshire Sasines*, March 31, 1635; *Tombstone*, Alyth. She died on May 22, 1636. *Acts and Decrees*, Dal, December 9, 1664.

sisting of the church of Rattray, and the teinds both parsonage and vicarage, was issued in his favour, under the Privy Seal.<sup>1</sup> It is as follows :—

Charles R.

Our Soverane Lord, being informed of the qualificatioun, literature, and good conversatioun of our lovitt Mr Thomas Lundie, and that he has imployed his haill tyme in the studie of Theologie, and that he is of mind, God willing, to apply his haill travells and studie in the functione of the ministerie in tyme cumming, Ordains, therefore, ane letter to be past under His Hienes' Privie Seale in due forme, nominating and presenting the said Mr Thomas Lundie, during all the dayes of his lifytyme, in and to the benefice of the Subchantrie of Dunkeld, consisting of the kirk of Rattray, personage and vicarage thereof, and to all the fruits, rents, and emoluments of the samen, lyand within the Diocie of Dunkeld and Sherifffdom of Perth, togidder with the manss of the subchantrie within the citie of Dunkeld, and to the manss and gleib of the said parochie kirk, with fogage, feall, fewell, and dovat, and uthers commodities perteining and belonging thereto, now vacand in His Majestie's hands, and at His Hyenes' gift and presentatioun, be transportatioun of Mr Johne Rattray, last minister at the said kirk : re quyreing thereby ane reverend Father in God, Alexander, Bischope of Dunkeld, to try and examine the literature, qualificatioun, and good conversatione of the said Mr Thomas Lundie, and, if he be found apt, able and qualified to use and exerce the said office and functione of the ministerie at the said kirk of Rattray, to admit him thereto ; and to authorize with your ordinar collatioun and testimoniall of admisioun to the foresaid benefice of the crope and yeare of God J<sup>mvi</sup><sup>c</sup> threttie . . . years and sicklyke yearlie in tyme cumming during all the dayes of his lyfetime ; and to receive his aith for acknowledging of His Majestie's authority and due obedience to the said Bischope his Ordinare : and, in cass of his insufficiencie, to report the samyne to His Majestie or to the Lords of His Hienes Secret Counsell within the space of . . . thereafter, that ane uther more qualified persone may be of new nominate and presented thereto : commanding also the Lords of His Hienes' Privie Counsell and Sessioun, upon the sight of the saids lettres of presentatioun and of the said reverend Father's collatioun following thereupon, to grant and direct Letters of Horning, upon ane simple charge of ten dayes allanerlie, at the instance of the said Mr Thomas Lundie agains all and whatsumever personis adebted in payment of the constant stipend, for payment making to the said Mr Thomas Lundie of the samene of the forsaid crope and yeare of God J<sup>mvi</sup><sup>c</sup>

[<sup>1</sup> It is not booked in the *Register of the Privy Seal*. The author's notes do not disclose the source from which the transcript was made.]

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threttie . . . yeirs, and siclyke yearlie and in tyme cumming during his said lyfetime.

Given at

(Signed) DUNKELD.

On May 9, 1637, he was Succentor of Dunkeld Cathedral and minister of Rattray.<sup>1</sup> He was appointed a commissioner from the Presbytery to the General Assembly of 1641<sup>2</sup>; and the Synod of Perth and Stirling, in October 1643, nominated him and Sir William Stewart of Innernetty their commissioners to the Synod of Angus and Mearns.

He was one of a committee appointed by the Synod of Perth and Stirling, on April 10, 1649, to meet with the Presbytery of Perth, on April 25, in order to try certain charges brought against Mr Edward Richardson, minister at Forteviot.<sup>3</sup> On the same occasion, the Synod appointed him and David Drummond, ruling elder of Rattray, their commissioners to the Synod of Angus and Mearns.

On May 11, 1649, the Commission of the General Assembly appointed him one of the chaplains to the Infantry under the command of Lieutenant-General David Lesly, with instructions to continue in that office until relieved by the ensuing General Assembly. On August 4, 1649, he was appointed a member of the Commission.<sup>4</sup>

He preached before the Synod on the second day of their meeting in October 1649. His text was Colossians i. 28.

On November 30, 1649, he was presented by the Crown to the "thesaurarie" of Dunkeld, vacant by the translation of Mr Alexander Rollock to the church of Perth, with right to its emoluments from the date of the vacancy. The deed of gift under the Privy Seal bears that the benefice was granted to Lundie because of his "meane and small provisione" at the church of Rattray, and because he could not "conveinentlie be provydit to an competent stipend" within that parish; and that the provision for the minister of the church of Dunkeld was sufficient<sup>5</sup> without the rents of the "thesaurarie." It was stipulated, however, that Lundie should resign that benefice on obtaining a competent stipend from the teinds of Rattray.<sup>6</sup>

He raised an action for an augmentation of stipend against the heritors of the parish of Rattray, viz.: William Spalding of Aishintullie, John Fleming, portioner of Bletone, George Drummond of Blair of Gowrie,

<sup>1</sup> *Perthshire Sasines*, September 6, 1637.

<sup>2</sup> *MS. Register of the Synod of Perth and Stirling*, April 1641.

<sup>3</sup> *v.* vol. i. p. 270.

<sup>4</sup> *Records of the Commission*, 1648-9, 262, 299.

<sup>5</sup> King Charles I. at Edinburgh, on November 17, 1641, granted to the Church of Dunkeld, and the ministers serving the cure, a yearly sum of 1000 merks, and £100 for upholding the fabric, to be uplifted from the rents of the Bishopric (*Acts of Parliament*, v. 516).

<sup>6</sup> *Register of the Privy Seal*, cxvi. 15.

Patrick Rattray, fiar of Craighall, Laurence Cargill of Bonitoun, Donald Cargill of Halltoun, George Nairne of Cullifergus [Tulliefergus], Mr John Rattray, minister at Alight, James Rattray of Runnagullion, John Wilson of Parkheid, David Forrester of Eister Rattray, John Sandeman, there, John Hereis, James Donaldsone and John Lousone, portioners of the Mains of Rattray, Isobell Zeaman, there, David Zeaman of Eist Wakmill, David Morisone of West Wakmill of Rattray, John Ramsay and Donald Morysoun, portioners of the Mylntoun of Rattray, George and Donald Drumondis, Silvester Rattray, and Patrick Robertson, portioners of Kirketoun of Rattray, John Dowglas and Jon Morisone, there, Patrick Robertstone of Littleloune, and Mr Francis Hay of Ballhoussie. He obtained decree on February 20, 1650. The stipend of the cure was raised to 2 chalders victual,  $\frac{2}{3}$  meal and  $\frac{1}{3}$  bear of Lithgow measure, and £400 Scots, including £20 for Communion elements, the vicarage being declared to pertain to the heritors.<sup>1</sup>

In October 1650, he was a member of the Synodal Committee on Public Affairs, and, with Mr Harry Stewart, was a commissioner from the Synod to the Synod of Angus and Mearns.

He disapproved of the Public Resolutions. He was a member of the General Assembly of 1651, and, at their 8th session, repudiated the insinuation that the protesting members of the Presbytery of Dunkeld had been influenced in their action by their affinity to Mr James Naismith, a prominent clergyman of the day, and declared that they had conscientious objections to the Public Resolutions. At the 9th session, he was one of five clergymen who declared themselves dissatisfied with the actings of the Commission, in approving of the appointment to positions of responsibility of men who were debarred by the Covenant and solemn Engagement: "and Mr Tho. Lundy being the first of the former 5 that was interrogate of his opinion, propounded his objections in the name of the rest very acuratly; especially he urged ane argument from the Engagement, viz. :—how we could acknowledge it a sin to put malignants in places of trust in armys, and promise, in the obligatory part, not to doe the like again?—how these by the Publick Resolutions are reconciled? 2ly, How the Commissioners' Act for excommunication of these who rose last in the north untill the Assemblie could be compensate with to be violate and the act not stand? 3ly, He objected that that word in the querie 'notoriously scandalouse' was contrary to that of the engagement, viz., of knowen integrity; and this he confirmed by the first of the three objections: but the truth is, noe satisfactory answer was given."

At the following diet, the subject was again brought under the notice

<sup>1</sup> *Register to Supply Lost Records*, Teind Office, iv. 158, 71.

of the Assembly. "In the midst of the reading of the [Westland] Remonstrance came in Mr Ja. Wood, and desyred, that seeing he heard ther was a brother, viz., Mr Thomas Lundy, quhich proponed some objections in the forenoon quhich he heard, according to the propounder's opinion wer not sufficiently answered, that again they might be proponed." . . . "Soe, after the reading of the Remonstrance with the Commission's sence thereupon, Mr Ja. Wood, Mr Douglass, Mr Dickson, was called in upon, and Mr Tho. Lundy was desired to propone his former objections, to the quhich he replied modestly, that he was not fitt to debate with such able men, grave men, befor such a judicatory; yet, least he should seem to refuse satisfaction, he would propone, and the former 3 answered; but the strenth of their answer did run to the point of necessity, but that was not satisfactory to the former. After long dispute, Mr Tho. objecting, and these answering, the debate ceased." At the close of that Session, Lundy was one of seven members that voted for disapproval of the whole procedure of the Commission.<sup>1</sup>

He was appointed a member of the Commission of the General Assembly on July 31, 1651.<sup>2</sup> He was one of the Protesters within the bounds who, on March 10, 1652, separated from the Presbytery of Dunkeld and sat in Presbytery by themselves. He was Moderator of that Presbytery on March 29, 1652, when a letter with reference to a meeting of the Synod, subscribed by him, was laid before the Presbytery of Perth.

Messrs William Ratray and James Lindsay had been admitted to Cargill and Kinloch respectively before April 13, 1652. In April 1653, Lundie protested before the Synod that the occurrence of their names in the roll of the Synod should not imply the approval by the Synod of their admission to their respective cures. At once Mr William Menzies, minister at Kenmore, protested that Lundie's protestation should be accounted null, "as being *post rem judicatam* by the competent judge." After the debates at the same meeting of Synod on the book entitled *The Nullity of the Pretended Assembly at St Andrews and Dundee*, he, with Mr Robert Campbell, minister at Moulin, and Mr Thomas Ireland, minister at Weem, signed a Protestation, presented to the Synod by Campbell, "against any act made or to be made, or which on the matter shall infer that the brethren who, on March 10, 1652, did separate from the Presbytery are not a lawful Presbytery of this Church." Mr Alexander Ireland, minister at Kinclaven, objected that the document could not be received by the Synod, as being a protestation against a matter already decided. The Synod rejected the protestation as being untimeously and illegally presented.

<sup>1</sup> Peterkin's *Records of the Kirk of Scotland*, 629-31.

<sup>2</sup> *Records of the Commission*, 1650-2, 500.

The Synod, in October 1654, proposed that the two bodies each assuming the designation of the Presbytery of Dunkeld should join together till the next Provincial meeting, for the transaction of ordinary business, and appointed them to meet for conference with the view of reunion. Lundie, with others, objected that there could be no meeting for business until judgment had been pronounced on the causes of their separation. He protested against that Act of the Synod, "because the brethren of the Synod have meddled with the constitution and members of the Presbytery, in order to such particulars as do depend upon the differences about the Public Resolutions and the two Controverted Assemblies at Dundee and Edinburgh, and have proceeded therein without hearing or calling the Presbytery and persons themselves that are mainly concerned."

The Synod condemned the Protestation as having been written before they had taken any action with reference to the Presbytery, a fact which Lundie admitted, so that it was not a protest against their Act, because it was irrelevant, and for other reasons.

In presence of Mr John Murray, minister at Methven, and Mr John Cruikshank, minister at Redgorton, he, Mr Robert Campbell, minister at Moulin, Mr Thomas Glass, minister at Little Dunkeld, and Mr Thomas Ireland, minister at Weem, irregularly admitted Mr James Strachan to the charge of Little Dunkeld on June 11, 1655, between nine and ten at night. Their action was brought under the notice of the Synod by the Resolutioner Presbytery of Dunkeld. The Synod, after a vote, "judged them censurable for that informal and illegall deed, being done contrary to the Acts of the General Assembly, and discipline of this Kirk." They delayed to pronounce sentence upon them, but cited them to the meeting of the Synod in October, not, as was afterwards alleged, "in order to clearing themselves of the scandal objected against them," but "to hear the Assembly's judgment thereanent, and receive their censure." The Synod delayed consideration of their case again and again, till reference to it ceased. In "A short Answer to the Libel against the Synod of Perth intituled, *Evidences of the Growth of Defection in the Province of Stirling and Perth*," it is stated:—"The Synod for peace sake has been so far from censuring the brethren, that, to this day, they have not so much as given them an admonition which is the least degree of censure."<sup>1</sup>

At the meeting of the Synod in July 1655, he was one of three members who protested against an Act ordering the deposition of Mr James Guthrie, minister at Stirling, to be intimated to the congregation; and he also tabled four protestations against Acts of the Synod.

<sup>1</sup> MS. Register of the Synod, July 1655; MS. Register of the Presbytery of Perth, June 27, 1655; April 8, 1657.

In April 1656, at the fourth session of the Synod, he protested against the admission of the names of certain ministers to the roll. He was asked why he had not done so before, and replied that he had not heard the rolls called previously. He was required to state his objections in writing.

He duly presented three documents, two subscribed by himself and Mr Thomas Hog, minister at Larbert, protesting against the admission to membership of the Synod of Mr Matthias Symson, minister at Stirling, and Mr John Craigingelt, younger, minister at Dollar, and another signed by himself against the admission of Mr Henry Guthrie, minister at Kilspindie, and Mr James Forsyth, minister at Muckart. The Synod rejected all the protestations. Those against Symson and Craigingelt were condemned as founded on "false and unjust alledgances," and because Lundie and Hog were not "in *bona fide* to object anything" against their admission then, having sat and voted with them at previous sessions : that against Guthrie and Forsyth was rejected as alleging no reason save his former dissent. The Synod declined to register the protestations, because the reasons on which they were founded were "untruthes," and were contained in their judgment upon them.

On November 22, 1659, he signed an adherence to a Testimony against Cromwell's Toleration.

He refused to conform to Episcopacy in 1662, and was reported to the Privy Council in 1663 as a disaffected person, and as an instigator of disaffection. On March 24, 1663, the Lords ordered letters to be issued charging him to remove from the bounds of the Presbytery, and to refrain from exercising the ministerial office either in public or private. Bishop Haliburton deposed him from the office of the ministry at his Synod in October 1664.<sup>1</sup> He is still designated minister at Rattray in June 1665,<sup>2</sup> and is afterwards styled indweller in Perth.<sup>3</sup> He died before July 14, 1670.<sup>4</sup>

<sup>1</sup> Row's *Life of Blair*, 473. He may have been among the four or five ministers suspended in October 1663 (*Ibid.*, 455).

<sup>2</sup> *Perthshire Deeds*, August 15, 1674.

<sup>3</sup> *Ibid.*, June 1, 1668 ; September 2, 1669.

<sup>4</sup> *Perthshire Sasines*, August 26, 1673. On that date, the Instrument of Sasine, of the lands of Kinnoull, in favour of his son, Thomas, proceeding on a charter under the testimony of the Great Seal, of the date in the text, was registered.

Patrick Walker, referring to prophecies of the Invasion of Scotland by the French, wrote thus of Lundie :—

"To the same purpose spoke these two following ministers, to wit, Mr Thomas Lundie, a godly minister in the north at Rotry ; his sister, a lady in that country, who died in the year 1683, gave this following account, that the said Mr Lundie, after some sickness, and seeming recovery again which comforted them ; but one morning, staying longer than ordinary in his chamber, the foresaid lady knocking at his chamber-door, who opening it, found him more than ordinary weighted ; she asked him the reason, seeing he was now better ; whereupon smiling, he said, ' Within a few hours I'll be taken from you ; but alas, for the day that I

He married Anna Sumervaille,<sup>1</sup> and had issue, of whom the eldest son<sup>2</sup> was Thomas. His widow died at her son's house in July 1682.<sup>3</sup>

Lundie was at one time proprietor of the lands of Parkhead,<sup>4</sup> in the parish of Blairgowrie, and of Powburne,<sup>5</sup> and died infest in the lands of Kinnoull, and the patronage of the parish church and chapels.<sup>6</sup>

He had brothers Mr George,<sup>7</sup> of Drumess, Mr Robert,<sup>8</sup> and a sister, Jean.<sup>9</sup> An uncle was Robert, merchant, burges of Dundee, to whom he was retoured heir.<sup>8</sup>

### I. *References in the Register of Acts and Decrees.*

Mr Thomas Lundie, minister at Rattray, son, and heir served and retoured, to Mr Thomas Lundie, minister at Kippoch, raised an action against James Keith of Caldhome, brother and heir of Alexander Keith of Kirkhill [? Kirktownhill], son and heir of Robert Keith of Powburne. He showed that the deceased William, Earl of Marshall, as principal, with Robert Keith of Whytrigs, Sheriff-depute of Kincardin, Robert Keith of Powburne, Provost of Montrois, and William Ogilvie at the Milne of Uras, granted, November 15 and 17, 1634, bonds in favour of Mr Thomas Lundie, then designated minister at Eliot, the father of the pursuer, for 3000 and 4000 merks, and obliged themselves to infest him in annual-rents of 300 and 400 merks to be uplifted from lands belonging to them in the Sheriffdoms of Kincardine and Forfar, under provision of reversion. On January 14, 1654, Alexander Keith of Kirktownhill

see coming upon Scotland: the Lord has letten me see the Frenches marching with their armies throw the breadth and length of the land, marching to their bridlerins in the blood of all ranks, and that for a broken, burnt, and buried Covenant; but neither ye nor I will live to see it.' As also one Mr Douglas, a godly minister in Galloway . . ." (*Six Saints of the Covenant*, i. 92-3).

<sup>1</sup> David Murray, apothecary in Perth, obtained decree against Anna Sumervaille, widow and executrix of Mr Thomas Lundie of Kyinnowll, for £198, 11s. Scots, for drugs for her husband, herself, and children for four years (*Perthshire Decrees*, August 20, 1673). She was denounced rebel at Forfar, on October 6, 1676, for her failure to pay £229, 19s. due to John Alexander, Writer to the Signet, under a bond signed by her on August 11, 1673 (*General Register of Hornings*, October 20, 1676).

<sup>2</sup> *Perthshire Decrees*, March 6, 1668. He had a child baptised on March 1, 1657 (*MS. Register of the Kirk-Session of Rattray*).

<sup>3</sup> *St Andrews Com. Testaments*, October 16, 1685.

<sup>4</sup> *Perthshire Sasines*, August 1, 1650. In "The Rental of Perth" (1649), Lundie's lands in the parish of Blairgowrie are valued at £83, 6s. 8d. The rental of "part of Patrick Ireland's acres" in Rattray, which he held, is stated to be £11.

<sup>5</sup> *Acts and Decrees*, Durie, February 22, 1687.

<sup>6</sup> *Perthshire Sasines*, October 20, 1666.

<sup>7</sup> *Acts and Decrees*, Dal, February 28, 1679.

<sup>8</sup> *Perthshire Deeds*, April 7, 1665. Magdalen Lundie, wife of Mr Thomas Strachan, minister at St Martins, may have been a sister (*Perthshire Acts of Curatory*, March 26, 1672, *infra*).

<sup>9</sup> *Perthshire Sasines*, October 6, 1643.

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had been ordained to pay Lundie moneys due to him, and on December 9, 1664, Lundie had decree against James Keith for fulfilment of his obligations.

Registered December 9, 1664 (Dal).

Patrick Ireland<sup>1</sup> and Girsell Blair, his spouse, granted, \*August 22 and 31, 1638, a bond for 1241 merks, containing an obligation to infest in an annual-rent of 99 merks 3s. to be uplifted from the lands of Parkhead and Lacoeks, in favour of Mr Thomas Lundie, son to the deceased Mr Thomas Lundie, minister at Alyth. Lundie assigned the bond to James Blair of Ardblair on April 16, 1658.

Registered January 27, 1665 (Mack).

Patrick Ireland of Parkhead and Euphane Blair, his spouse, granted, August 22 and 31, 1638, an obligation to infest Mr Thomas Lundie, son of Mr Thomas Lundie, minister at Alyth, in an annual-rent of 99 merks to be uplifted from the lands of Parkhead. That obligation Lundie, designated minister of Rattray, assigned to John Blair of Ardlair on April 16, 1658.

Registered February 22, 1665 (Dal).

Sir James Keith of Powburne raised Letters of Suspension of Letters of Horning obtained at the instance of Mr Thomas Lundie, minister at Rattray, and James Murray, chamberlain to the Earl of Atholl, his assignee, charging him to pay 4000 merks, 1300 merks damages, and bygone annual-rents. The Lords recalled the Suspension.

Registered July 18, 1667 (Dal).

Mr Thomas Lundie had decree against David and Ritchard Lawson in Powburne and James Preshow in Scotstoun, in the Sheriffdoms of Kincardine and Forfar, for their removal from those lands.

Registered January 31, 1668 (Mack).

Lawson raised an action of suspension of Letters of Horning, but failed to obtain decree.

Registered February 23, 1669 (Mack).

The lands of Powburn, belonging to Sir James Keith, were appraised for payment of 18,000 merks in a Court of Apprising held before the bailies of the regality of Coupar, on July 17, 1665, by virtue of letters of poiding. Lundie was infest in the lands of Powburn, April 14, 1666, under a precept from Chancery, the instrument of sasine being registered

<sup>1</sup> Patrick Ireland had a daughter, Agnes, in whose favour James Cargill in Alith granted a bond (written by Thomas Whitsone, servitor to Donald Crokot, notary public in Mirtone (?)), for £42 Scots, on April 22, 1657 (*Pevthshire Deeds*, October 29, 1662, p. 131).

April 30, 1666. He disposed the lands of Powburn, Scotston, Kirktonhill, Glasswall, and Easter and Wester Torburns, on August 8, 1666, to James Murray of Arthurstone, for relief of certain sums of money due by him, under condition that, when free from liability or hazard, Murray should denude himself of those lands in favour of Lundie or his heirs. Thomas Lundie of Kinnoull, heir of the deceased Mr Thomas Lundie, indweller in Perth, his father, raised action for infeftment in those lands against John Murray of Arthurstone, Chamberlain to the Marquis of Athol. Murray renounced right to enter heir on February 16, 1687, and was assoilzied, but an action of adjudication was to proceed.

Registered February 22, 1687 (Dur).

*2. References in the Register of Sasines for Perthshire.*

Mr Thomas Lundie, minister at Rattray, witnessed, at the Welton of Blair and Little Rattray, May 28 and 30, 1642, a renunciation by Sibilla Dick, relict of John Mackie in Berriehillock of Wester Banchrie, and her children, John and Elspeth, with advice and consent of James Soutar of Wester Banchrie, her husband, of an annual-rent of 100 merks to be uplifted from the lands of Coupergrange, in favour of John Irland, portioner of Coupergrange.

Registered July 2, 1642.

Mr Thomas Lundie witnessed at Bonytoun of Rattray, January 8, 1649, a charter by Donald Crockat, notary public, of the lands of Morentie, in the barony of Alyth, in favour of Grissell Cargill, eldest daughter of Laurence Cargill in Bonytoun of Rattray, his promised spouse.

Registered January 26, 1649.

Mr Thomas Lundie had sasine, June 10, 1650, of the lands of Parkhead in the parish of Blair, proceeding on a precept from Chancery, dated August 9, 1649.

Registered August 1, 1650.

Mr Thomas Lundie witnessed, March 17, 1655, a charter by John Blair of Balleid in favour of John Scott in Butterstoun of the lands of Easter Logie and Langley. Sasine was given in terms of the precept on March 29, 1655.

Registered April 14, 1655.

Mr Thomas Lundie, minister of Rattray, witnessed, August 8, 1664, letters of obligation by George Campbell, elder and younger, of Crunan, for payment of an annual-rent of 60 merks furth of the lands of Crunnane and others to Mr John Crockat and Isobell Campbell, his spouse.

Registered October 4, 1664.

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Mr Thomas Lundie, indweller in Perth, in liferent, and Thomas Lundie, his eldest son, had sasine, October 17, 1666, of two annual-rents of 3 chalders victual, and £693, 1s. 4d. to be uplifted from the Mains of Errol, etc., proceeding on a precept in letters of alienation by William Ogilvie of Murie, dated May 12, 1666.

Registered October 20, 1666.

Mr Thomas Lundie gave sasine, September 11 and 12, 1666, to Anna Sommerville, his spouse, in liferent, of an annual-rent of 3 chalders victual, and 400 merks, to be uplifted from his lands of Kinnoull, proceeding on a precept in a charter dated September 6, 1666.

Registered October 20, 1666.

Mr Thomas Lundie of Kinnoull, superior, gave sasine, November 1, 1666, of the lands of Croftangrie, to Agnes Buchan, relict of John Mackie, weaver in Perth, and Andrew Dae, her spouse, in liferent, and to Elspeth Mackie, daughter of the said John and Agnes, in fee.

Registered December 4, 1666.

#### 3. *References in the Register of Deeds of Perthshire Sheriff Court.*

Mr Thomas Lundy, minister at Rattrey, James Blair of Ardblair, and Laurence Cargill in Bonytoun of Rattrey, granted a bond for £148 in favour of John Wilson in Parkheid; at Parkheid, January 23, 1650, in presence of George Wilson, son of the said John.

Registered January 4, 1653.

Mr Thomas Lunday, Robert Lunday, his brother-german, Mr Alexander Irland, minister at Kinclaven, and Alexander Watson, notary, witnessed at Dundie and Aruntullie, February 23 and 26, 1648, an obligation by John Stewart of Arntullie to infest Robert Lundie, merchant, burgess of Dundee, in an annual-rent of 160 merks, to be uplifted from the lands of Aruntullie; to be held of the said John Stewart and his heirs in free blench for the yearly payment of 1d. Scots at the Feast of Whitsunday if asked, with provision of redemption.

Registered March 28, 1656.

Mr Thomas Lundie, James Drummond, son to George Drummond, portioner of the Kirktown of Ratry, and Laurence Cargill in Bonietown of Rattray, witnessed a bond by Laurence Neill, portioner of Wester Kinloch, for 100 merks, in favour of James Thomson, servitor to Mr Thomas Lundie.

Registered May 22, 1656.

Mr Thomas Lundie, minister at Retray, Mr Gilbert Stewart of Polcak, Mr John Murray, minister at Methven, Mr John Crookshank, minister at Regortoune, and Mr George Halyburtoune, expectant, as tutors of the children of the deceased Mr Alexander Rollo, minister at Perth, appointed Andrew Arnot, notary in Perth, their factor for the administration of the estate ; at Perth, November 27, 1657.

Registered December 29, 1658.

Mr Thomas Lundie, minister at the kirk of Rattray, as heir served and retoured to the deceased Robert Lundie, merchant, burgess of Dundee, and Mr Robert Lundie, his brother-german, executors, having obtained decret, January 17, 1665, for payment of sums due, against Sir James Mercer of Aldie, granted at Rattray, March 13, 1665, before Thomas Marnoch, servant to the said Mr Thomas, a discharge of a bond (dated May 23, 1643) by Mr James Mercer, of an annual-rent of 243 merks, redeemable on payment of 3000 merks, in favour of the said Robert Lundie.

Registered April 7, 1665.

Mr Thomas Lundie wrote and witnessed, April 27, 1657, a bond by James Soutar, portioner of Banchorie, and George Souter, his son, for 200 merks, in favour of Mr John Sibbald, burgess of Perth.

Registered March 6, 1666.

Mr Thomas Lundie of Kinuell, Peter Hay, and William Auchinleck in Perth, taking burden for Sir Peter Hay and Sir George Hay of Meginsch, set in tack to John Rinciman and others the fishings of Kinnoull and Pitcullan, for one year and from date till August 15, for 450 merks and 20 salmon ; at Perth, January 15, 1669.

Registered September 2, 1669.

Mr Thomas Lundie of Kennoull granted a bond for 800 merks in favour of Jane Whytt, daughter of the deceased — Whytt of Dowald ; at Perth, November 21, 1669.

Registered November 8, 1672.

Mr Thomas Lundie, minister of Rattray, John Blair of Ardblair, son of the deceased James Blair of Ardblair, and Mr Donald Cargill, late minister at Glasgow, granted at Kirkton of Rattray, May and June 1665, a discharge of the sum of 7314 merks 10s. 8d. (being the remainder of the sum of 14,600 merks, the price of the lands of Parkhead and Leycokis alienated to the above parties by contract, February 14, 1657), in favour of David Ireland of Parkhead.

Registered August 15, 1674.

4. *References in the Register of Decreets of Perthshire Sheriff Court.*

John Wilson of Lochend of Blair, Euphan Blair, his spouse, Issobell Stewart, daughter of the said Euphan and the deceased Lawrence Stewart, sometime in Nether Fornocht, and Margaret, Jean, and Issobell Irland, daughters of the said Euphan and the deceased Patrick Irland, raised an action against Patrick Robertson of Littleton, Patrick Drummond in Retray, and Mr Thomas Lundie, minister at Ratray, for production by Robertson, in the hands of the Clerk of Court, of (1) a bond granted by David Irland at Alith, June 14, 1656, as principal, James Crockat of Easter Rattray, and Alexander Crichtoune at the milne of Craigo, as cautioners, for 3000 merks, etc., in favour of John Wilson ; (2) a bond, of the same date, by the said David Irland, as principal, and John Irland of Milnhorne, and the said James Crockat, as cautioners, for 1400 merks, in favour of the said John Wilson ; and (3) a minute of agreement between James Blair of Ardblair, Mr Thomas Lundie, and the deceased Laurence Cargill of Bonnytoun, and the said John Wilson, whereby Blair, Lundie, and Cargill bound themselves to expend the sum of money obtained from the sale of Parkhead in payment of the creditors of the deceased Patrick Irland (themselves included), to employ the residue for the use of the children of the deceased Patrick, to compt and reckon to the said John, and to do all by his advice and consent : Patrick Drummond and Mr Thomas Lundie to exhibit a blank assignation by Issobell Stewart of 4000 merks, contained in an obligation by Patrick Irland, principal, and James Blair and Laurence Cargill, cautioners, in favour of the said Euphan Blair, in liferent, and Isobell Stewart, in fee : Mr Thomas Lundie to produce the contract of marriage between Patrick Irland and Euphan Blair, and a bond for 500 merks granted in favour of John Wilson ; and for delivery of those writs to the pursuers. They obtained decree for the production of those writs in the hands of Mr William Ord of Cairntie, sheriff clerk of Perth.

Registered March 2, 1659.

James Gray of Ballegerno constituted, May 12, 16—, cessioner and assignee of the deceased Jean Blair,<sup>1</sup> widow of Robert Irland of Parkhead, by Thomas Gourlay in Bandean, her executor, raised an action against John Blair of Ardblair, as heir or intromitter with the goods of James Blair, his father, and Mr Thomas Lundie, for payment of 400 merks, 100

<sup>1</sup> Jean Blair died in December 1658. Lundie, James Blair of Ardblair, and James Cargill in Bonnington were stated to be indebted to her. Her Testament was given up by Thomas Gourlay in Bandan, decerned executor for sums due under a contract of marriage, dated November 21, 1649 (*Perthshire Testaments*, Sheriff Court, March 1659, p. 179).

merks expenses, and interest since Whitsunday 1657, due under an obligation granted, December 23, 1653, by them and the deceased Laurence Cargill in Bonytone of Rattray to the deceased Jean Blair. The defenders were assoilzied.

Registered June 5, 1662.

Thomas Lundie, eldest son of Mr Thomas Lundie, sometime minister at Rattray, and the said Mr Thomas, his administrator, for his interest, raised an action against John Whyt, writer in Perth, who, it was alleged, either had in his possession, or had "fraudfully put away," the under-mentioned writs. He stated that he had been infeft in the lands of Kinowill, which pertained to William Ogilvie of Murie, and required that a contract between the deceased Sir Patrick Ogilvie of Inchmartin and Sir Thomas Blair of Balthayock and Sir Peter Hay of Melginch (dated February 7, 1647, and registered in the Sheriff Court Books, July 12, 1661), and documents relative to the lands of Kinnoul, should be delivered to him.

He obtained decree that those documents and writs should be transumed, and that copies under the superscription of the Clerk of the Sheriffdom, or his deputes, should be delivered to the pursuer and his administrator, and used as their own transumpt and evidents.

Registered March 6, 1668.

5. *References in the Register of Services, Acts of Curatory, etc., of Perthshire Sheriff Court.*

Mr Thomas Lundie was declared nearer heir of the deceased Robert Lundie, merchant, burgess in Dundee, his uncle, in an inquisition (of which Mr Harie Stewart, brother-german to the Laird of Grantully, and Alexander Rankin, one of the bailies of Perth, were members) held in the church of Perth, September 18, 1661, before Patrick Anderson of Tullillum, sheriff-substitute of Perthshire.

Mr Thomas Lundie and Mr Robert Lundie, his brother-german, are designated nearest of kin on the mother's side and tutors of Helen Strachan, daughter of Mr Thomas Strachan, minister at St Martins, and Magdalen Lundie, his spouse, in a summons against them and Hew Mitchell of Kincarrochie, Mr Thomas Strachan, her father, and Mr William Rattray, minister of Cargill, designated nearest of kin on the father's side, for the appointment of curators. The tutors (with the exception of Mr Thomas Lundie, who was dead) and John Gall of Balbrogie were appointed curators.

Registered March 26, 1672.

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2. John Rattray, 1665-1687.

The eldest son of Mr John Rattray, minister at Alyth,<sup>1</sup> and formerly at Rattray, who married Margaret Ramsay,<sup>2</sup> he matriculated at the University of St Andrews, as a student of St Salvator's College, on February 4, 1641, and received the degree of Master of Arts in 1644.

On January 20, 1651, he was minister at Ruthven.<sup>3</sup> From October 30, 1660, to April 8, 1661, he was Clerk to the Presbytery of Meigle. With his father and all the other members of the Presbytery of Meigle, save Mr John Robertson, minister at Airlie, he conformed to Episcopacy in 1662. He was admitted to Rattray during the week before Sunday, July 9, 1665. His first texts were Ephesians iii. 8, "Unto me, who am less than the least of all saints, is this grace given, that I should preach among the Gentiles the unsearchable riches of Christ," and Acts xiv. 15, "Sirs, why do ye these things, etc.?"<sup>4</sup> He was present at the apprising of the manse of Ruthven on July 13, 1666, when its value was declared to be £306, 1s. 8d.<sup>5</sup>

He appeared before the Presbytery of Meigle on December 8, 1668. The minute of that date runs:—"This day, Mr John Rattray, minister of Rattray, representing to the Presbterie his father's condition, in that he, bieng disanabled by a fall, could not goe about his dewtie at Elitt, desyred that the Presbterie for a tyme would supplie his charge, to which the Presbterie did condescend, and promised evry fourth-night once to supplie the same *per vices*; and did appoint Mr John Fyff to begin on Sabboth come eight dayes." On June 6, 1669, he preached for the Bishop at Meigle.

A visitation of the parish was held, on July 29, 1674, by appointment of the Bishop, Dr George Haliburton, minister at Cowpar Angus, presiding over the Committee nominated for the purpose. Among the criticisms of the brethren of the visitation on the *Register of the Kirk-Session* were these:—"5<sup>o</sup> Causes of a Fast wrong set down, viz., damage sustained latalie by His Majestie's forces at sea, whereas the true causes wer the removall of the plaige of pestilence, and for seasonable harvest weather, September 10, 1665: ordaind to be corrected.

"6<sup>o</sup> Ane Act, January 14, 1666, ordaining brewers not to sell ail to persons till they miscarrie on the Lord's day, and that only under the paine of a pecuniall, ordained to be delet as beeing as to the forme of it meerly civil, and on the matter seeming to allow persons to exceed

<sup>1</sup> *Perthshire Sasines*, July 30, 1673.

<sup>2</sup> *Ibid.*, February 22, 1671.

<sup>3</sup> *Ibid.*, August 1, 1651.

<sup>4</sup> *MS. Register of the Kirk-Session of Rattray*.

Alexander Cunningham, collector of the vacant stipends, appointed, June 5, 1666, Alexander Ireland of Milnholl his depute for uplifting one-half of the stipend of Rattray, and one-half of the glebe duties for 1665 (*Perthshire Deeds*, June 13, 1666).

<sup>5</sup> *MS. Register of the Presbytery of Meigle*, July 24, 1666.

in drinking if they miscarrie not; ordained to be delet and renewed in better forme.<sup>1</sup>

“12° It is found that the minister preaches only once in winter; ordained that hereafter every Lord’s day, in summer and winter, the minister preach tuse, this beeing the best accomodated place in all the boinds in regaird of a populous toun at the kirk, and the greatest part of the parish within halfe a myl of the kirk.

“13° The Sacrament of the Lord’s Supper found to be celebrated only four tymes in 9 yeirs, and insufficient excuses sett down for tuo yeirs omission, September 19, 1669, and August 10, 1673, for which the minister is nou admonished, and appointed yeirly at least to celebrate the Sacrament.”<sup>2</sup>

On June 7, 1682,<sup>3</sup> on his request for assistance, the Presbytery appointed two members to preach at Rattray, and moderate in the Kirk-Session before the next meeting. On July 5, no additional appointments were made, on the ground that he asked no further help. The Presbytery, on November 1, 1682, appointed the members to transmit to the Bishop, in accordance with the Act anent Religion and the Test, the names of the “disaffected and disorderly persons” in their parishes, before the following meeting. On January 3, 1683, Rattray sent to the Presbytery a list of such persons in the parish of Rattray: the Presbytery, however, before proceeding further, desired a specific account of their disorderly conduct. On February 7, he reported that their disorderliness consisted in their neglect of public worship, and their “private converse with persons unknown to [him].” On April 4, he stated that an action against those persons had been raised before the Sheriff.

He had been appointed three times to preach at Little Dunkeld, but failed to obey his instructions. On September 5, 1683, he excused himself on account of infirmity, but was sharply rebuked for his disobedience. He failed to keep a promise to preach at Little Dunkeld before the meeting of the Synod in October. The Presbytery, therefore, ordered the Clerk to summon him to the next meeting to state his reasons for his repeated

<sup>1</sup> “May 22 [1641].—The same day, it is ordaind that the whole browsters within the parochine sall not sell aill, nor give drink, on the Sabbath day befor the sermon be finished, and the congregation demissed, under the paine of fyve lib. *toties quoties*; and, therfor, the browsters in the Towne of Logieraitt, being present, held up their hands in pledge and token theroff befor the Sessioun to pay the said penaltie if they suld be found guiltie of that fault” (*MS. Register of the Kirk-Session of Logieraitt*).

<sup>2</sup> See note 4, page 362.

<sup>3</sup> The *Kirk-Session Register*, June 28, 1674-1688, has disappeared. The *MS. Register of the Kirk-Session of Alyth* notes, under date April 8, 1677, that no meeting of Kirk-Session was held “because our minister was preaching in Rattray, their own minister being sick”; and under date June 17, 1686, that Rattray owed £6 for the use of the mortcloth twice.

acts of disobedience. The Clerk, however, was unable to communicate with him, and the instruction was repeated. In a letter submitted to the Presbytery on January 2, 1684, Rattray excused himself for his absence from their meetings, and his failure to preach as appointed, on the ground that "he was so infirm and sickly that he could not ventur so far from hom." Attention was called, on July 7, 1686, to his continued absence from the meetings of the Presbytery, without offering excuse, and he was cited to the next meeting. He appeared, but his excuses failed to afford complete satisfaction to the Presbytery. They delayed "to give their mynd anent them at this tyme, upon considerations known to themselves."

He was alive on March 3, 1687,<sup>1</sup> and died before April 6, 1687, when Rattray was stated to be vacant.<sup>2</sup>

He married (1) Margaret, daughter of David Ogilvie of Over Kinaltie<sup>3</sup>: she died on, or shortly before, February 18, 1683, as appears from an entry in the *MS. Register of the Kirk-Session of Alyth*, under that date:—"no preaching nor Session, in respect of the death of the minister of Rattray his wife, for ovr minister went thither presentlie after sermon"; and (2) on or after July 7, 1686, Elspeth Rattray, widow of David Rattray of West Forrest.<sup>1</sup> His children were: David,<sup>4</sup> William,<sup>5</sup> John,<sup>6</sup> and Catherine.<sup>7</sup>

He was proprietor at one time of the lands of the Mains of Meigle, of acres in Rattray, of the lands of Fullertoun, and of the lands of Jordanston, with rights over Blackhills.<sup>8</sup>

<sup>1</sup> *Perthshire Sasines*, March 4, 1687.

<sup>2</sup> *MS. Register of the Presbytery of Dunkeld*.

<sup>3</sup> *Acts and Decrees*, Mack, November 8, 1694. v. *Perthshire Deeds*, February 19, 1669.

Mr John Rattray was assignee, January 1, 1669, of a bond for £80 granted by Mr James Ogilvie in Creiff, as principal, and David Ogilvie, as cautioner, March 16, 1657, in favour of John Urrie in Auchterhouse and Janet Sinclair, servitrix to the Countess of Buchan; and on January 16, 1669, of a bond for 250 merks granted by David Ogilvie, August 1, 1653, in favour of James Fentoune of Elcravie.

Mr David Rattray, writer in Edinburgh, is designated son and executor-dative of the deceased Mr John Rattray, minister at Rattray, and executor-qua-creditor of the deceased David Ogilvie of Over Kinaltie, his grandfather (*Acts and Decrees*, Mack, November 8, 1694).

<sup>4</sup> *Perthshire Sasines*, March 4, 1687. He matriculated at St Salvator's College, St Andrews, on May 12, 1682, as a student of the semi-bachelor class, and graduated Master of Arts on August 20, 1687.

<sup>5</sup> *Perthshire Sasines*, April 22, 1686; *Dunkeld Commissariot Deeds*, November 4, 1690.

William Rattray, second lawful son of Mr John Rattray, minister at Rattray, December 26, 1685, witnessed a contract of marriage between Beatrix Nicoll, widow of David Rattray of Rannagullan, and James Chalmer of Dallinoit (*Perthshire Sasines*, April 27, 1688).

<sup>6</sup> *Perthshire Sasines*, February 28, 1674.

<sup>7</sup> *Perthshire Decrees*, March 25, 1681.

<sup>8</sup> *Perthshire Sasines, infra*.

*I. References in the Register of Sasines for Perthshire.*

John Rattray, son of Mr John Rattray, minister at Alyth, witnessed, January 2, 1640, a renunciation by Jeane Fyff, widow of William Brown in Pitnacrie, of her liferent of the town and lands of Pitnacrie, in favour of James, Earl of Airlie, and Dame Issobell Hamilton, his wife.

Registered March 8, 1640.

Mr John Rattray, minister at Ruthvine, witnessed, October 12, 1654, an instrument of sasine of 4 acres of land in Alyth, in favour of Agnes and Janet Forrester, and Christian Boytar; proceeding on a precept of clare constat by James, Earl of Airlie, dated February 18, 1653; and also an instrument of sasine, of the said 4 acres, dated as above, in favour of John Crockat.

Registered November 16, 1654.

Mr John Rattray, junior, minister of Ruthvens, had sasine, April 27, 1664, of the Mains of Meigle and others, proceeding on a disposition by George Brown, merchant and bailie of Dundee (bailli de Taduni), dated at Dundee, May 16, 1664.

Registered April 29, 1664.

Mr John Rattray granted at Dundee, June 8, 1666, in presence of Mr John Rattray, elder, a disposition and assignation of the lands of Fullartoun, in favour of John Rattray of Hallyards.

Registered May 20, 1667.

Mr John Rattray, younger, had sasine, January 16, 1671, of an annual-rent of 300 merks, as interest on 5000 merks, to be uplifted from the lands of Haltoun of Creuchies, Ballos called M'rich, and from the West-side of Balloues (not life-rented by Lady Airlie), and others, reserving to Mr John Rattray, elder, minister at Alyth, and Margaret Ramsay, his wife, the annual-rent of 2000 merks of the above 5000 merks; proceeding on a precept of sasine in a bond by James, Earl of Airlie, dated at Cortoquhie, September 23, 1670.

Registered February 22, 1671.

Mr John Rattray was assignee of a bond for 5000 merks granted by the Earl of Airlie, on May 25 and 29, 1630, in favour of Mr John Rattray, elder. Mr David Rattray, eldest son and retoured heir of Mr John Rattray, minister of Rattray, granted a renunciation of that bond and annual-rent.

Registered December 15, 1690.

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Mr John Rattray witnessed, March 27, 1671, a bond by David Ramsay of Jordanston, of an annual-rent of 42 merks to be uplifted from the lands of Balharrie and others, in favour of John Adamson.

Registered June 24, 1673.

Mr John Rattray, minister at Alyth, and Mr John Rattray, minister at Rattray, his eldest son, resigned, June 16, 1673, the town and lands of Blackhills, otherwise called Broadwalles, etc., in favour of Patrick Rattray of Craighall.

Registered July 30, 1673.

Mr John Rattray executed, February 10, 1674, in presence of John Rattray, his son, and Neill Forrester, schoolmaster of Rattray, a renunciation of the lands of Jordanston in the parish of Alyth, in favour of Thomas Graham of Potento.

Registered February 28, 1674.

Mr John Rattray and Neill Forrester, schoolmaster at Rattray, witnessed, December 4, 1675, a charter by David Ramsay of Balharrie, of the miln and miln-lands of Balharrie, in favour of John Adamson.

Registered February 20, 1678.

Mr John Rattray gave sasine, March 3, 1687, in liferent of an annual-rent of £40, to be uplifted from the lands of Balloch and M'rich, in favour of Elspeth Rattray, widow of David Rattray of West Forrest, then his wife ; proceeding on precept of sasine in a contract of marriage, dated at the Kirkton of Rattray, July 7, 1686, in presence of Mr David Rattray, his eldest son.

Registered March 4, 1687.

### *2. References in the Register of Deeds of Perthshire Sheriff Court.*

Mr John Rattray, minister at Ruthven, granted a bond for 200 merks Scots, etc., in favour of George Soutar of Wester Banchorie ; at Ayleth, August 1, 1661, in presence of Mr John Rattray, elder, minister at Ayleth, David Ramsay of Jurdanstoune, and John Nairne of Tulifergus.

Registered June 18, 1662 (p. 103).

Sir James Keith of Powburne, knight baronet, as principal, and Mr John Keith, minister at Kirriemuir, and Alexander Farquharson in Tarbirne, granted (at Kirriemuir, August 16, 1665) a bond for 2800 merks, etc., in favour of Mr John Rattray, minister at Rattray, and Margaret Ogilvie, his wife.<sup>1</sup>

Registered February 19, 1669.

<sup>1</sup> Letters of Inhibition were raised by Rattray and his wife against Sir James Keith and Alexander Farquharson in Torbirnes on February 24, 1669, and were duly served (*General Register of Inhibitions*, April 6, 1669).

Mr John Rattray witnessed at the Kirktoon of Rattray, February 9, 1671, a tack by David Rattray of Ranagulziane, of two acres of the infield land of the Mylnetoune of Drimmié, with teinds and personage, etc., in favour of David Ogilvie in Newtown of Crewchie.

Registered January 16, 1673.

Mr John Rattray witnessed, August 1, 1676, a decret arbitral between Patrick Ratray of Craighall and James Ratray, his son, on the one part, and James Crockat of Easter Rattray and Mr John Crockat, his son, on the other part, concerning the lands of Chapelton and others and the lands of Easter Rattray.

Registered August 3, 1676.

### 3. *Reference in the Register of Decreets of Perthshire Sheriff Court.*

Issobell Hay, daughter of the deceased Sir Peter Hay of Megginsch, knight, raised an action against Mr John Rattray for payment of £28, 13s. 4d. She stated that, in May 1678, Rattray and his wife did board their daughter, Catherine, with her, and undertook to pay for her "the lyk boord that other borders of hir qualitie give to others within the toun of Perth"; that the said Catherine began her residence with her at the beginning of June 1678, and remained until Yule, a space of more than half a year; and that the ordinary board of others of her quality was 100 merks. She further stated that Rattray had paid only £38 Scots, and still owed £28, 13s. 4d., which he had undertaken by missive, dated January 13, 1680, to pay at Midsummer 1680. She obtained decree as craved.

Registered March 25, 1681.

### 4. *Reference in the Register of Hornings for Perthshire.*

Issobell Hay, daughter to the deceased Sir Patrick Hay of Megginsch, having shown that, on March 25, 1681, she obtained decree in the Sheriff Court of Perthshire against Mr John Rattray for payment of £28, 13s. 4d. and £6 expenses of plea, which being suspended by Rattray, and the time of compearance being long past, she obtained a protestation against him for not insisting therein before the Lords of Council on December 6, 1681, and that the said Lords ordained the suspender to pay to the complainer £8 as costs of obtaining the protestation, obtained Letters of Horning against Rattray on November 15, 1682, under which he was denounced.

Registered December 23, 1682.

John Glas, merchant, burgess of Perth, obtained decree against the heritors of the Parish of Rattray for the stipend due for the year 1684, in name of sums owing to him by the minister under bond. On February 5, 1687, Mr David Rattray, eldest son of Mr John Rattray, granted a bond of corroboration for £375, 8s. 8d., etc., in favour of Glas, and was appointed factor to uplift that stipend.

Registered March 19, 1687.

## DULL

1. John Cunison, 1624-1681.

The eldest son of John Cunison in Dunkeld and Issobell Oliphant, his wife,<sup>1</sup> he matriculated at the University of St Andrews, as a student of St Salvator's College, in 1612, and graduated Master of Arts in 1615.

He was admitted to Dull on a presentation by the Crown, dated Whitehall, March 25, 1624, in succession to Mr James Menzeis, who had demitted his charge.<sup>2</sup>

On May 17, 1627, Robert Steuart of Ballequhane and James Stewart of Fancastell, commissioners appointed "to trye the estate off the kirk and parochie," met with Cunison at Dull. The report of their investigations was printed by the Maitland Club in 1835,<sup>3</sup> and from it the following interesting statements are extracted:—

"Thair is off Communicantis within the said parochie as they wer given vp at the tyme off the examinatioun before the communioun, ane thowsand twentie and six or thairby.<sup>4</sup>

"The parochie conteines from the south to the northe sextein myles and from the east to the west ten myles. It is to be remembrit the rowmes off the parochie, except the landis off Appendull, Cluney and Derculich efter mentionat, lyes in glenis and ar devyded from the parochie kirk with riveris monthes and mosses.

"The said kirke is ane kirk be it selff not vnit to ony other, and is ane off the kirkis off the pryorie off St Androes.

"The King his Majestie is patron off the said kirk since the reformation.<sup>5</sup> The Duke of Lennox is person; Sir William Stuart of Grantully is principall taxman off the gryt teindis. The heritouris hes ane tak from him off thair awne teindis except the Barron Monness. The Minister hes assigned to him in name of stipend the whole viccarage of the parochie

<sup>1</sup> *Perthshire Sasines*, January 13, 1626.

<sup>2</sup> *MS. Register of Presentations*, vi. 1.

<sup>3</sup> *Reports on Parishes in Scotland*, 153-64.

<sup>4</sup> According to the Report of Drs Hyndman and Dick to the General Assembly, the population of the parish in 1760 was estimated at 5000.

<sup>5</sup> v. p. 117 *supra*.

of Dull quhilk hes bein in takis in the heretouris owne handis for the soume of ane hundreth pundis and that beyond memorie of man with the manse and gleib and out of the lordschip of the Pryorie of St Androes thrie chalderis fowr bollis thrie firlotis aitis, and owt off the Lord off Scoone his pension ten bollis bear thrie bollis aitis. . . . There is no skooll in the parochie nor foundation for a scooll bot requisit if ane provision mycht be haid for ane. . . . There is only off kirkland in the parochie the landis off the Carse, Drumdewin and Kinnarte quhilk ar called viccarland with the Minister his gleib and ane croft in the barronie off Grantully called the kirk croft which was in the Minister his possession. . . .

“And these ar the landis on the sowth syd off Tay within the parochie off Dull quhose inhabitantis never or seldom reparis to the said kirk except on necessitie off receaving the Lordis supper and baptisme and off marriage and that sometymes with losse off the childrenis lyfe and with other gryt hazardis throw the said monthis and riveris.

“. . . The inhabitantis off the landis beyond the month northward from the said parochie kirk seldom reparis to the kirk except upon necessitie before mentionat. Bot in respect they lye neirer to other kirkis ather they repair to them or to none quhairbe gryt ignorance abowndis in the land and neglect off discipline to the greiffe off many off the inhabitantis, and to the Ministeris gryt greiffe and truble and whyles to the loss off children and hazarding off the lyffes off these off ryper age being forced somtymes to come to the parochie kirk vpon sundry necessities.

“The parochie kirk it selfe is ruinows and ane taxt being imposed vpon the landis off the parochie for repairing the same many as yit hes not payed quhairbe it hes hindred the work for only the quarter off the queir is theiked the kirk being altogether without rooffe.”

He was denounced rebel for failure to pay the taxation originally granted in August 1621, the amount due by him being £80, 11s. 2d. for the 3rd and 4th terms' tax of the vicarage of Dow. He was one of the clergy whose persons the Privy Council, on December 11, 1628, authorised Robert Murray, burgess of Dundee, and Simeoun Areskine, indweller in the Cannogait, to search for and arrest, and whom they authorised the magistrates of the towns to which they were brought to commit to the Tolbooth until they had discharged their liabilities.<sup>1</sup> In 1630 his name appears in a list of “such ministeris as ar poore beneficet personis” exempted from Taxation.<sup>2</sup>

Before July 20, 1632, he raised an action for the determination of the locality of the stipend of Dull; and at Edinburgh, on January 16, 1633,

<sup>1</sup> *Register of the Privy Council*, Second Series, ii. 521-3.

<sup>2</sup> *Miscell. Eccles. Documents*, Register House, No. 50.

in presence of Archibald Campbell, brother of the laird of Laweris, James Quhyt, his servitor, and Thomas Merschell, servitor to John Merschell, writer in Edinburgh, he subscribed the following document :—

“ I, Maister Johne Cunisone, minister at Dull, considdering that long and syndrie tymes I haue bein hier in Edinburgh attending about the settleing of my stipend of the kirk of Dull, and that the gentlemen heretoures of the lands within the said parochie thinkis thameselffis hardly dealt with be me give I sould burding thame with the localitie of the stipend dew to me and my successouris, quhairoff they think they aucht to be frie during these zeiris to rin of thair takes, in respect I have assignatioun to my stipend from the titular wtherwayes to be payed to me and my successouris for serueing the cure at the said kirk ; and now seing the said gentlmen and heretouris hes giwin to me and my successouris sufficient securitie for all such interest as I and they sall sustaine throw sutteing of my stipend furth of places sua farre distant from the said kirk of Dull, and considdering that the said matter is altogidder questionable not only be these who ar not comperand in that Act of Commissioun, obtained be me upoun the tuentie day of July last for the said localitie of my said stipend, bot lykewayes be these quho are compeirand therintill : Thairfoir I, being maist desyreous to repair home to my charge and functioun, quhairfra I have beine detained to the great prejudice of the people committit to my charge, and to my lose in great expensses, and nawayes willing to insist in ane matter of sua uncertane event and cleirly tending to the exasperating of the said gentlemen againes me, and burdineing of my saidis parochineris, doe be thir presenttis, for me and my successouris, not only renunce the benefit of the said Act, in sua farre as concernes me during the standing of the said takes undischaired or reduced, or to suche tyme as the Lord Duik of Lennox, titular of the said teyndis, be himselff or his noble freindis, aggrie with the taksmen for settling the state of the said kirk, bot heirby also doe give full powar and commissioun to Mr James Aukinhead, advocat, as procurator for me and in my name, to compeir befoir the Commissioners for surranderis and teyndis, and thair to consent to the annulling or cassing, or at the least suspending, of the said Act during the tyme forsaid, and to assist and concure with the gentlmen heretouris forsaid of my said parochin for annulling and cassing thairof in sua farre as concernis me, at the least suspending thairof as said is ; and that I and my successouris, ministeris at the said Kirk, may have and keip the peaceable possessioun of the stipend assignit furth of the parochie of St Andreus, and utheres parochines therabout, during the tyme forsaid, and that the said Act of Commissioun be not prejudiciall to me or thame for uplifting the same. . . .”

He again raised an action against the titular, tacksmen of the teinds, and heritors, viz. :—James, Duke of Lennox, titular,<sup>1</sup> Sir William Stewart of Garnetillie, knight, principal tacksmen, Sir Colline Campbell of Glennorquhie, knight baronet, Sir Alexander Meinzeis of that Ilk, knight, Sir James Campbell of Laweris, knight, John, Lord Madertie, Duncan Meinzeis, fiar of Weyme, Alexander Meinzeis of Carss, Alexander Meinzeis of Comrie, Robert Stewart of Ballechin, Alexander and Robert Fleming of Monnes, John Stewart of Kynnochen, Neill Stewart of Greneich, William and John Stewartis of Duntanlycht, John Stewart of Bonskaid, Margaret Robertson, his mother, liferentrix of Pitdornie, James Stewart of Fondcastell, John Stewart of Scheirglas, Robert Ferguson of Darculich, and Robert Robertson of Ledgreine. He represented that the lands and teinds of the parish had been valued; that, by Act of the Commission, July 22, 1632, the stipend and augmentation had been ordained to be 1 chalder bear, 3 chalders, 6 bolls, 3 firlots meal, with £120 money from the vicarage of the parish and 20 merks money; that an augmentation of £50 had been granted to him by the above Act; and that he craved only a locality within his own parish of 30 bolls meal in place of 24 bolls oats and 6 bear, assigned to him of old out of the teinds of Overmagask in the parish of St Andrews, with a locality of the foresaid augmentation of £50. On June 26, 1635, the Lords granted his crave, approving a locality submitted by him.<sup>1</sup>

He was present at the first meeting of the Synod of Perth and Stirling after the meeting of the General Assembly of 1638, and, with his co-presbyters, was admonished to attend the meetings of the Presbytery of Dunkeld more regularly. It was objected that he was remiss in repairing of his parish church. He answered that he had done what he could, but that his parishioners would not assist him in the carriage of materials. The Presbytery were asked to scrutinise his conduct in the matter at a visitation of Dull. At the same meeting, he requested the Synod to advise him as to the course he should adopt to obtain payment of his stipend, which, as he stated, "should be payd of an old custom, and by an old Act of Platt, out of Fyf." The Synod appointed Mr Robert Murray, minister at Methven, to bring the subject under the notice of "the Nobilitie" at their first meeting in Edinburgh.

The minute of the meeting of the Kirk-Session of Logierait on January 5, 1640, proceeds :—"The same day, the elderis of the parochine were chosen, 17 in number, and were ressaved be Mr John Cunisone, minister at Dull, according to his commission frae the last visitation halden in Logieraitt the 11 of December, to witt 1639; amongst all which only William Fergusone of Balleuchane is absent."

<sup>1</sup> *Teind Papers* (Register House).

He was appointed a commissioner from the Presbytery of Dunkeld to the General Assembly of 1641, and, with Messrs Alexander Rollock, minister at Dunkeld, William Menzies, minister at Kenmore, Henry Stewart (of Carco), the baron of Comrie, and John Stewart of Killiechassie, was nominated, by the Synod of April 1643, a commissioner to "deal with" those who were "potent" within the bounds of the Presbytery, that a collection on behalf of the Scots Army in Ireland might be available on May 1.

When Montrose was in the field for King Charles I. Cunison was despoiled of his goods and compelled to flee from his parish. With other distressed ministers, he petitioned "the Committie for the loisses" appointed by Parliament for reparation of his loss, and also Parliament for a grant in aid of his immediate necessities. Parliament voted him a sum of 400 merks Scots for his relief, until his claim had been submitted to detailed examination.<sup>1</sup> He and Messrs Robert Murray, David Drummond, John Strachan, John Cruickshank, and William Row, and others, "specially these both be east and be west the Water of Tay neirest the hills," complained to the Synod of November 1645, "that be reasone of the frequent downfalls of the rebels, and particular enmity conceaved against them, in regard whereof their persons and lyfes ar sought and layed awaite for by the enemy, and thereby ar brought to that extremity as to leave their floks destitute of the comfort of their ministrie to their great greif." The Synod humbly requested the Commission of the General Assembly to represent their plight to the Estates of Parliament, that the "best and happiest" remedy might be adopted both for securing their safety, and for freeing the country from those attacks.

In 1646, Cunison is found acting as a chaplain to the garrison at Perth. The *MS. Register of the Presbytery of Perth* under date May 27 runs:—"Mr John Cruikshank, minister at Regortoun, in the Presbytery of Perth, Mr John Cunison, minister at Dull in Athol, within the Presbytery of Dunkeld, now serving in the garrison of Perth, their hard and heavy condition is appointed to be represented (having both of them suffered great loss and spoiling by the enemy) by the Presbytery to the General Assembly, that they may recommend the same to the Honourable Estates of Parliament for remedy." The General Assembly of 1646 passed the following Act relative to Cunison and his neighbour, Mr Thomas Irland, minister at Weem:—

"The General Assemblie, considering the distresses and necessities of Mr John Cuniesone and Mr Thomas Irland occasioned by the cruell oppression and robbetrie of the rebels, doe, therfor, recommend them seriouslie to the charitie of all the brethren of the ministrie within the

<sup>1</sup> *Acts of Parliament*, vi., pt. i., 311. v. *infra*, Ireland—Weem.

Presbitries be south Tay, in the same maner and according to the recommendationes given to the distressed ministers of Argyle.”<sup>1</sup>

In September 1646, he consulted the Commission of the General Assembly as to his resuming his ministry at Dull. That body, on September 18, expressed the opinion “that he go about to doe the dueties of his calling as carefully as he may with safetie,” and requested Mr David Dickson to ask the Provost of Glasgow to pay to him in Edinburgh his share of the public collection appointed to be made for him and the distressed ministers of Argyle.<sup>2</sup>

In 1655, a petition by him and the heritors and parishioners of Dull, for advice “anent the giving of the Communion to that congregation in regard of their condition,” was presented to the Presbytery, and was referred to the Synod. The Synod, in October 1655, declared that all within the parishes of Dull and Kenmoir who had sufficient knowledge and were free from scandal might be admitted to Holy Communion.

Cunison conformed to Episcopacy in 1662. He died before October 14, 1681.<sup>3</sup>

The manse was appraised on January 4, 1682, at £346, 11s. 4d.

He married, on or before August 10, 1626, Elspethe (Elizabeth) Crychtoun, daughter of Thomas Crychtoun of Polcak,<sup>4</sup> and had issue, Mr John,<sup>5</sup> minister successively at Killin,<sup>6</sup> Kilbride in Arran,<sup>5</sup> and Saddell,<sup>7</sup> and Thomas.<sup>8</sup>

#### 1. *References in the Register of Sasines for Perthshire.*

Mr John Cunisoun, as attorney for Elizabeth Cunysone, daughter of John Cunysone, received sasine, January 28, 1625, from Thomas Greig, notary in Dunkeld, of one-fourth part of the town and lands of Wester Caputh, proceeding on a marriage contract dated January 12, 1625.

Registered February 24, 1625.

Mr John Cunisoun, minister at Dull, witnessed at Hilhead, October 2, 1623, a precept of clare constat by Sir William Stewart of Grandtully,

<sup>1</sup> *MS. Acts of Assembly*, June 12, 1646.

<sup>2</sup> *Records of the Commission*, 1646-7, 62.

<sup>3</sup> *Perthshire Sasines*, October 15, 1681.

<sup>4</sup> *Ibid.*, August 27, 1626.

<sup>5</sup> *Ibid.*, September 28, 1654.

<sup>6</sup> *Perthshire Deeds*, 1656-7, p. 128.

<sup>7</sup> *Perthshire Sasines*, May 14, 1679.

Wodrow mentions a Mr John Cunninson as one of two ministers indulged to Killern in Argyle (*History*, ii. 204). He had a son Dugall (*Perthshire Sasines*, April 12, 1682).

<sup>8</sup> *Perthshire Sasines*, February 6, 1680. He is erroneously designated eldest son in *Ibid.*, March 22, 1683, and *Perthshire Deeds*, December 4, 1667. On June 26, 1656, he married Margaret Lyndsay (*Edinburgh Marriage Register*) and afterwards Elizabeth Reid (*Perthshire Sasines*, April 12, 1682; February 6, 1680). He died in September 1697 (*Dunkeld Com. Testaments*, November 16, 1699).

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for infefting Walter Robertson, brother german and heir of John Robertson *alias* M'Donchie, in Cousland, in the fourth part lands of Hilhead of Fongorth.

Registered May 10, 1625.

John Cunison in Dunkeld, with consent of Isobella Oliphant, his wife, and of Mr John Cunison, their eldest son and apparent heir, granted a charter of sale (dated at Invar and Dunkeld, January 7 and March 9, 1619), to Thomas Young in Fongorth and Marjory M'Condoquhie, his wife, under provision of reversion, of an annual-rent of £40 Scots to be uplifted from the lands commonly called the Crofts of Fordischaw and Fongorth, and gave sasine on January 11, 1626.

Registered January 13, 1626.

Mr John Cunisone, minister at Dull, eldest son of John Cunisone, had sasine, July 14, 1626, in presence of Mr William Glas, minister at Litill Dunkeld, and John Glas, his brother german, of the Crofts of the Prebend of Fardischaw, in the barony of Dunkeld, the Crofts of Fongorth, and others; proceeding on precept of sasine in a charter of sale by his father, dated at Dunkeld, June 13, 1626.

Registered August 27, 1626.

Mr James Drummond of Boghall, as bailie for Mr John Cunisone, minister at Dull, gave sasine, August 11, 1626, of the above lands, to Thomas Crychtoun of Polcak, as attorney for Elspethe Crychtoun, his daughter, wife of Mr John Cunisone; proceeding on precept of sasine in a charter signed at Dunkeld, August 10, 1626, in presence of Mr James Stewart of Ladywell, Commissary of Dunkeld, and others.

Registered August 27, 1626.

Mr John Cunyson, minister at Dull, had sasine, January 27, 1627, from John Cunisone of Ballemenoch, as bailie for John Cunysone in Dunkeld, father of Mr John, of the lands of Argie (formerly belonging to the deceased John Cunyson of Edradour), Tombouie, and Feandach, and an annual-rent of £16 and 15 bolls of victual from the dominical lands of Edradour; proceeding on precept of sasine in a charter of sale by his said father, dated at Dunkeld, June 13, 1626.

Registered February 18, 1627.

Mr John Cunisone, minister of Dull, eldest son of John Cunisone in Dunkeld, had sasine, February 10, 1627, in presence of Mr Alexander Anderson, minister of the Word of God at the Cathedral Church of Dunkeld, of the Crofts of Fongorth, and 4 bolls barley from the lands of Fongorth (*viz.*, one boll from each part); proceeding on precept in a

charter granted by John Stewart, son of Sir William Stewart of Grandtully and Prebendary of Fongorth, granted, with consent of his father, the Bishop, and the Dean and Canons of Dunkeld, at Dalbaird and Dunkeld, February 9, and April —, 1627, before John Hall of Newtyle.

Registered February 18, 1627.

Mr John Cunysone, minister at Dull, witnessed, June 19, 1629, an instrument of sasine in favour of John Toshache, son of Patrick Toshache in Dunkeld, of an annual-rent of 32 merks secured over a tenement of land in Dunkeld, with barn, kiln, and coble, by disposition in his favour by William Fyff, notary in Dunkeld, with consent of Beatrix Reid, his wife, and Alexander Fyff, their eldest son.

Registered July 30, 1629.

Mr John Cuniesone, with consent of Elspeth Crichtoun, his wife, and Thomas Greig, notary in Dunkeld, for their interest, gave sasine, October 12, 1632, in presence of Mr Andrew Crichtoun, schoolmaster at Dunkeld, of the north half of the croft of Fardishaw, redeemable on payment of 1000 merks, to Thomas Robertson in Dunkeld, and Thomas Robertson, his eldest son.

Registered November 30, 1632.

Mr John Cuniesone witnessed, May 27, 1632, a renunciation by Mr James Stewart of Ladywell, and Marjory Stewart, his daughter, of an annual-rent of £100 to be uplifted from the lands of East and West Ballizewinoches (redeemable on payment of £1000 and the annual-rent), in favour of Robert Stewart of Ballaquhan.

Registered May 31, 1633.

Thomas Young in Capeth, with consent of John Young, portioner of Fongarth, for his interest, granted, November 16, 1633, a renunciation, of an annual-rent of £40, secured over the crofts of Fordischaw and Fungorth, in favour of John Cunison in Dunkeld.

Registered November 29, 1633.

William Gilbert, citiner of Dunkeld, for himself, and taking burden for Issobell Gilbert, his eldest daughter, (her mother being Janet Cunieson, his first wife), granted, November 16, 1633, a renunciation, of the south quarter of the lands of Balfour's Croft and Lacoks bank, in favour of Mr John Cunieson, minister at Dull.

Registered November 29, 1633.

Mr John Cunieson, with consent of Elizabeth Crichtoun, his wife, and Thomas Greig of Tullimillie, for their interest, gave sasine, November 19, 1633, of the crofts of the Prebendary of Fardischaw, to Thomas

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Robertson in Dunkeld and Thomas, his son, proceeding on a precept in a contract dated at Dunkeld, November 14, 1633.

Registered November 29, 1633.

Mr John Cunieson, as bailie for Mr Walter Stewart, chaplain of the chaplainry of St Ninian within the Cathedral Church of Dunkeld, superior, gave sasine, October 25, 1636, to Mr Gilbert Stewart, fiar of Polcak, as attorney for Patrick M'Duff, grandchild and heir of David M'Duff of Fandowie, of the lands of St Ninian's rig, proceeding on a precept of clare constat dated at Dunkeld, October 24, 1636.

Registered November 30, 1636.

Mr John Cunyson, as bailie for Patrick M'Duff in Gibenstoun, heir of the deceased James M'Duff of Fandowie, gave sasine, October 25, 1636, of 2 roods of land in the town of Litill Dunkeld, and others, to Mr John Stewart, fiar of Ladywell; proceeding on precept in a charter of alienation and sale dated at Perth, October 8, 1636.

Registered November 30, 1636.

Mr John Cuniesone, heritable feuar of the lands of Ardgie, by the hands of his bailie granted sasine, May 17, 1639, of the East half of the town and lands of Ardgie, in the barony of Edradour, etc., redeemable for £600 Scots, to John Cunieson in Ardgie, and Margaret Robertson, his wife; proceeding on precept in a charter granted, with consent of the deceased John Cunison, June 6, 1638.<sup>1</sup>

Registered May 31, 1639.

Robert Menzies, citiner in Dunkeld, granted a renunciation, of an annual-rent of 100 merks secured over the Croft of Fardesschaw, the Crofts of Fongorth, and others (pertaining to the deceased John Cunyson under a bond, dated March 29, 1623), in favour of Mr John Cunyson, minister at Dull, son of the deceased John Cunyson in Dunkeld, and Issobell Oliphant, his spouse.

Registered June 16, 1641.

Mr John Cunyson, heritable feuar of the Crofts of Fongorth, and others, gave sasine, August 30, 1641, of the said lands to Mr James Nasmyth, minister at Dalmellington, and Anna Cunyson, mother of the said Mr James; proceeding on precept of sasine in a charter of sale, granted, with consent of Elizabeth Crychtoun, his wife, August 24, 1641, before Mr Alexander Rollock, minister at Dunkeld.

Registered September 1, 1641.

<sup>1</sup> The lands were redeemed by Mr John Cunieson, younger, to whom John Cunieson, second son and heir of the deceased John Cunieson in Ardgie, for himself and his mother, granted a renunciation at Logierait, May 27, 1661 (*Perthshire Sasines*, June 28, 1661).

Mr John Cunysone witnessed, May 4, 1642, an instrument of sasine of the east half of the town and lands of Donavard, in favour of Elspeth Cunysone, daughter of John Cunysone in Ardie; proceeding on precept of sasine in a charter of sale by James Robertson, son of James Robertson of Lattoch.

Registered May 28, 1642.

Mr John Cunnesone, minister at Dull, and Mr John Menzies, school-master there, witnessed, at Drumdewane, February 2, 1654, a renunciation by Elizabeth Murray, wife of Thomas Meinziez of Tiggermaich and daughter of the deceased Patrick Murray, Cup-bearer to the late King, of an annual-rent of £500, in favour of James, Earl of Tullibardine.

Registered March 24, 1654.

Mr William Balnevis, son of the deceased Mr William Balnevis, sometime minister at Mulling, and another, as bailies for Mr John Cunnison, elder, minister of Dull, gave sasine, September 21 and 22, 1654, of the Crofts called the Crofts of Fongorth, the lands of Argie, and others, to Mr John Cunison, younger, his eldest son, then minister at Kilbryde in Arran; proceeding on precept of sasine in a disposition granted, with consent of Elizabeth Creichtoune, his wife, 20 and — September 1654.

Registered September 28, 1654.

Mr John Cunnison, minister at Dull, and Mr John Cunnison, minister at Kilbryde, gave sasine, February 17, 1655, by the hands of their bailie, of the Crofts of Fongorth and others, to Robert Stewart, merchant in Dunkell; proceeding on precept in a charter of sale for 2000 merks, dated January 9 and 23, 1655.

Registered March 1, 1655.

Mr John Cunieson and Mr Patrick Campbell, minister at Kenmore, witnessed, September 29, 1662, an instrument of sasine, of the lands of Tiggermauche and others, in favour of Thomas Menzies of Carse; proceeding on a precept in a charter by Alexander Menzies of Menzies, granted, September 26, 1662, in presence of Mr John Menzies, expectant.

Registered October 31, 1662.

Mr John Cunnison, minister at Dull, witnessed, August 17, 1674, a marriage contract between Colin Campbell and Jean Menzies. Sasine of the half lands of Tomteugle was given, September 27, 1682, in virtue of precept of sasine therein.

Registered September 27, 1674.

Mr John Cunison, formerly minister of Kilbride in Arran, and then minister at Saddell, resigned, May 13, 1679, a tenement of land and brae

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called Lacoks-brae in favour of Mr John Cunison, minister of Dull ; proceeding on payment of 1100 merks.

Registered May 14, 1679.

Thomas Cunison in Pitnacrie, second son of Mr John Cunison, minister at Dull, had sasine, January 15, 1680, in presence of John Cunison, son of the deceased John Cunison in Ardgie, of a tenement of land in Dunkeld with the brae called Leacoks brae or Browster bank ; proceeding on precept of sasine in a disposition by Mr John Cunison, minister of Dull, dated June 18, 1679.

Registered February 6, 1680.

Mr John Cunnison, minister at Dull, principal, and Thomas Cunnison, his eldest son, cautioner, granted, July 1, 1668, a bond in favour of John Clerk in Dunkeld, and sometime in Haltoun of Drumbowie, for infesting him in an annual-rent of £4, 11s. to be uplifted from a tenement of land in Dunkeld belonging to Thomas Cunnison. Clerk granted a renunciation, March 8, 1683, in favour of John Adamson, merchant in Dunkeld.

Registered October 15, 1681, and March 22, 1683.

### *2. References in the Register of Deeds of Perthshire Sheriff Court.*

Mr John Cunysone, minister at Dulle, Mr Andro Chrichtoune, school-master in Dunkell, and Leonard Burt, writer there, witnessed, at Dunkelle, December 13, 1647, an obligation by Thomas Wilson in Easter Rattray and Patrick Wilson, his eldest son, for 108 merks, in favour of Thomas Stewart, eldest son of Thomas Stewart, portioner of Caputh.

Registered December 13, 1654.

Mr John Cunison, minister of Dull, as principal, and Johne Cunison of Ardgyie, as cautioner, at Muling, December 8, 1635, in presence of Mr William Balneves, minister at Muling, and others, granted a bond for 500 merks in favour of Isobell Stewart, widow of Alexander Stewart in Achtigoull (Achagowill), and John Stewart.

Registered October 31, 1656.

### *3. References in the Register of Decrees of Perthshire Sheriff Court.*

Mr John Cunison, minister at Dull, raised an action in the Sheriff Court of Perthshire against John Steuart of Bonskeid. He represented that, in April 1650, Steuart sold to him a grey horse seven years old for £40 Scots, the horse to be upholden to him according to the bargain. Cunison duly received the horse on payment, but, about a year after,

the horse was challenged by David Reid, then in Garintully, to appertain to him, as a horse which had been taken from him before the sale, and summoned him before the Sheriff of Perthshire for the return of the horse. He stated that he intimated the raising of the action to Steuart, asking him to relieve him. Steuart, however, failed to do so, so that he was compelled to appear and spend money in his defence; and also that Reid obtained decree against him, in August 1651, for £60, as price of the horse, and £5 of expenses, which he had been compelled to pay. He asked and obtained decree against Steuart for £65.

Registered August 24, 1653(54).

Mr John Cunieson, minister at Dull, as one of the stipenders of the Priory of St Androis, and as assignee constituted by the reverend Masters of the University of St Andrews to the parsonage teind and tack duty of the whole parish of Dull, which was part of the Priory of St Andrews, for the crops and years 1646-7-8—and that for easier payment of his stipend as minister of Dull—and also as assignee of the Masters of St Leonard's College to the whole parsonage teind and tack duty annexed to St Leonard's for years 1649-54, due by tacksmen, subtacksmen, tenants, liferenters, occupiers and possessors of the lands in the parish of Dull, according to the last assignation, dated at St Andrews, June 28, 1654, raised an action against the following:—James, Earl of Tullibardine, for £5 for Auchnavad for each of 9 years; Sir Robert and Sir John Campbell of Glenurquhies, knights, for £5, 13s. 4d. for Middill Staix for those years; Alexander Menzies of that Ilk for £40 for Apnadull for 1654; John Steuart of Knyachen for 40s. for Wester Foss and Vafales for 9 years; Alexander Stewart of Granch, and his tutors and curators if any, for their interest, for 53s. 4d. for Easter Foss; John Steuart of Duntanlich, Helen Flying, liferentrix of the half lands of Duntanlich, and John Steuart of Cammoch, her husband, for his interest, 40s. for Duntanlich; Robert Stewart of Fancestell and Cicell Mercer, liferentrix, for £6 for Foncastell; John Stewart of Shierglas for 30s. for Shierglas; John Stewart of Bonskeid for 40s. for Bonskeid; Alexander Stewart of Pitdorney for 20s. for Pitdornie; Sir Thomas Stewart of Grantullie, knight, for £5 for Grantullie; Patrick Stewart of Ballachane, Margaret Campbell, his mother, and George Bruce of Cultmalundie, her spouse, for his interest, for £5 for Cluny; Robert and Alexander Flymings of Mones for 53s. 4d. for Eister Deinlick, and £5 for Mones; William Robertson of Ledgreine *alias* Belifoord for 20s. for Ledgreine—all for each of 9 years. He restricted his claim against the Earl of Tullibardine to payment for crop 1654, as the Earl had instructed payment for the preceding years, and against Alexander Menzies to £40 for 1654; and referred all points of the summons not verified by

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the assignation and factory to the defender's oaths of verity. He obtained decree as craved and restricted with £20 expenses.

Registered March 29, 1655.

2. John Cunison, 1682-1693.

The son of Thomas Cunison in Pitnacrie and Elspeth Reid, his wife,<sup>1</sup> and grandson of his predecessor,<sup>2</sup> he matriculated at the University of St Andrews, as a Student of St Leonard's College, on February 21, 1672, and graduated Master of Arts on July 25, 1676.

During at least a portion of the winter of 1681-2, he officiated at Dull.<sup>3</sup> He was presented to Dull by the Archbishop of St Andrews, the patron. The Edict toward his admission was returned at Kinclaven on May 11, 1682. He was admitted before June 7, when his name appears in the sederunt of the Presbytery. In 1689, his property was seized by the Highlanders in arms for King James.<sup>4</sup>

He died in August 1693, and was survived by Beatrix Campbell,<sup>5</sup> his widow, and six children,<sup>4</sup> one of whom was John.<sup>6</sup>

From his Testament, confirmed February 1, 1694, John Campbell of Turrerich becoming cautioner for the widow-executrix, it appears that by a contract of Marriage between him and Beatrix Campbell, dated August 18, 1682, he became bound to secure her in an annual-rent of 2000 merks; and if she were left a widow and so continued, in the annual-rent of the half of whatsoever monies might be acquired by them during the marriage; and also in the "terce" of the house plenishing.<sup>5</sup>

The Lords Commissioners of Their Majesties' Treasury, on November 26, 1694, considered a petition from his widow. She represented that she had been left with six children, the eldest not more than ten years of age, in a most miserable and starving condition, having nothing to maintain her and them save the Ann of the stipend of 1693; that any small moveable property possessed by her husband had been violently carried away by the Highland Army when in rebellion, so that they were dependent for support on the current stipend; and that they would starve unless help were given to them. She craved the stipend for 1694. In consideration of her poverty, the Lords granted her petition.<sup>1</sup> The Lords of the

<sup>1</sup> *Perthshire Sasines*, April 12, 1682.

<sup>2</sup> *Ibid.*, February 6, 1680.

<sup>3</sup> *MS. Register of the Presbytery of Dunkeld*, February 1, 1682; December 7, 1681.

<sup>4</sup> *MS. Treasury Register*, Register House, iv. 283.

<sup>5</sup> *Dunkeld Com. Testaments*, February 1, 1694. Beatrix Campbell, widow of Mr John Cunieson, minister at Dull, as principal, and John Cunieson of Belnacrie, as cautioner, granted at Dull, September 24, 1697, in presence of Duncan Campbell, her brother-german, a bond for £41, 7s. 8d. in favour of Charles Stewart, merchant in Perth (*Perthshire Deeds*, May 28, 1698).

<sup>6</sup> *Dunkeld Commissariat Deeds*, February 5, 1697.

Treasury, on August 6, 1697, voted to her the stipend of Dull (Doull) for the first half of 1697.<sup>2</sup>

1. *Reference in the Register of Sasines for Perthshire.*

Mr John Cunnison, as bailie for James Campbell of Turririch, gave sasine of the lands of Torbroich and others, and a merk land of Dallichillin, in the parishes of Dull and Kenmore, to John Campbell, fiar of Turrerich, and Anne M'Laran, daughter of Alexander M'Laran of Pittenzie, his future spouse; proceeding on precept in a charter signed September 25, 1682.

Registered December 15, 1682.

2. *Reference in the Register of Deeds of Perthshire Sheriff Court.*

Mr John Cunnison, minister at Dull, witnessed at Coshiveil, January 10, 1688, a bond by John Campbell, fiar of Turerich, for 240 merks, in favour of James Stewart in Donaphuill.

Registered June 28, 1699.

FORTINGALL

1. Gilbert Menzies, 1656-c. 1668.

He entered Marischal College, Aberdeen, in 1641, and, if the identification be correct, was schoolmaster of Dunkeld in July 1650.<sup>3</sup>

Mr Hugo Gordon, minister at Fortingall, finding the conditions of his ministry there intolerable,<sup>4</sup> accepted a call to Comrie, and was admitted between April 9 and October 14, 1656.<sup>5</sup> Some of the parishioners of Forthergeill, in conjunction with several of the protesting ministers within the bounds of the Presbytery of Dunkeld, proposed to settle Mr Gilbert Menzies in the ministry there. In a reference of the circumstances by the Presbytery to the Synod of October 1656, it was declared that Menzies was insufficient for the charge, for this reason especially, that he

<sup>1</sup> *MS. Treasury Register*, Register House, iv. 283.

<sup>2</sup> *MS. Treasury Sederunt Book*, ix. 70.

<sup>3</sup> *v.* Appendix A.

<sup>4</sup> In 1655 he was called to Comrie. He declared to the Synod in October that he had grievances as minister of Forthergeill. They were chiefly the smallness of his salary, and the vastness of the bounds committed to him. The Synod appointed Messrs William Menzies at Kenmore, Alexander Ireland at Kinclaven, and John Murray at Methven, to interview the Earl of Athol and others, with the object of obtaining competent salaries for the churches of Fothergill and Rannoch, that each might be served by a minister.

<sup>5</sup> *Scott's Fasti*, iv. 752.

was ignorant of Gaelic. It was also stated that some of the most considerable heritors and elders and the "whole comonallitie there" were opposed to his admission, and that a properly qualified minister might be obtained. The Synod instructed their Moderator to write to the protesting brethren concerned in the matter, and to the heritors, informing them that such action as had been taken was unwarrantable, and contrary to the Acts of the General Assembly, and requiring them to desist from proceeding further. They also enjoined the Presbytery to take the ordinary steps for settling in the parish a clergyman acquainted with Gaelic, and otherwise fully qualified for the charge; and appointed Messrs William Menzies, minister at Kenmore, and Hugo Gordon, minister at Comrie, to endeavour to persuade the elders and heritors to co-operate with the Presbytery in the election of a suitable minister.

Menzies was ordained and admitted to Forthergeill by the Protesters before December 18, 1656.<sup>1</sup> In April 1657, the Synod were informed that he and Mr Patrick Campbell had been admitted in a disorderly way to Forthergeill and Killin respectively, and that neither was qualified and fit to serve his cure. The Synod appointed a committee to "try the way of the entry and the qualification and fitness of the persones to the saids places," and ordered all the members of the Presbytery to appear before them to give information on the subject.

The committee duly met. Menzies and Campbell appeared at their second Session, but, as was reported to the Synod on October 14, 1657, the committee found themselves unable to proceed to discharge their commission. The Synod, in October 1659, delayed further consideration of their cases to a more suitable time. After the Restoration—in October 1660—the Synod ordered the Presbytery to institute proceedings against such ministers as had been informally admitted to charges within the bounds. It is not known that they did so before April 1661. The fact of the intrusion of Menzies and Campbell, and of Mr Patrick Campbell into the church of Kenmore, was brought under the notice of the Synod of that date. The Synod referred their cases to the Presbytery and a committee of advice, with instructions to proceed as might "be most conduceable to the good and peace of the churches in these bounds."

He signed a Testimony against Cromwell's Toleration.<sup>2</sup> He conformed to Episcopacy in 1662. He was alive on October 1, 1663.<sup>3</sup> His successor had not been admitted on May 1, 1668.<sup>4</sup> He had a son James.<sup>5</sup>

<sup>1</sup> *Perthshire Sasines*, January 10, 1657.

<sup>2</sup> *v. note*, p. 284 *supra*.

<sup>3</sup> *Perthshire Sasines*, October 29, 1663.

<sup>4</sup> *Perthshire Deeds*, October 2, 1669. The stipend in 1669 was £329 (*MS. Records of Perth City*).

<sup>5</sup> James Menzies, son of the deceased Mr Gilbert Menzies, sometime minister of Fortingell, granted at Comrie, June 4, 1688, a bond for £84, 2s. 8d. Scots in favour of Marjory Duncan (? Menzies) (*Dunkeld Commissariat Deeds*, April 3, 1691).

1. *References in the Register of Sasines for Perthshire.*

Mr Gilbert Menzies, minister at Fortingeill, witnessed, December 18, 1656, a charter by John Campbell, Tutor of Glenlyon, of the lands of Easter Invervar, in favour of John M'Gregor. Sasine was given in terms of the precept on December 20, 1656.

Registered January 10, 1657.

Mr Gilbert Menzies, minister at Fortingall, witnessed, August 31, 1657, an instrument of sasine of the two merk land of Wester Feannart, in favour of John Camrone in Enderchomrie, proceeding on precept in charter by Alexander Robertson of Strowan.

Registered September 15, 1657.

Mr Gilbert Menzies, as bailie for Robert Campbell of Glenlyon, gave sasine, October 1, 1663, of the lands of Chastell and others, to Arthur Forbes of Kilmanny, as attorney for Helen Lindsay, daughter of the deceased Alexander Lindsay of Evelick, promised spouse to said Robert Campbell; proceeding on precept in a charter of donation.

Registered October 29, 1663.

## 2. John Menzies, c. 1671-1687.

He matriculated at the University of St Andrews, as a student of St Leonard's College, on January 26, 1650, and graduated Master of Arts on May 13, 1653. He was schoolmaster at Dull on February 2, 1654.<sup>1</sup>

He was licensed to preach by the protesting Presbytery of Dunkeld<sup>2</sup> before May 14, 1660, when his name was mentioned in connection with a proposed call to a colleague and successor to Mr Thomas Ireland, minister at Weem.<sup>3</sup> It was reported to the Synod, in April 1661, that he had lately ceased to preach in virtue of his licence. His case was remitted to the consideration of the Presbytery and a committee of advice associated with them.<sup>2</sup> He was minister at Fortingall on June 2, 1671.<sup>4</sup> He died between November 3, 1686, and April 6, 1687, when Fortingall was reported to be vacant.<sup>5</sup> Menzies built and repaired the manse of Fortingall.<sup>6</sup>

His children were Robert and Anna.<sup>6</sup> Anna Menzies married James, son of Mr John Lindsay, minister at Killichranen, at Edinburgh, on July 29, 1697.<sup>7</sup>

<sup>1</sup> *Perthshire Sasines*, March 24, 1654.

<sup>2</sup> *MS. Register of the Synod of Perth and Stirling*, April 1661.

<sup>3</sup> *Register of Deeds, Dal*, September 17, 1661.

<sup>4</sup> *Perthshire Sasines*, July 24, 1671.

<sup>5</sup> Probably shortly before the latter date, when the first reference to the vacancy occurs.

<sup>6</sup> *General Register of Hornings*, p. 385 *infra*.

<sup>7</sup> *Edinburgh Marriage Register*.

1. *References in the Register of Sasines for Perthshire.*

Mr John Menzies, expectant, witnessed, September 25, 1662, (1) a renunciation by Robert Menzies in favour of the Laird of Weem of the five merk lands of the Twa Tiggermauches in the barony of Cammusserney ; (2) a renunciation by James Menzies in favour of the laird of Weem of the lands of Tullchall in the parish of Dull ; and (3) a renunciation by Thomas Menzies in favour of the laird of Weem of the lands of Tullicholl.

Registered September 29 and October 22, 1662.

Mr John Menzies, expectant, witnessed, September 26, 1662, a precept of clare constat by Alexander Menzies of that Ilk, as heir to William Menzies, his father, for infesting Thomas Menzies of Carse in the lands of Dalrawer.

Registered May 29, 1671.

Mr John Menzies, [minister] at Fortingall, witnessed, June 2, 1671, a renunciation by Robert Menzies of Glassie, and his son, of the merk land of Glassie and others, in favour of Sir Alexander Menzies of Weem.

Registered July 24, 1671.

Mr John Menzies, minister at Fortingall, witnessed, February 1, 1675, a contract between Sir Alexander Menzies of that Ilk and Duncan M'Gregour *alias* M'Ilchalom Bayne. In terms of the precept therein, M'Gregour was infest, September 13, 1675, in the 2 merklands of Kilchownane.

Registered September 14, 1675.

Mr John Menzies witnessed, September 16, 1685, an instrument of sasine, of the lands of Dounans and Kinlecher in the parish of Kilconane, in favour of William Henderson in Weyme ; proceeding on a precept in a charter by Sir Alexander Menzies of that Ilk, dated September 8, 1685.

Registered September 17, 1685.

2. *Reference in the Register of Bonds, Arrestments, and Lawburrows of Perthshire Sheriff Court (1658-74).*

Mr John Menzies in Weyme wrote and witnessed at Weyme, November 17, 1662, a bond of caution by John Menzies, brother german to James Menzies of Culdars, in favour of Alexander Menzies of that Ilk, providing that certain sums of money and goods arrested in the hands of Duncan Campbell *alias* Leich in Donnafuill, Duncan Campbell *alias* M'Elispick in Coisevill, John Closer in Lairishhosk, and others should be forthcoming (p. 20).

3. *Reference in the General Register of Hornings.*

John, Bishop of Dunkeld, on August 11, 1687, commissioned Mr Alexander Comrie, minister at Kendmore, to apprise the manse on September 28. An edict issued by the Bishop, summoning the heritors to meet at the church on that date, was duly served by Mr John Cunison, minister at Dull. On the 28th, Comrie summoned the heritors to appear, but none obeyed. He and Cunison, in virtue of authority committed to them, nominated John Dewar, mason in Weem, and Alexander Stewart, wright in Camsernanes (?), as apprisers on behalf of the heritors; and Mr Alexander Robertson, minister of the parish, and Donald Menzies in Tegermach, as administrators for Robert and Anna Menzies, the children of the late minister, nominated James Dewar, mason in Comrie, and Robert M'Arthur, wright in Carie, as apprisers on their behalf. The manse was valued by those tradesmen at £393, 1s. 8d. Scots; and the apprising was approved by the Bishop on December 6. Letters of Horning were obtained, on December 21, by Robert and Anna Menzies, and Donald Menzies, their Tutor, charging the heritors to pay the sum due within 15 days. On September 28 and 29, and October 1 and 2, 1688, Thomas M'Nab, messenger, in presence of John M'Gregor in Bellintien, and Thomas M'Nab in Belnamure, charged William Menzies in Belfrack, Neill Stewart in Innerchadden, Alexander Menzies in Donintoune, Donald Robertson in Airlare, John Dore of Tullimuline, John Stewart of Overblair, James Menzies of Lydnocke, Dougall M'Gregor in Drumcharrie, Alexander Stewart in Tulliechrosk, John M'Gregor in Lochintulch, James Stewart of Temper, Duncan Campbell of Dunevis, and Colonel Menzies of Culdaries to pay 3s. sterling for each merkland of their lands within the parish, within the period specified. They failed to do so, and were denounced rebels at Edinburgh on November 28, 1688.

Registered December 4, 1688.

3. Alexander Robertson, 1687-1716.  
v. Little Dunkeld.

## KENMORE

1. Patrick Campbell, 1661-1675.

The son of Duncan Campbell of Lagvinsheach and Agnes Murray, daughter of Patrick Murray of Auchtertyre, and therefore nephew of Mr James Murray (Moray), minister at Logierait, he was born at Lagvinsheach on August 6, 1642.<sup>1</sup> He graduated Master of Arts on July 9, 1655.

<sup>1</sup> Playfair's *Family Antiquity*, viii., Ap., p. vi. If the date be correct he was ordained before the age of nineteen (*v.* vol. i. pp. 343 and 356).

Archbishop Spottiswood became minister of Calder-Comitis, in succession to his father, at the age of eighteen (*Statistical Account of Scotland*, 1795, xiv. 368). Gilbert

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If he were the "Mr Patrik" who preached at Logierait "in the ministers absens," he was licensed before January 29, 1660.<sup>1</sup>

He was admitted to Kenmore by the Protesters before April 9, 1661.<sup>2</sup> His intrusion and contempt of the authority of the Presbytery and the Synod were referred to the Presbytery and a committee of advice, with instructions to act in such a manner as would best promote the welfare and peace of the churches within the bounds. He died before July 21, 1675. On that date, Marjorie Menzies, his widow, signed at Monzie, in presence of Colin Campbell of Monzie, Richard Curtis, servant, and William Cowan, notary in Creiffe, a deed of sale and disposition, of all the books of all kinds belonging to her husband at his death, in favour of Mr Alexander Comrie, minister at Killine, and Mr John Drumond, minister at Monzie, equally and proportionably; and promised to collect the books known to be lent, and to deliver all before August 2, 1675.<sup>3</sup> He left sons, Duncan<sup>4</sup> and Colin,<sup>5</sup> and a daughter, Anna, who married Duncan, son of Colin Campbell of Edramuckie.<sup>6</sup>

### 1. *References in the Register of Sasines for Perthshire.*

James Chrystie, son of Harie Chrystie of Craightoune, as attorney for Agnes Murray, widow of Duncan Campbell of Lagvinscheach, and for Mr Patrick Campbell, minister at Kendmoir, her son, had sasine, October 8, 1662, in corroboration of a decret of apprising, of part of the lands of Boirland, the fourth part lands of Beltbege (Beltibegg), and a yearly duty of 10 merks Scots out of the lands of Dalldorracle (Daldarroch), in the barony of Ruskie and Lanrick, from John Chrystie in Doune, in name of John Buchanan of Arnepryor; proceeding on a precept in a Burnet, afterwards Bishop of Salisbury, became a licentiate of the Church of Scotland, and was offered a benefice before the age of eighteen (Clarke and Foxcroft's *Life of Bishop Burnet*, 20-1).

<sup>1</sup> *MS. Register of the Kirk-Session of Logierait.*

<sup>2</sup> *MS. Register of the Synod of Perth and Stirling.*

<sup>3</sup> *Register of Deeds, Durie, January 28, 1685.*

<sup>4</sup> *MS. Register of the Presbytery of Dunkeld, November 4, 1685.*

He was appointed bursar of the Presbytery at the New College on November 4, 1685.

<sup>5</sup> The Inventory of the goods of Mr Collen Campbell, late Lieutenant in Colonel Robert M'Cay's Regiment, son of Mr Patrick Campbell, minister at Kenmoir, was confirmed on October 22, 1700, being given up by Lieutenant Robert Campbell of Lord Jedburgh's Regiment of Dragoons, decerned executor-dative *qua creditor* (*Dunkeld Com. Testaments*).

Captain Collin Campbell, son of Mr Patrick Campbell, minister at Kenmore, sometime Lieutenant in Colonel M'Gill's Regiment, died at Jamaica in 1699. He was employed "by the Councill Generall of the Company of Scotland tradeing to Affrica and the Indies in there expedition to Darien." The Inventory of his goods was given up by Mr Patrick Campbell of Monzie, executor *qua creditor* (*Edinburgh Com. Testaments, September 19, 1707*).

<sup>6</sup> *Christie's Lairds and Lands of Loch Tayside, 50.*

contract (dated September 17 and 23, 1658) by the said John Buchanan, with consent of Harie Blackwood in Dunblane, for his interest.

Registered October 29, 1662.

Mr Colin (Patrick?) Campbell, minister of Keandmoir, witnessed, June 9, 1666, a charter by John Stewart, son of Sir Gilbert Stewart of Polcak, of the lands of Polcak and others, in favour of Jean Campbell, daughter of John Campbell of Glenurquhey. In terms of the precept, the said Jean was infeft on June 18, 1666.

Registered June 26, 1666.

Mr Patrick Campbell, minister at Kendmoir, witnessed, March 7, 1671, a renunciation by James Campbell, son to the deceased Archibald Campbell of Loigvinscoch, of an annual-rent of £40 Scots from the lands of Auchennich, in the parish of Kenmoir, in favour of John Campbell, younger of Glenurchy.

Registered March 8, 1671.

2. *References in the Register of Deeds of Perthshire Sheriff Court.*

Patrick Campbell, son of Agnes Murray, witnessed (n.d.) a bond by John Johnstone, glover, burgess of Perth, for £46, in favour of Agnes Murray, widow of Duncan Campbell of Lodvincsoche; and also at Crief and Milnab, May 3, 1655, by the same for 140 merks in favour of the same.

Registered January 29 and 30, 1656.

3. *Reference in the Register of Deeds of Dunkeld Commissariat.*

Mr Patrick Campbell, minister at Kendmore, wrote and witnessed at Damdeven, July 3, 1671, a bond by Robert Menzies, brother german to Thomas Menzies of Carse, for 400 merks, in favour of Archibald Menzies, writer in Edinburgh, his brother german.

Registered January 26, 1689.

2. Alexander Comrie, 1678-1716.

The eldest son of Patrick Comrie of Ross,<sup>1</sup> who married Anna Murray,<sup>2</sup> he matriculated at the University of St Andrews, as a student of St Leonard's College, on February 25, 1663, and graduated Master of Arts on July 28, 1666.

He was admitted to Killin before June 5, 1673.<sup>3</sup> He was minister

<sup>1</sup> *Perthshire Sasines*, January 11, 1688.

<sup>2</sup> *Perthshire Decreets*, July 17, 1668.

<sup>3</sup> *Perthshire Sasines*, June 18, 1673.

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there on July 21, 1675.<sup>1</sup> He was admitted to Kenmore before December 19, 1678.<sup>2</sup>

On April 4, 1683, he was excused for his failure to attend meetings of Presbytery, on account of the sickness of his wife and absence in Edinburgh, but was ordered to be more regular in his attendance in future; and, on February 6, 1684, was again excused, on the grounds of absence in Edinburgh<sup>3</sup> and of the inclemency of the weather. It is stated that he advanced 400 merks to Lord Breadalbane, for the expenses of Captain Robert Campbell of Glenlyon (of Glencoe notoriety), who had been ordered to join his regiment in Flanders.<sup>4</sup> He was suspected of complicity with the Jacobite rising of 1715.<sup>5</sup> On May 23, 1716, the Presbytery of Dunkeld approved of the terms of a libel against him, and ordered him to be cited to appear before them in his defence on June 12. The libel was similar to that against Mr Alexander Robertson, with the exception of the 4th Article. The Presbytery met on June 12. Comrie did not appear, but sent a letter, dated June 10, 1716, and directed to The Reverend the Moderator of the Presbytery of Dungell, in the following terms:—

“ REVEREND SIRS,

“ By bearers hereof, they can declair that I am not in capacity to compear and answer your calamnatiuous letter. I am hardly able to walk my own room. My church is like to be soon vaccant.

I am,

Your servant,

(*Sic subscribitur*) ALEXANDER COMRIE.”

The Presbytery proceeded to examine the witnesses against him. Failing to obtain from them evidence sufficient to convict him of disloyalty, the Presbytery appointed a committee to seek evidence regarding his alleged disaffection. That committee reported on August 21, that

<sup>1</sup> *Register of Deeds*, Durie, January 28, 1685. Hew Scott (*Fasti*, iv. 823-5) states that he was translated to Kenmore in 1676, that he married Jean Campbell, and had a son John.

<sup>2</sup> *Perthshire Deeds*, December 15, 1682.

<sup>3</sup> The following notice by Fountainhall (*Historical Notices*, ii. 489) may explain his absence in Edinburgh:—“ 26 *Januarij* 1684.—The minister of . . . raises a reduction against Glenurchie, now Earle of Brae[d]alban, of a tack of his teynd he had set him at the tyme he did present him to be minister of that kirk, as a simoniacall paction, to the prejudice and dishonor of the Church.”

<sup>4</sup> Campbell's *Lairds of Glenlyon*, 65.

<sup>5</sup> The Earl of Breadalbane, a suspected person, had been commanded to appear at Edinburgh to provide caution for his good conduct. He obtained a certificate from Comrie to the effect that, by reason of age and infirmity, he could not be removed from his room, far less travel to Edinburgh. Yet at the time, he was engaged in raising troops for the Pretender, and a fortnight after joined the Earl of Mar at Logierait (*Ibid.*, 227).

“ they could not fix upon such persons as would do much service this way,” but that they had interviewed Comrie at his manse. They stated that he denied either that he had prayed for the Pretender by the name of King James, or had read any proclamations issued either by him or the Earl of Mar. He admitted, however, that he had employed Mr George Robertson and Mr James Robertson, sons of the minister of Fortingal, who had been in the rebellion, to supply his pulpit, but declared that he would not do so again.

The committee also reported that he appeared willing to demit office, if an annuity, or a year’s stipend, were granted to him, and that he and his friends seemed content that the Presbytery should supply the pulpit of Kenmore. The Presbytery appointed the minister of Logierait to preach there on the following Sunday, and authorised the minister of Weem, with consent of the patron, to arrange with Comrie and his friends for the grant of an annuity or a year’s stipend, on condition that his demission were submitted to their next meeting. Mr Campbell, minister at Weem, reported, on September 4, that Comrie absolutely refused to resign his charge on any terms, but was willing that the Presbytery should supply Kenmore with preaching. On the same day, the Presbytery resolved to add the following Article to the libel against him. Its terms were as follows <sup>1</sup>:—

“ Additional Article to a Lybell—The Presbytery of Dunkeld against Mr Alexander Comrie, incumbent att Kenmuire, which Lybell was delivered to you upon the thirtie first of May last, one thousand seven hundred and sixteen years. You, the said Mr Alexander Comrie, incumbent att Kenmuire, did, in the moneths of February, March, April, May, June, July, or August last, one thousand seven hundred and sixteen years, or on one or other of the Sabbaths of the said moneths, imploy Mr George and Mr James Robertsones, sons of Mr Alexander Robertstone, incumbent att Forthingale, to preach in your kirk and paroch of Kenmuire, or one or other of them, albeit it was noutour that both of them were chaipans to the rebells, and followed the rebellious army, and one or both of them were in arms att Shirreffmuire; by which and the preceeding Articles, and ilk an of them, or any one of them, you have given great scandal and offence; and, therefore, the Presbytery finde themselves oblidged to put the mater to tryal and censure according to evidence.”

Comrie was cited to appear before the Presbytery at Dull on September 25, but failed to obey that citation, and was cited to be present at Dunkeld on the third Tuesday of October. It was reported to the Presbytery on September 26, that the clergymen appointed, viz., Messrs Alexander Ross, minister at Clunie, Adam Ferguson, minister at Logierait,

<sup>1</sup> *MS. Register of the Presbytery of Dunkeld*, September 5, 1716.

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and James Stewart, minister at Moulin, had duly preached at Kenmore, "only that Mr Comrie entered the church of Kenmuire in the forenoon and preached there, and Mr James Stewart in the afternoon, and that Mr Comrie did sing the Doxology after Mr Stewart's sermon."

On October 16, in the absence of Comrie, who had failed to obey a third citation, the Presbytery proceeded to examine the witnesses to the libel, and, at the close of the examination, appointed a committee to sum up the evidence against him. Before the adjournment of the meeting, Robert Robertstone, writer in Dunkeld, appeared, and produced a mandate to the following effect:—

"I, Mr Alexander Comrie, att Kenmore, do hereby constitute and ordain Robert Robertstone, writer in Dunkeld, my procurator, to go before the Presbytery of Dunkeld, on the sixteenth instant of October, and there, in my name, to protest against the procedures of the said Presbytery against me, in regaird that the Act of Toleration, yet standing in force and unrepealed, exeems me from their jurisdiction; and that, therefore, I disown them as my judges, and thereupon to take instruments in the hands of a notar publick, promising to hold firm and stable whatever my said procurator shall lawfully do in the premisses. In wites whereof I have subscribed these presents att Inchaddon, the fourteen day of October, j<sup>m</sup>vii<sup>o</sup> and sixteen years, before these witnesses, Colin Kipen, my servitour, and Mr Thomas Gilbert, writter hereof.

*Sic subscribitur*, A. COMRIE.

T. Gilbert, *witnes*.

Colin Kipen, *witnes*."

Robertstone duly obeyed his instructions, protested in Comrie's name against any procedure against him, for the reason stated, declined the Presbytery as judges in the case, and thereupon took instruments in the hands of the Presbytery-Clerk and of a notary.

The minute of the Presbytery continues:—"To which the Moderator, in name of the Presbytery, and to which they adhered, replyd:—

1mo, That Mr Alexander Comrie is not in a condition to plead the benefite of the Toleration Act, to exeem him from the Presbyterie's jurisdiction, with respect to the maters lybelled against him, it being evident by the depositions of witnesses that he has aided and comforted the rebels; 2do, That the General Assembly of this Church, and Synod of Perth and Stirling, have oblidged this Presbytery to enquire into the said facts lybelled; and 3tio, That this pretended procuratory is void and null in itself, being dated on the Lord's day; and 4to, It contradicts his former practice in owning this Presbytery by his letter directed to them, which is *in retentis*."

On October 26, the Presbytery and a committee associated with them by the Commission of the General Assembly found " the following Articles proven and evident, viz. :—“ 1mo, That a proclamation for a Fast before Shirriffmuire battle, and other traitorous papers att other times within the moneths lybelled, were intimate in the church of Kenmore while he was in the pulpit ; 2do, That he prayd for success to the rebels ; 3tio, That though it was nottour, and now is found proven, that Mr James Robertsons, son to Mr Alexander Robertsons, episcopal preacher, was in the late Rebellion, yet he employed him to preach in his church, even since the Rebellion was quasht ; besides that by his procuratory, of the date the fourteenth day of October current, (being the Sabbath day) to Robert Robertsons, writer in Dunkeld, he did, upon the sixteenth day of the said moneth, most unjustly and offensively decline the Presbytery, and that there is a pregnant presumption that he prayd in express terms for the Pretender by the name of King James, one witnes having deponed it.”

The Presbytery with the Committee proceeded to judgment,—“ upon all which,” the minute continues, “ the Presbytery with the Committee, after mature deliberation and calling upon the name of God in Christ, did state the question, Depose or Not ? and votes being marked, it carryed unanimously, Depose : therefore, the Presbytery with the Committee did, and hereby do, Depose the said Mr Alexander Comrie from the office of the ministry, and discharge him from exercising any part of the ministerial function in all time coming, under the pain of the highest censures of the Church.”

They appointed Mr James Stewart, minister at Mouline, to intimate the sentence of deposition, and declare Kenmore vacant ; and instructed the Moderator to send a letter to Lord Glenorchie and to the Earl of Breadalbine requesting their concurrence. It is not precisely stated that the minister of Mouline obeyed his instructions. It is probable that he did. The Presbytery appointed clergymen to preach there. Comrie, however, retained possession of the church, and access to preach was dependent on his good-will.

On May 21, 1717, Mr John Hamilton, who had been appointed to preach at Kenmore, reported that he had not obeyed the act of the Presbytery, “ in regard some people told him it was not so advisable in regard my Lord Breadalbine was not at home, and their might not be so easy access to that church.” His excuse was sustained. It was reported, on July 16, 1717, that the keys of the church of Kenmore had been required by instrument. Comrie continued to maintain possession of the church.

The Presbytery, on March, 3, 1719, appointed Mr Archbald Campbell and Mr Duncan M'Lea to preach at Kenmore on the 3rd and 5th Sundays

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of March respectively. Mr Campbell duly preached. On March 31, Mr M'Lea reported that he failed to obtain entrance to the church, that, nevertheless, he preached, but that he and his congregation were stoned. Next day, the Presbytery resolved to complain to the Earl of Breadalbine of the treatment given to Mr M'Lea, and to make application to the proper authorities, that Comrie should be placed in the Porteous Rolls for retaining possession of the church after his deposition.

On May 5, 1719,<sup>1</sup> the Presbytery referred the case of Kenmore to the General Assembly.

On January 6, 1720, Mr Robert Bisset, whom the Presbytery, on December 8, 1719, had appointed to preach at Kenmore, reported "that, although he went to Kenmore, yet he could get no access to preach in the church, Mr Comrie, late incumbent there, having owned to him that he had the keyes and would not deliver them." He also stated that while he preached in the churchyard Comrie preached in the church, and that "the people left Mr Comrie and heard him." The Presbytery at once complained to the Earl of Breadalbine of the conduct toward them of a disloyal and unfrocked man, and intimated that they were "resolved to set about the speedy planting of that paroch, in regard of the many needles delays that have been used in that mater by these who should call and prosecute the same."

The Presbytery obtained uninterrupted admission to the church until about the end of the year 1720; but on January 3, 1721, Mr Fergus Fergusone intimated that he had preached at Kenmore as appointed, but not in the church, "the deposed curate having intruded that day."

The Presbytery again endeavoured to obtain the settlement of a minister in the parish. On March 28, 1721, they ordered intimation to be made to the congregation that, if they failed to proceed toward the calling of a minister, the Presbytery would exercise their *Jus Devolutum*. On September 5, 1721, the Presbytery appointed a committee to meet at Kenmore for the purpose of moderating in a call to a minister.

The sympathies of the people are shown in the minute of that meeting:—

"Att the Kirk of Kenmuire, September twentie sixth, One thousand seven hundred and twentie one years, Which day and place, the committee

<sup>1</sup> On that day, they appointed that a meeting of heritors and masters of families should be held for the calling of a minister. Mr Dugall Campbell, minister at Comrie, was duly nominated, but accepted a call from Argyle "from Apin." The Presbytery declined to sustain the excuse of Mr Archibald Campbell, minister of Weem, for his failure to appear before the Presbytery of Aughterdour to sue for his translation; and decided to ask the advice of the Synod on the filling of the vacancy (*MS. Register of the Presbytery of Dunkeld*, June 9 and September 8 and 29, 1719).

of the Presbetry met. . . . The committee considering that, although three bells were rung, none of the people of the parish of Kenmuire did attend, and that the keyes of the kirk could not be got, they could not advise Mr Ferguson to preach as appointed. Then the committee caused call the heretors and masters of families of the said parish of Kenmuire three several times. None compeared.”<sup>1</sup>

On July 31, 1722, the Presbytery appointed Mr Finlay Ferguson to preach at Kenmore on two Sabbaths, and ordered letters to be sent to the managers of the Earl of Breadalbine, to the effect that, unless they speedily took steps toward filling the vacancy, the Presbytery would themselves make an appointment. They also recommended Mr Finlay Ferguson as a suitable minister. Ferguson reported, on August 28, 1722, that, at his request, the minister of Weem had written to Comrie to ask if he would be permitted to preach on a certain day; that Comrie had refused to give him access to the church; but that, nevertheless, he went to Kenmore on that Sabbath morning and “offered to preach, but the people told that the Presbytery sends so seldom they resolved not to cast out with their own minister, Mr Comrie, and therefore he preached not.”

Attempts to moderate in a call on January 15<sup>2</sup> and March 6, 1723, were abortive. The parishioners failed to appear, and, in consequence, the Presbytery, on March 12, unanimously agreed to exercise their *jus devolutum*, and to call Mr John Hamiltoun, minister at Blair-Atholl, to the vacancy. Calls from the parish of Comrie and the Presbytery of

<sup>1</sup> It was reported to the meeting by Mr Robert Bowis, minister of Rattray, “that Colonell Campbell of Finnab told him that the said Finnab, Lord Polton, the Laird of Menzie, and Sir James Campbell of Aberucle are appointed managers of the Earl of Breadalbine’s affairs; and that the said Colonell Campbell desired that affair might be delayed till the rest of the managers were acquainted; and that he is very hopefull, in a little time, their may be an unanimous call givn, since all these persons are well affected to the Government.

“Mr Ferguson, att the desire of the committee, protested that this dyet was deserted, and that neither the Earl of Breadalbine, nor any other of the heretors or parochioners, had any right to call a minister to the said parish, but that the right of planting was now solely in the Presbetry’s hand.”

The Presbytery resolved to inform the Earl and his managers that, if no proceedings were taken by them to call a minister, they would exercise their *jus devolutum* on October 31 (*MS. Register of the Presbytery of Dunkeld*, September 28, 1721). On that date, the Presbytery received letters from the Earl and his managers, requesting them to delay the exercise of their right, and, at the request of heritors and parishioners, again appointed a committee to moderate in a call. Mr Archibald Campbell, “minister att Kilmainvay (Killmanavaye, Kilmanaveg), in the Braes of Lochaber,” was presented and called (*Ibid.*, December 5, 1721). The Presbytery, however, failed to obtain his translation—the General Assembly, on appeal, having “discharged the Presbytery of Lorn to transport” him (*Ibid.*, June 5, 1722).

<sup>2</sup> It was reported to the Presbytery on February 19, 1723, that the Earl of Breadalbine had signed a Presentation in favour of Mr John Hamiltoun, minister at Blair-Atholl.

Aughterdar to Hamiltoun were laid before the Presbytery, on April 17, by Messrs Patrick Provand, minister at Trinity-Gask, and William Symson, minister at Fawls; and at the same time, Thomas Campbell, writer at Kenmure, and Robert Robertson, Fiscal to the Commissary Court of Dunkeld, in name of the parishioners of Kenmure, presented a call to Hamiltoun to be their minister, with a presentation in his favour signed by the Earl of Breadalbine. On May 14, the Presbytery transported Hamiltoun from Blair-Atholl to Kenmure. He was admitted on June 4, 1723.

Comrie yielded possession of the church, but retained the manse. On June 4 and July 9, the Presbytery ordered a letter to be written to the laird of Monzie, one of the managers of the Earl of Breadalbine, requesting him to place Hamiltoun in possession of the manse. On July 30, it was reported by the minister that he had seen a communication to the Lady Weem, to the effect that Monzie had obtained a letter from the Earl of Breadalbine to Comrie, ordering him to remove from the manse.

The *Register of the Presbytery* contains no further reference to Comrie.<sup>1</sup>

#### 1. *References in the Register of Sasines for Perthshire.*

Alexander M'Laren had sasine, May 1, 1664, of the half lands of Eister Meigor, proceeding on a precept in a contract of wadset (dated at Methven and Comrie, March 26 and 31, 1660) between Patrick Comrie of Ross, with consent of Alexander Comrie, his eldest son, and M'Laren.

Registered May 10, 1664.

Mr Alexander Comrie, minister at Killin, witnessed, June 5, 1673,

<sup>1</sup> These references to Comrie are taken from the *MS. Register of the Kirk-Session of Logierait* :—

"*Logirait*, 22 January 1721.—Delated John Irving in Tullipoury and Janet Stewart in Killichassie, for irregular marriage, without proclamation of their bands, by Mr Alexander Comrie, a deposed Episcopal minister. The officer is appointed to summon them to the next dyet.

"*Logirait*, 29 January 1721.—Upon execution of summons, John Irving and Janet Stewart, being called, compeared and confessed their being married irregularly: they were sharply rebuked, instructed, and engaged to marriage dutys, and appointed to appear before the congregation to receive a publick rebuke, for preventing others being guilty of the like contempt of the civil and ecclesiastick laws."

The same course was taken on August 4, 1728, with Donald Wilson in Cloichfoldich, and Christian Stewart, "formerly under process before this Session for want of a testificate during her absence from our parish, for their being irregularly marreyd without proclamations by Mr Alexander Comrie, a deposed Episcopall minister."

Donald Wilson in Pitnacree had been rebuked, on July 14, 1717, for "his irregularity in going out of the parish, in contempt of his own minister, to get his child baptised at Forthingall.

a contract of wadset between John Campbell of Glenurquhie, and John Campbell, portioner of Duncrosk, and Elizabeth Campbell, his wife. In terms of the precept, sasine was given to Campbell and spouse of the Milne of Tiraie on June 6, 1673.

Registered June 18, 1673.

Duncan Philp in Donira had sasine, November 15, 1678, of an annual-rent of £120, to be uplifted from the lands of Rosse ; proceeding on precept in a bond for 3000 merks granted by Patrick Comrie of Rosse, and Mr Alexander Comrie, his eldest son, June 5, 1677.

Registered November 16, 1678.

Mr Alexander Comrie, minister at Kenmore, and Mr Robert Stewart, minister at Killin, witnessed, March 19, 1683, an instrument of sasine, of the two merk lands of Eister (? Wester) Kyltirie, in the parish of Kenmore, in favour of Duncan Campbell of Edramukie ; proceeding on a precept in a contract of wadset between him and the Earl of Breadalbane.

Registered April 23, 1683.

Mr Alexander Comrie, minister at Kenmoir, witnessed, December 30, 1684, a renunciation by Dugall M'Coillbaine Camrone, in Camavorane, of the three merk land of Camavorane within the barony of Strowane, in favour of Alexander Robertson of Strowane.

Registered February 26, 1685.

Mr Alexander Comrie, minister at Kenmore, witnessed, December 23, 1684, a contract of wadset between Alexander Robertson of Strowan and Dougall M'Ollbaine Camrone in Camnamorane. In terms of the precept the latter was infest in the 20s. land of Wester Fennart, in the parish of Fortingall, on September 23, 1685.

Registered September 29, 1685.

Patrick Comrie of Ross, and Mr Alexander Comrie, minister at Kenmore, fiar of Ross, his eldest son, gave sasine, December 30, 1687, by the hands of their bailie, of an annual-rent of £60 from the lands and barony of Ross, to James Drummond and Nicolas Drummond, and Catherine Spence, their mother ; proceeding on precept in a bond signed at Drummond, December 7, 1687, in presence of Mr Thomas Crichton, Chamberlain to the Earl of Perth, and others.

Registered January 11, 1688.

Mr Alexander Comrie, minister at Kenmor, witnessed, January 15, 1691, an instrument of sasine, of an annual-rent of £40 to be uplifted from the town and lands of Auchianich, in favour of Alexander Campbell,

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eldest son of the deceased Mr Robert Campbell of Drumfallandies ; proceeding on a precept of clare constat by John, Earl of Breadalbane, dated January 5, 1691.

Registered January 16, 1691.

### *2. Reference in the Register of Deeds of Perthshire Sheriff Court.*

Mr Alexander Comrie, minister at Kendmoore, witnessed at Ballie-M'nachtane, March 24, 1682, a bond by Gilbert M'Kercher, second son of Donald M'Kercher in Ballie M'nachtane, for 300 merks, in favour of Donald M'Kercher, his brother-german.

Registered October 16, 1695.

## KILLIN

### 1. Patrick Campbell, 1656-1662.<sup>1</sup>

He was admitted to Killin by the protesting Presbytery of Dunkeld on November 11, 1656.<sup>2</sup> That Act, stated to be disorderly, was brought under the notice of the Synod in April 1657.<sup>3</sup> On November 22, 1659, he signed an adherence to a Testimony against Cromwell's Toleration.

He refused to conform to Episcopacy in 1662, and, declining to seek a presentation to his cure from the patron, and collation from the Bishop, was deprived of his benefice, and ordered to remove from the bounds of the Presbytery, under the operation of the Act of Glasgow. On March 24, 1663, the Privy Council ordered letters to be issued charging him to withdraw from the bounds of his Presbytery, and to cease to exercise any part of the ministerial function either in public or in private.

On February 23, 1664, he raised an action against the heritors of Killin for payment of stipend. He stated that he had been called and admitted to Killin in November 1656, and had served as minister there till Michaelmas 1662, and, therefore, had obtained a right to the stipend of the latter year. He declared that, through the misinterpretation of an Act of Parliament in June 1662, it was enacted that such ministers as were admitted to the cure of a parish since 1649 should have no right to the stipend for 1662, if they failed to obtain a presentation and collation ; and that, by Act of Parliament, dated July 10, 1663, the meaning of the former Act was declared to be that those ministers should have no right to the portion of the stipend due after the passing of the Act, their right to the half of the year's stipend due before the passing of the Act remaining

<sup>1</sup> The period within which ministers might obtain presentation and collation was extended to February 1, 1663. Campbell claimed to have served until Michaelmas 1662.

<sup>2</sup> *Acts and Decrees*, Durie, February 23, 1664.

<sup>3</sup> *v. p. 382 supra.*

good. He affirmed that the Act did not operate against him because, by his service of the cure to Michaelmas 1662, the second half year's stipend fell to him; and that, though it had not been due under the Act, he had still a right to it, because of the heavy nature of his duties in a Highland parish, where he was required to preach at three churches, and in English and Irish, and because of the poverty of the cure, his stipend being only about 500 merks. The heritors did not appear. The Lords decerned that the heritors should pay him the stipend for 1662, according to their proportions, as follows:—Sir James Campbell of Lawers, Knight, £112 Scots; John Campbell of Edinnample, £18; Robert Campbell of Glenfallich, £55; Alexander Campbell of Lochdochart, £26; Alexander Campbell of Wester Edewnick (Ardewnick), £32, 10s.; John Campbell of Eister Edewnick, £22; Archibald Campbell of Licks, £28, 10s.; Patrick Campbell of Edinkeip, £4, 13s. 8d.; Alexander M'Nab of Bovane, £39; and Archibald M'Nab of Achcairne, £4, 6s. 8d.<sup>1</sup>

He married Nicoles Somervell. Their children were James, Anna, and Grizell.<sup>2</sup>

2. Alexander Comrie, 1673-1678.<sup>3</sup>

3. Robert Stewart, c. 1680-1729.

He was admitted to Killin before January 6, 1680<sup>4</sup>; and shortly afterwards, a glebe was designated to him, which he exchanged for another

<sup>1</sup> *Acts and Decreeets*, Durie, February 23, 1664.

<sup>2</sup> *Edinburgh Com. Tests.*, June 21, 1717.

James Campbell, designated one of the Captains of His late Majesty's Guards of Foot in Scotland, died in December 1701. Anna Campbell married Alexander Somervell, writer in Edinburgh. Grizell Campbell married William Hamilton of Grange.

On March 25, 1682, Nicolas Somervell granted a disposition and assignation to her children, James, Anna, and Grizell (Gressell), of £137, 4s. 10d. due by John, Lord Elphinston, and his wife, and various sums due by other debtors. The curators of her children were Sir Colin Campbell of Aberurchell, William Baillie of Lamington, James Somervell, Usher to His Majesty's Exchequer, Patrick Hepburn of Blackcastell, John Murray of Arthurstain, Thomas Lundie of Kinnoule, Mr Thomas Bennett, Doctor of Medicine, and John Adam, writer, Edinburgh (*Acts and Decreeets*, Mack, March 23, 1683).

She died before March 6, 1683. One of her executors-dative was Thomas Lundie of Kinowall, very probably a relative—his mother's name being Anna Sumervail [v. Lundie, Rattray] (*Acts and Decreeets*, Dal, July 11, 1688).

A Mr Patrick Campbell was buried in Greyfriars Churchyard, Edinburgh, on December 6, 1671 (*Register of Interments*, Scot. Record Soc.).

<sup>3</sup> v. Kenmore.

Killin was vacant at Michaelmas 1669. James Crawford, collector of the vacant stipends in the Dioceses of St Andrews, Brechin, Dunblane, and Dunkeld, granted a discharge to Alexander Campbell of Loch Dochart, for £52 Scots for his proportion of the vacant stipend for his lands in Killin for 1668 and 1669 (*Perthshire Deeds*, November 3, 1670). The stipend was £324, 13s. (*MS. Records of Perth City*).

<sup>4</sup> *Perthshire Sasines*, May 16, 1688.

parcel of land about 1682.<sup>1</sup> He contracted with the heritors to build and to leave a manse worth 800 merks.<sup>2</sup>

On February 1, 1682, he was appointed to intimate the sentence of Suspension, pronounced by the Presbytery against Mr James Strachan, minister at Weem.

It does not appear that, like the other Episcopal incumbents within the bounds, Stewart was implicated in the Rising of 1715: no information regarding seditious practices on his part was submitted to the Presbytery.<sup>3</sup> On September 29, 1719, the Presbytery appointed the minister of Weem to request the Earl of Breadalbine to "give his concurrence and make the church of Killin patent, and give his protection to ministers sent to preach"; and, in the event of access being promised, appointed the minister of Logierait to preach there before the next meeting. On October 14, it was reported that the Earl had promised that Mr Ferguson should have peaceable admission to the church of Killin.

There is no further reference to him in the *Register of the Presbytery* till August 2, 1727. It was then stated that the cure of Killin was still held by an Episcopal incumbent, and that, in consequence of his age and inability to perform his duties, the spiritual interests of the parish were greatly neglected. The Presbytery, accordingly, appointed a visitation of Killin, and ordered a letter to be written to Stewart, to inform him of their act, and to request him to make due intimation of it to the people. They also resolved that a letter should be written to the Chamberlain of the Earl of Breadalbine, that, if Stewart should fail to advertise his people of the visitation, he might summon them to be present.

The minute of the visitation is as follows:—

"Att the kirk of Killin, September sixth, one thousand seven hundred and twentie seven years.

. . . . .

"It was reported that Mr Hamiltoun did write to Mr Robert Stewart as appointed, and that Mr Robert Stewart made intimation of the Presbytery's meeting in this place, in order to visit the said paroch. Then Mr Robert Stewart was called, but excuse was made for his absence that he was confined to his bed, which excuse was sustained; and the Presbytery resolved to go to his house and propose the ordinary questions to him,

<sup>1</sup> *MS. Register of the Presbytery of Dunkeld*, September 6, 1727.

<sup>2</sup> *Ibid.*, August 5, 1729.

<sup>3</sup> ". . . Mr Robert Stewart, incumbent att Killin, delayd till the next Presbytery day that the brethren from that countrey be present" (*MS. Register of the Presbytery of Dunkeld*, February 21, 1716). There is no further reference to him by name in the Register till July 10, 1716, when the Presbytery appointed a committee to endeavour to obtain evidence against him and others: no evidence was forthcoming, and there is no further suggestion of his complicity with the Rebellion.

after they should conferr with the heretors, elders, and masters of families. The heretors, elders, and masters of families having been desired to stay, they were called. Compeared John Campbell, chamberlain to the Earle of Breadalbine, the laird of M'Nab, and Patrick M'Nab of Acharn ; none other of the heretors compeared. Compeared of elders, Ivan Robertstone, John M'Nab, senior, and John M'Nab, junior, Finlay M'naughton, Patrick M'Nival, Duncan Fraser, John M'Claren, and a great many masters of families. Then all being desired to remove except the elders, they were enquired, if their minister was diligent in preaching ; they told that when the minister was well he preached every Lord's day, but since he has been sickly he preached only sometimes thrice, sometimes twice, and sometime only once in the moneth ; and told they were satisfied as to the soundnes of his doctrine, but told he did not visit families by going from house to house and praying in and exhorting each family particularly to their duty ; and one of them said he has only lived seven years or eight in the paroch, and he did not catechise any in the paroch all that time, except that he catechises the parents who have children to be baptised, and persons when married, but the rest of the elders told that he used to catechise the paroch before the Rebellion. They told also that the Sacrament of the Lord's Supper has not been administrate by him in that congregation these twentie years and upwards, and that he had no catechist these eight years : they told they have no schoolmaster nor Session-clerk this year and this half : they told he used to visit the sick when he was able, and that he is diligent in the exercise of discipline, and keeps Session : they told they have no mortifications ; that they have no Communion cups ; that they have a basin for Baptism ; that their collections are ordinarily distribute to the poor att least once a year. They told, likewise, that the people attend ordinances when there is sermon, and are subject to discipline.

“ Then the elders being removed, the heretors were called ; and being interrogate, they told that their minister had only preached once att Strafillan these two years ; that when he was in health he preached att Killin twice a day in summer, but has preached seldom since he was unwell : they told the Sacrament of the Lord's Supper has not been administrate these twentie years and upwards ; told that he used to visit the sick when he was able to travail, but that, in his present circumstances, he is not able to discharge his duty and that he needs very much to have an asistant : they told they knew nothing as to the utensils of the church acknowledged ; they had not a schoolmaster, but that there was a sallary ; and that the Earle of Breadalbine's managers were to give a call to Mr Mungo Malcom to be schoolmaster, and that he is to enter att Michalmas next. Then the heretors being removed, the heads

of families were called ; and they being interrogate as to their minister's diligence and faithfulness, they said he preached once a moneth this twelve moneth and sometimes oftener ; that he examined att baptisms and marriages as above, but does not remember he catechised the paroch these twentie years ; that he does not visit families ; that the Sacrament of the Lord's Supper was not administrate by him in the paroch these twentie years and upwards. The masters of families expressd their great desire that the minister might have an helper. Then the Presbytery removed to the manse and interrogate the minister if he preached twice every Lord's day ; answered he preached twice when he was in health, and when he preached in English, he lectured on the psalm in Irish : he was enquired if he catechised his people, answered that att every marriage and baptism he catechises the married persons, and the parents of the children when they are baptisd, since he was valetudinary, and that he has been valetudinary these ten years or thereby ; but that before that he examined his paroch regularly, and visited the sick but did not visit families as the Assembly's Acts direct ; owns that he has not administrate the Sacrament of the Lord's Supper this long time, but that he gave it by turns, while there were Episcopal ministers in the bounds ; told that he had an eldership, and that they keep Session with him, both here and in Straffillin, and that they exercise discipline impartially ; told that there is no mortification, no Communion cups nor table cloath, that there are two basins for Baptism, a kirk Bible, and the Old Testament in Irish ; they have a Session book, but that it is not filld up : being enquired what his stipend is, told its four hundred and fiftie eight pound, thirtein shilling, and four pennies Scots ; that there is no decreet of Locality ; that he has a gleib, in lieu of the old gleib that was designd for him att his coming here, which he has been in possession of these fourtie five years, and that it is sufficient, but that he is now disposesst both of the hill for sheep and for truffis, which he has always been in possession of before.

“ Then the Moderator having told Mr Stewart that both heretors and people told them that they were convinced that, by reason of his old age and indisposition, he was not able to discharge his duty as a minister among them, and, therefore, proposd that an helper was very necessary, and the Presbytery told it was a thing that they thought he was bound in duty to go in with. Then Master Stewart desired the Presbytery might supply his charge ; but, being told that the distance was so great, that could not well be done, and, therefore, it was necessary to take an helper, and that they had a young man present, Mr Adam Ferguson, a probationer in their bounds, whom they would endeavour to prevail with to be an helper, providing he should allow a competency out of his

stipend for his subsistence. Then Mr Robert Stewart was content to take an helper, and was willing to referr it to Mr James Stewart and Mr Adam Ferguson, minister att Logirate, what he should give to the helper, and would stand to whatsoever they should aggree for to the helper ; and, accordingly, the said brethren, having communed with the probationer, reported to the Presbytery that they had aggreeed with Mr Adam Ferguson for three hundred merks to supply the paroch with preaching, catechising, and visiting the sick ; and that he is to preach att Killin, Strafillan, and Ardounick *per vices* ; and that when Mr Robert Stewart is in health, he may preach att the kirk of Killin, when the said preacher is preaching att the other two preaching places ; and that the said helper may preach oftener att Killin when Mr Stewart is unwell : and, accordingly, there being a minute of this aggreement drawn up att the Presbyterie's sight, both the said Mr Ferguson and Mr Stewart did chap hands before the Presbytery ; and they are to have it written over on stamped paper, and sign it with their first conveniency, with this particular exception, that it shall be in Mr Ferguson's option to quite his being helper att Mertimas, or any quarter's end after it, and Mr Stewart is bound to pay him for the time he does officiate, or any other probationer the Presbytery shall send to be his assistant ; and also with this provision, that in case a call offer to Mr Ferguson, either from this or any other paroch, that it be in his option to alter the bargain.

“ The Presbytery appointed Mr Robert Stewart to cause fill up the Session book, and lay it before the Presbytery against the second of February next, he wanting a Session-clerk in the meantime. Then Mr Stewart having represented to the Presbytery, that he has alwayes been in use to keep sextie heads of sheep upon the hill which now he is deprived off, and desired that the Presbytery might write to the Earle of Breadalbine's managers to allow him his wonted priveledges, the Presbytery appointed a letter to be written to the said managers, and it being written and read was signed be the Moderator *in presentia*, and he was appointed to seal it and send it with the first occasion. The Presbytery appointed Mr Adam Ferguson to preach att the kirk of Killin, Sabbath first, Strafillin, Sabbath second, Ardounick, Sabbath third, and so *per vices*, except that he preach oftener att Killin when Mr Stewart is unwell.”

On November 7, 1727, it was stated that he was confined to bed, through sickness and old age, and unable to discharge any part of the ministerial office, and that scandals abounded in the parish. The Presbytery appointed a member to “ enquire the inclinations of that people, if ripe for calling a minister.” They also instructed their Clerk to write

to "my Lord Monzie and the rest of the managers of the Earle of Breadalbine's affairs to encourage that settlement," and also to the Earl's chamberlain, then at Edinburgh.

On December 12, Mr Fergus Ferguson, minister at Fortingale, reported that he had preached at Killin "to a very numerous auditory"; that the heritors and masters of families present were convinced that the ordination of a younger man was necessary for the proper discharge of ministerial duties to the parish; that "they were very well satisfied that Mr Adam Ferguson should be the man; but in regard that no letter was come to the countrey from the Earle's managers, nor Chamberlane, they could do nothing." Mr John Hamiltoun, minister at Kenmore, who had been appointed "to sound their inclinations," informed the Presbytery, on March 26, 1728, that the people had sent a representation to the Earl and his managers in favour of Ferguson, and that they had agreed to his settlement. Stewart, however, had not assented to the appointment of an Assistant and Successor, and, accordingly, the Presbytery appointed a committee to obtain his sanction "upon as reasonable terms as may be." Mr James Stewart, minister at Moulin, declared, on May 21, that he had written to Stewart, urging him "with all the arguments that occurd to him to go in frankly with the Presbyterie's design of ordaining one to be his assistant, with whom he was att least to halve the stipend, and that he had promised an answer ere now, but none is come to his hand; and that some of his friends told him that Mr Robert declines to write upon that subject, but if the managers for the Earle of Breadalbine desire it, he will, in all time coming during his life, give the encouragement which att present he payes to an helper, and that he is easy whither he [Ferguson], or any other chosen be them, be ordained or not; but without the managers do concern themselves, he cannot give way to the settlement of Killin after his decease, without appriving them, and obtaining their consent, and that, for his part, he is easy whatever steps the Presbytery takes in this affair." On June 4, the Presbytery were informed that Stewart still refused to sign any document on the subject but that they might proceed to the appointment of an Assistant and Successor as they should see cause; at the same time, it was stated that Stewart's agent—"Clerk" Man—had received a letter from Stewart's son, to the effect that his father would continue to pay 300 merks to Ferguson, and that if the managers of the Earl of Breadalbine desired that he should be ordained his Assistant and Successor he would not object. Evidence was also produced to show that the managers, the heritors, and the people desired the appointment of Ferguson to that office. The Presbytery appointed a committee to moderate in a Call. On July 2, it was reported that Ferguson had

been unanimously called to be Assistant and Successor to Stewart. On September 11, 1728, he was ordained and admitted "minister of Killin, and helper to Mr Robert Stewart."

Friction arose immediately between the minister and his Assistant. On November 5, Ferguson stated that Stewart refused to deliver up the poor's money, unless the Presbytery received it, and granted him a discharge; and on December 17, that Mrs Campbell declined to give it up, unless a discharge were given to him and his heirs for all that could be required of him by the Presbytery and the Kirk-Session. The Presbytery ordered Stewart to deliver the money in question to his Assistant, and if he refused to do so, instructed Ferguson to raise an action against him. On March 4, 1729, when it was reported that Stewart was dead, the Presbytery ordered the Kirk-Session to pursue his representatives for delivery of bills, bonds, and tickets for money belonging to the poor, and the *Register of the Kirk-Session*.

His widow, Anne Campbell, died in January 1730. From her Testament, signed at Ballielloan of Killiechassie, on January 7, 1730, in presence of Mr James Stewart, minister of Mouling,<sup>1</sup> it appears that their children were Mr James<sup>2</sup> of Killiechassie, Mr Duncan of Blackhill, Alexander of Clochfoldich, Robert of Derculich, Margaret, Anne, and Katharine.

1. *References in the Register of Sasines for Perthshire.*

Mr Robert Stewart, minister at Killin, witnessed, December 26, 1684, a contract of marriage between Robert Menzies, son of John Menzies of Aberfaldies, and Isobell Campbell. In terms of the precept, they were infeft in one-half of the lands of Aberfaldie on November 3, 1685.

Registered December 22, 1685.

Mr Robert Stewart, minister at Killin, Agnes Campbell, his wife, and James Stewart, their son, had sasine, February 16, 1688, of one-half of the lands of Pitcastle, and he and his son had sasine of the other half of the said lands; proceeding on the precept in a disposition by Gilbert Stewart of Pitcastle, and Dorothy Stewart, his mother, granted at

<sup>1</sup> *Dunkeld Com. Testaments*, June 30, 1747.

Reference is also made to a grandchild, Robert.

<sup>2</sup> James Stewart of Killiechassie died on May 3, 1718. The executrix of his Will was Vere Menzies, his widow, for whom Captain James Menzies of Comrie became cautioner (*Dunkeld Com. Testaments*, January 15, 1719).

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Mulleing, May 22, 1686, in presence of Mr Robert Campbell, minister of Blair, and others.

Registered March 9, 1688.

Mr Robert Stewart, minister at Killin, witnessed, January 6, 1680, a contract of marriage between Hugh Campbell in Ledcarrie and Christian Campbell, daughter of Duncan Campbell of Achlyne. In terms of the precept of sasine therein, Christian Campbell was infeft in an annual-rent of £80 Scots furth of the lands of Ledcarrie.

Registered May 16, 1688.

### 2. *References in the Register of Deeds of Dunkeld Commissariat.*

James Christie in Muirlanich, bailzie of Killin, and Duncan Campbell, chamberlain to the Earl of Bradalben, granted at Killin, May 19, 1686, a bond for £162, 18s. Scots, in favour of Mr Robert Stewart, minister at Killin, as the price of the old manse and little barn belonging thereto, conform to an appreciation by a mason and two wrights; to be paid out of the readiest of the Earl's rents of Killin.

Registered March 7, 1688.

Mr Robert Stewart, minister of Killin, wrote and witnessed at Killin, May 3, 1687, a bond by Robert Ross in Crage, for £80 Scots, in favour of James Campbell, son of Duncan Campbell of Edramukie.

Registered February 6, 1689.

## LOGIERAIT

### 1. James Murray, 1650-1695.

The second son of Patrick Murray, seventh baron of Ochtertyre, and Mary, daughter of Sir William Moray of Abercairney, he was born at Ochtertyre on October 30, 1616.<sup>1</sup>

He was laureated at the University of St Andrews in 1636.

In 1649, the parishioners of Logierait called him to be their minister. The Presbytery were about to enter him on trials for Ordination, when the parishioners not only refused to prosecute the call, but also intimated that they were opposed to his settlement. Thereupon, Murray declined to submit himself to trials. The Presbytery, in those circumstances, requested the advice of the Synod as to their course of action. The Synod advised them to proceed with Murray's trials, to endeavour to learn why the parishioners of Logierait had abandoned the call, and "to

<sup>1</sup> Playfair's *Family Antiquity*, viii., Appendix, p. vii.; v. *Perthshire Sasines*, p. 407 *infra*; Tombstone; Douglas' *Baronage*, 146.

insist in the prosecution and furtherance of the planting of Logirait." The Presbytery, as was reported to the Synod in April 1650, found Murray qualified for the ministry at Logierait, but the parishioners continued to object to his settlement among them, "because of his weakness of gifts and memorie." The Synod ordered a letter to be written to the Earl of Atholl, desiring him to deal effectually with the parishioners, that the said Mr James might be received as their minister, with their own consent and without further hearing.

The mediation of the Earl was effectual. Murray was admitted to Logierait, on May 23, 1650, by Mr William Menzies, moderator, and other ministers of the Presbytery.<sup>1</sup>

It was reported to the Synod, in May 1651, that he was one of the members of the Presbytery of Dunkeld dissatisfied with the Public Resolutions, but his name does not occur in the list of the brethren yet unsatisfied reported to the Synod in June 1651.

The *Register of the Kirk-Session*, which is extant for a part of his incumbency, contains references to the disturbed condition of the district during the earlier portion of it.

During 1653 and 1654, the Kirk-Session occasionally held no meeting "because of the troubles of the tymes." On February 19, 1654, John Hepburne was appointed schoolmaster, precentor, and clerk to the Session, for half a year at least, at a salary of 40 merks for that period, to be uplifted from the interest of the stipend for 1648 and 1649 still in the hands of the heritors. "But in regarde the tymes were troublesome, and the countrey not in quyetness, it wes ordained that the said John Hepburne should be payed monethly out of the penalties, if the said annuel-rent could not be gotten in."

On June 18, 1654, it was stated that a delinquent was unable to appear before the Presbytery, save at the risk of his life, because of the arrival of a party of English in the district.

The minute on January 28, 1655, runs:—"This day no Session, because of the troubles of the tyme, and parties going alonges": on November 11, 1655:—"No Session this day, because the elders were withdrawine by reason of some publict ordors that came to them"; and on October 11, 1657:—"No Session this day, in respect ane Inglisch partie came alongs in the meane tyme."

In the Register there is no reference to any Thanksgiving for the Restoration. On June 10, 1660, the minute proceeds:—"This day, ane Fast to be kept the 21 of Jullij, for the reasons after mentioned, being Thursday:—First, for the great prophaination of the Sabath day, many not coming to the publik worshipe, and many who comes with-

<sup>1</sup> *Acts and Decreets*, Durie, December 17, 1668.

drauing themselves in the afternoone; both which fious in the want of love to God and His ordinances, for quhilk we are to be humbled: Secondly, [be]caus of the great outbreaking of the sin of uncleannes: Thirdly, becaus of the neglect of goeing about that dutie in seeking of God in their families, tho often pressed and exorted thereto: Fourtly, becaus of the great contempt of the Gospell amongst us: Fyftly, for humiliation preparation worke to the Communion, quhilk, by the Lord's grace, we intend to go about betwixt this and Lambes." The Fast was duly held, the minister being assisted by the ministers of Blair-Atholl and Moulin.

The Holy Communion was also duly celebrated. The notices of it are interesting, as indicating generally the manner in which that Sacrament was observed in an Highland parish, within the bounds of the Presbytery, on the eve of the reimposition of Prelacy:—"The 15th of Jullij [1660].—This day, one Fast to be kept for preparation to the Com[un]jone, quhilk is to be adminestrat the last Sabath of Jullij.

"22 of Julij.—This day was ordred all things to be done the nixt day att the celebration of the Comunione, as folloues:—The gathering the offerings att the kirk styles:—Donald M'Cay and Andro Gow att the west styll, Thomas Reid and William Red att the east styll: servants appoynted for serveing of the Tables:—Gilbert Steuart to receive the tikets, Andro Tosh to carie the bread, Donald M'Cay and Johne Camrone for the wyne for the one syd of the Table, David Oige and Thomas Constable for the other syde: Pitnacrie, Estertyre, Tenendrie, and Fyndynats, to stay att the dore and see good order kept."

"29th of Jullij.—This day, the Communione celibrat, preaching being on Saterdag, Sunday, and Munday, Mr Collin and Mr Robert Campbels, helpers. Collection the thrie dayes, . . . 9 lb. 14s. 4d."

He conformed to Episcopacy in 1662. He received a presentation to the benefice of Logierait from Viscount Stormont, the patron, on October 31, 1662. On July 1, 1664, the Bishop signed letters of collation in his favour, ratifying the presentation and his admission in 1650.<sup>1</sup> On February 8, 1665, an action at his instance against the heritors, for a decreet of provision and locality of stipend, was decided in his favour by the Commissioners of Teinds.<sup>2</sup>

Before November 2, 1681, he received a colleague and successor in the person of his second son, Mungo.<sup>3</sup>

He died on September 29, 1695, and was buried at Ochtertyre. He married Isabella, daughter of John Robertson of Invar, brother-

<sup>1</sup> *Acts and Decrees*, Durie, December 17, 1668.

<sup>2</sup> Connell on *Tithes*, ii. 163.

<sup>3</sup> *MS. Register of the Presbytery of Dunkeld*.

german of the laird of Lude.<sup>1</sup> Their children were: Patrick, born January 25, 1655, who succeeded to Dullery,<sup>2</sup> Mungo (*v. infra*), William,<sup>3</sup> James,<sup>4</sup> born April 1, 1669, and Anne, who married Mr Robert Campbell, minister at Blair-Atholl.

A mural tablet in the churchyard of Logierait bears the following inscription:—

Tumulus  
Mri Jac. Moravii Doii de Ochter-  
tyr Filii natu 2di, 3 Kal Nov  
in 1616 in lucem suscepti.  
Hujus ecclesie indefessa  
opera sincera pietate et fide  
inter varios sui temporis motus  
inconcussa pastoris et exem-  
plaris ab anno 1660<sup>5</sup>  
tandem ætati capulari Hujus  
vitæ ergastulo modica febri  
3 Kal Oct 1695 soluti  
si mea mortalis legerent  
vestigia grussu  
per vigili priscum mundus  
reviresceret arum.  
Hic etiam situs est  
Dom Kentigernus Moravius de  
Kincairny pastor ejusdem eccles-  
iæ Dom Jac Filius mortem obiit  
anno 1714 vir generosus,  
doctrina, probitate, fide, clarus.

1. *References in the Register of Sasines for Perthshire.*

Mr James Murray, brother-german of Harie Murray of Lochlane, granted at Logirait, November 21, 1658, a renunciation of a bond for 500 merks, secured over the lands of Auchinreane, in favour of George Graham of Monzie.

Registered December 22, 1658.

Mr James Murray and Issobill Robertsons, his wife, had sasine, April 22, 1659, of the lands of Easter and Wester Dollorie, proceeding on a precept in a disposition by Mr Patrick Murray of Ochtertyre and William Murray, fiar thereof, his eldest son, dated October 1, 1657.

Registered April 29, 1659.

<sup>1</sup> See note 1, p. 404.

<sup>2</sup> *v. Perthshire Sasines*, November 19, 1675.

<sup>3</sup> *Ibid.*, January 22, 1683.

<sup>4</sup> *MS. Register of the Presbytery of Dunkeld*, January 2, 1689.

<sup>5</sup> ? 1650.

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Mr James Murray, minister at Loggierate, and Isabell Robertson, his wife, had sasine, April 30, 1662, of the lands of Easter and Wester Dullery (Dowlarie), proceeding on a precept from Chancery, dated at Edinburgh, January 17, 1662.

Registered May 2, 1662.

Mr James Murray, and Isabell Robertson, his spouse, had sasine, August 8, 1662, of part of the Moor of Innerpaffrey, proceeding on precept in a disposition by William Murray, his brother german.

Registered August 29, 1662.

Mr James Morray, minister at Logyrait, witnessed, July 3, 1667, an instrument of sasine, of the lands of Wester Cluney, in favour of Alexander Stewart, son of James Stewart of Wester Cluney, and Catherine Campbell, his future spouse ; proceeding on a precept in a charter by the said James Stewart.

Registered July 22, 1667.

Mr James Murray witnessed, January 21, 1668, an instrument of sasine, of the lands of Eistertyre, in favour of Francis Reid, proceeding on a precept of sasine by John, Earl of Atholl, for infesting him therein as heir to Adam Reid <sup>1</sup> of Eistertyre, his father.

Registered February 28, 1668.

Mr James Murray and Patrick Murray, his eldest son, had sasine, February 8, 1670, of the lands of Cultiranich, proceeding on a precept in a disposition by Umphra Murray of Cultranich, dated February 8, 1670.

Registered February 9, 1670.

John Doune in Crieff, on October 9, 1671, resigned into the hands of Mr James Murray, superior, the lands of Croftweitt *alias* Croftwatsone, within the burgh of Crieff, and a house on the west side of the burgh.

Registered October 20, 1671.

Mr James Murray witnessed a marriage contract between Donald Robertstone, fiar of Auchleiks, and Helen Bruce. In terms of the precept therein, the said Helen was infest, in liferent, in £200 Scots from the 5 merkland of Auchleiks.

Registered August 24, 1674.

John Cawe, son to William Caw in Creiff, renounced on May 12, 1675, in favour of James Murray, the whole of his wadset rights over a house and yard in Creiff and the half of Croftweit ; and on the same date, Thomas

<sup>1</sup> An Adam Read of Eastertyre died in February 1655 (*Perthshire Testaments*, Sheriff Court, March 14, 1656).

Caw in Crief renounced his wadset rights over a house and yard in Crief in his favour.

Registered May 13, 1675.

Mr James Murray, minister at Logyrait, had sasine, November 18, 1675, in liferent, and Patrick Murray, his son, in fee, of the lands of Easter Dullarlie and Wester Dullarlie and others in the parish of Crieff; proceeding on precept in a charter under the Great Seal, dated July 19, 1672.

Registered November 19, 1675.

The lands and barony of Killichassie were adjudged by decree of the Court of Session (dated December 18, 1680), obtained at the instance of Mr James Murray, for payment of £596, 17s. 2d. Murray assigned them to William, his third son, on March 5, 1681. William Murray had sasine of those lands, January 2, 1683, proceeding on a precept in a charter of confirmation by John, Marquis of Athole, dated November 29, 1682.

Registered January 22, 1683.

2. *Reference in the Register of Deeds of Perthshire Sheriff Court.*

John Stewart of Kilchassie, at Dunkeld, November 2, 1653, granted a bond, for £60 Scots, in favour of Mr James Murray, minister at Logierait, which Murray assigned, December 14, 1654, to Robert Boig, glover, burgess of Perth, and Mary Maistertoune, his spouse.

Registered January 21, 1656.

3. *Reference in the Register of Decrees of Perthshire Sheriff Court.*

Mr James Murray obtained decree showing that, on February 8, 1670, he was infeft, in liferent, and his son Patrick, in fee, in the lands of Culterranich, being part of the lands formerly belonging to David Murray of Cassoquhey. The defender was John Murray of Buchintie.

Registered March 23, 1670.

4. *References in the Register of Acts and Decrees.*

Mr James Murray, minister at Logierait, charged Alexander Robertsons of Strowan to make payment of £8, 4s. yearly, for the period 1650-67, out of the lands of Carie, conform to his presentation, collation, and institution, or act of Admission, and to a decree of the Commissioners of the Plat in his favour, dated February 8, 1665. Robertson raised an action of suspension, stating that neither he nor his predecessors had ever

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paid duty to the titular or the minister, but only vicarage ; that Lord Stormont, the titular, had denuded himself of his right to teind duty, in favour of Mr George Grahame of Inchbraikie, before any allocation was made to the minister ; that he was distressed by representatives of the Laird of Inchbraikie for payment ; that he had relinquished the lands of Carie in favour of . . . Camrone ; and that in any case there was no parsonage teind, the land being but "a grasse rowme." The Lords found Murray's letters orderly obtained, and decerned execution to follow until payment were made for the years 1650-1667.

Registered December 17, 1668 (Durie).

Murray obtained Letters of Horning against Robertson for payment in accordance with that Decreet : Robertson raised an action of suspension. He declared that Carie, being only a "moor roume" for pasturing, paid no teind ; that he had a tack of the vicarage for 40 shillings yearly ; that he had not been cited to appear before the Commissioners for Plantation of Kirks ; that the Parsonage had been transferred to Mr George Graham of Inchbraikie, and that Patrick Graham of Inchbraikie, and George Graham, fiar thereof, had disposed the same to him ; and that an action for reduction of the above Decreet was depending. Robertson failed, however, to obtain suspension.

Registered June 24, 1670 (Durie).

He raised an action for adjudication to him of the lands belonging to John Stuart of Killchassie. He stated that Viscount Stormont, Titular of the teinds, had assigned to him as part of his local stipend 30 (? 13) bolls victual ( $\frac{2}{3}$  meal and  $\frac{1}{3}$  bear) and £4, 16s. Scots of silver duty, to be uplifted from the lands of Killchassie. By Contract, dated December 1, 1665, between them, Murray had agreed to accept from Stuart during his service of the cure 7 bolls victual, £29, 16s. of silver duty, £4, 3s. 4d. for each of the other six bolls of victual, and £8 for the vicarage of Killchassie. Stuart, however, failed to make due and regular payment, and Murray obtained Letters of Horning against him. The Lords adjudged the lands of Killchassie to appertain to Murray, to be holden of Butter of Ardgith, formerly of Gormock, and John, Marquis of Atholl.

Registered December 18, 1680 (Dal).

William Murray, third son of Mr James Murray, minister at Logieraitt, and the said Mr James Murray as his tutor, obtained decree against John Butter of Ardgith, heir of Patrick Butter of Gormock, his father, and of — Butter, his grandfather, John, Marquis of Atholl, and Sir William Ker, Director of Chancery, to the effect that Butter had lost his right of superiority of these lands of Killchassie, and that they should

be held from the Marquis of Atholl; and charging Sir William Ker to direct precepts to the Marquis for infetting William Murray therein.<sup>1</sup>

Registered March 3, 1682 (Durie).

2. Mungo Murray, c. 1681-1714.

The second son<sup>2</sup> of Mr James Murray, minister at Logierait, and Isabella Robertson, his wife, he was born on March 11, 1657.<sup>3</sup> He was a student of St Salvator's College, St Andrews, and graduated Master of Arts in 1674.

He was admitted Colleague with, and Successor to, his father before November 2, 1681,<sup>4</sup> on the presentation, it was afterwards alleged, of the Marquis of Atholl.<sup>5</sup>

In 1704, he and his eldest son, James, had sasine of the lands of Kincairny.<sup>6</sup>

On August 22, 1705, a meeting of heritors and others was held at Logierait, for the purpose of dividing the church among the heritors. There were present, Lord James Murray, the laird of Ballechan, Baron Fergusson, and the laird of Killichangie, commissioners appointed by the Duke of Atholl, in virtue of a Commission anent Immoralities, and these heritors, Alexander Stewart of Cluny, for Tullipuries, Mr Robert Stewart, minister of Killin, for Pitcastle in Strathtay and Killichassie, Adam Reid, fiar of Edradynat, David Reid of Pitnacree, Alexander Fergusson of Baliyeukan, John M'laren, portioner of Dalshian, Patrick Butter of Pitclochry, and Alexander Stewart of Cluny, as tutors of John Butter, portioner of Dunfallandie, Alexander Robertson, younger, of Tenendry, John Stewart of Clochfoldich, Alexander Stewart of Fundynat, Donald Robertson of Eastertyre, and John Cunnison of Balnacree. The meeting unanimously approved of a proposed scheme of division, according to the valued rental of the heritors, drawn up by the minister and Mr James Scot, schoolmaster and Session-Clerk. From that document, a duplicate of which was inserted in the *Register of the Kirk-Session*, it appears that the valued rent of the parish, after deducting feu and teind duty, was £5179, 9s. 1d., divided among the heritors as follows, viz. :— The Duke of Atholl, for Logyreat and Tullimett, £1255, 19s., Ballechan, £681, Killichassie and Pitcastle, £567, 6s. 8d., Pitnacree, £448, Drumwhin, Drumchastle, Duchrokan, Pitighirr, Westhaugh, belonging to the Duke of Atholl and Lord James Murray, £352, 1s. 1½d., Tullipurie, £173, 10s., Fundynat, £170, Wester Dunfallandy, £166, 16s. 8d., Easter-

<sup>1</sup> v. *Perthshire Sasines*, January 22, 1683.

<sup>2</sup> *Perthshire Sasines*, September 19, 1677.

<sup>3</sup> Playfair's *Family Antiquity*, viii., Appendix, p. vii.

<sup>4</sup> *MS. Register of the Presbytery of Dunkeld*.

<sup>5</sup> *Ibid.*, November 22, 1714.

<sup>6</sup> *Perthshire Sasines*, May 9, 1704.

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tyre, £150, Killichangie, £136, 6s. 8d., Pitcastle and Balligowan, £131, 15s. 6<sup>3</sup>/<sub>4</sub>d., Edradynat, £120, Baliyeukan, £114, 10s., Fonnab, £111, Aberfaldie, £106, 13s. 4d., Clochfoldich, £92, Carie, £82, 13s. 4d., Balnacree, £72, 4s. 5<sup>1</sup>/<sub>2</sub>d., Balichandie, £55, 16s. 8d., John M'Laren for East Haugh, £50, Balntuim, £38, 3s. 4d., Middle haugh, £27, 15s. 6<sup>3</sup>/<sub>4</sub>d., John Butter, £27, 6s. 8d., John Cameron, portioner of Donavour, £24, 10s., Robertson, portioner thereof, £24.

The length of the church, as measured by Charles Clerk, mason, was stated to be 77 feet 10 inches, and the space along the walls, deducting 15 feet from the south wall for the doors, pulpit, and benches, and leaving the middle of the church for the Communion table, was divided, according to their proportions, among the heritors, but excluding the Duke of Atholl, who renounced his right to a share for his first-mentioned properties,<sup>1</sup> having intimated his intention of building a gallery for himself. On December 17, 1705, the spaces allocated to the respective heritors were "marked with keelstone upon the wall" by the measurers, Donald Fraser, miller in Tullimett, and Donald Robertson, officer in Logyreat.

He married his cousin, Anne Robertson, daughter of the laird of Lude. Their children were James,<sup>2</sup> Patrick, John, Mungo, Alexander, and Catherine, who married John Stewart of Dalguise.<sup>3</sup>

He died at Sock<sup>3</sup> on January 3, 1714,<sup>4</sup> in his 57th year.

<sup>1</sup> The sum of £15, 3s. 4d. from the rental of Tullimett was allocated by the Duke "for helping, with the rest of his interest in the parish, to make a share for Lord James."

<sup>2</sup> *Perthshire Sasines*, May 9, 1704.

<sup>3</sup> *Playfair's Family Antiquity*, viii., Appendix, p. vii.

<sup>4</sup> *MS. Register of the Kirk-Session of Logierait*. v. p. 407 *supra* for Inscription on Tombstone.

Murray's successor, Mr Adam Fergusson, translated from Crathie and Braemar, was admitted on November 22, 1714. "During the vacancy, all the people resorted to a meeting house at Killichangie, and there is no account of collections or distributions" (*Account Book*). That meeting house was kept by Mr George Robertson, who was fined £10 sterling, by the Lords of Justiciary, at Perth, in May 1715. That sum was given to the Kirk-Session of Logierait for behoof of the poor. On September 15, 1717, the minister submitted to the Kirk-Session a narrative regarding the church bell, drawn up at their request. It begins:—

"Upon the 28 day of June 1713, Mr Mungo Murray, late minister at Logirait, did send to Edinburgh three old bells belonging to this kirk, weighing four stone and five pounds, valued at nyne shilling Scots per pound, which Robert Maxwell, funder, did cast with additional mettall, with an inscription FOR THE COURT HOUSE OF LOGIRAIT: the reason of which mistake was, that His Grace the Duke of Atholl had written to him, at the time the old bells were sent, to make two bells, one for the Court house, and another for the church of Logirait; and believing the old mettall belong'd to His Grace, he did fall into that inconvenience, which is necessarily observed here, that none of His Grace's successors may from the inscription on the bell pretend an interest therein. This new bell weighs eighty nyne pounds, English weight, valued at twenty shilling Scots each pound weight." The new bell, with fittings, etc., was declared to be worth £112, 0s. 8d. Scots. That sum was met by calling up £60 from a bond granted by Thomas Bissat of Glenilbert, Commissary of Dunkeld, and James Robertson of Balnacree, being one-half of the above-

1. *References in the Register of Sasines for Perthshire.*

Mr Mungo Murray, second son of Mr James Murray, witnessed, September 13, 1677, a charter of adjudication by Gilbert Stewart, commissary clerk of Dunkeld, in favour of Alexander Robertson of Faskallie, of the "Aikenwoods" of Inchmagranich and others. Sasine was given in terms of the precept on September 18, 1677.

Registered September 19, 1677.

Mr Mungo Murray, minister at Logierait, witnessed, October 24, 1682, a disposition by James Robertson, litster, in Logierait, in favour of Alexander Menzies, of one-third part of the lands of Over Urlar. Sasine was given in terms of the precept therein.

Registered February 9, 1683.

Mr Mungo Murray, minister at Logyrate, and James Murray, his eldest son, had sasine, April 27, 1704, from Thomas Scrimseor, as bailie for the deceased James Stewart, merchant, and Dean of Guild of Perth, of the town and lands of Easter Kincairn and three-quarters of the lands of Wester Kincairn, with the manor place and teinds thereof; proceeding on a precept in a disposition by the said James Stewart, granted, December 23, 1700, in presence of William Murray of Ardbany, Patrick Bayne of Findell, Mr James Murray, brother-german to Patrick Murray of Dullarie, James Richardson, writer in Perth, and David Carmichael, his servitor.

Registered May 9, 1704.

2. *Reference in the Register of Testaments of Dunkeld Commissariat.*

Mr Mungo Murray, minister at Logierait, wrote and witnessed, November 10, 1688, the Testament of Cristane M'Ansh, spouse of Donald Reid in Easter Dumfallandie, in presence of Adam Clerach and James and Findlay Robertson in Dunfallandie.

Registered February 28, 1689.

WEEM

1. Thomas Ireland, 1635-1664.

The third son of Mr Alexander Ireland, senior, minister of Kinclaven, and Isabella Scot, his wife,<sup>1</sup> he matriculated at the University of mentioned fine imposed on Mr George Robertson, and from the income of the Kirk-Session. The minute continues :—"There being a motion made that the bell might be allowed to be rung at each burial, the minister opposed it, unless the parish repay the money pay'd for it, as in law they are bound, or pay in to the Session six shilling Scot for every burial at which it will ring; this was acquiesced in."

<sup>1</sup> *Perthshire Sasines*, October 20, 1631.

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St Andrews, as a student of St Leonard's College, in 1629, and graduated Master of Arts in 1632.

He was minister at Weem on October 15, 1635.<sup>1</sup> He was a member of the General Assembly of 1644.<sup>2</sup>

In April 1642, he informed the Synod that he could not secure the payment of his stipend, because he was unable to obtain Letters of Horning to charge the persons liable. The Synod appointed Messrs John Galbreth and Alexander Irland to draw up a letter to the Lords of Session in his favour, to be signed by the Moderator and Clerk.

When Montrose marched through Strathtay in August 1644, he and Mr John Cunison, minister at Dull, were despoiled of their goods.<sup>3</sup> They, with Mr John Readfoord, minister at Kinbaith, and Mr William Davidson, minister at Auchindore, petitioned "The Committie for the loisses" appointed by Parliament, for reparation of their losses, and also Parliament for a grant in aid of their immediate necessities. On February 8, 1645, the Estates passed an "Act in favoures of Maister Thomas Irelande and otheres ministeres," granting them each 400 merks Scots until their losses should be submitted to examination<sup>4</sup>; and the General Assembly of 1646 recommended him and Cunison to the ministers south of the Tay, for a charitable contribution in relief of their necessity and distress.<sup>5</sup>

In 1650 he was Clerk to the Presbytery of Dunkeld.<sup>6</sup>

He associated himself with the Protesters, and was one of the members of the Presbytery of Dunkeld who, on March 10, 1652, separated from their brethren that adhered to the Public Resolutions, and sat in Presbytery by themselves. He was implicated in the disorderly admission of Mr James Strachan to the Church of Dunkeld on June 11, 1655.<sup>7</sup>

He had been frequently absent from the meetings of the Synod; and, in April 1656, that Court instructed the Moderator of the Presbytery of Dunkeld to write to him and Mr Coleine Campbell, minister at Blair-Atholl, requiring them to be present at the next meeting of the Synod, under penalty of being processed in accordance with the relative Acts of Synod. At the same meeting, Marie Masterton, widow of Mr Francis Omev, minister at Logierait, presented a petition with reference to her grievances against him. The Synod appointed Messrs William Colvill, minister at Perth, and Alexander Ireland, minister at Kinclaven, to

<sup>1</sup> *Perthshire Sasines*, February 18, 1636.

<sup>2</sup> *MS. Acts of Assembly.*

<sup>3</sup> "Passing by Weem, a castle of the Menzies', as they had maltreated a trumpeter, whom he had sent to them in a friendly manner, and attacked his rear-guard, he ordered their lands to be laid waste and their houses and cut corn to be fired, that on the very threshold of the war he might terrify others" (*Deeds of Montrose*, 56).

<sup>4</sup> *Acts of Parliament*, vi., pt. i., 311.

<sup>5</sup> *v. p. 372 supra.*

<sup>6</sup> *v. Appendix A.*

<sup>7</sup> *v. p. 353 supra*, Lundie—Ratray.

endeavour to remove them before the following meeting. It was also declared that he "often converses with Anabaptists," and is too frequent in reasoning for them, and speaks favourable of them."<sup>1</sup> The Synod instructed the Presbytery of Dunkeld to try those allegations, and to deal with Ireland according to his demerit. He was not present at the following meeting of the Synod. It was reported, however, that the differences between him and Marie Masterton had not been settled, and Mr James Murray, minister at Logierait, was added to the Committee previously appointed. It was also declared that no action had been taken with reference to his attitude toward the Anabaptists. The Synod delayed consideration of the matter until he appeared, and instructed him to discuss it meanwhile with the ministers of Perth, an ordinance renewed by the Synod in April 1657, when Mr Thomas Hog undertook to communicate their instructions to him. It was declared to that meeting, in April 1657, that the Committee appointed to compose the differences between him and Marie Masterton were unable to meet with him. The Committee were instructed to inform her that he did not attend the meetings of the Synod, that difficulties were found in meeting him, and to give her the best advice they could, that the Synod might not be again troubled with her affairs.

The Presbytery of Dunkeld brought under the notice of that meeting of the Synod a scandal alleged against Mr Gilbert Menzies, designated "pretendit minister at Forthergeill," of having unwarrantably married John and Kathrine Menzeis. It was declared that Patrick Menzeis, the husband of the woman, was alive, or, at least, not proven to be dead. The parties were summoned, and John Menzeis appeared. He presented a Certificate to the effect that he had been married, after certain persons had declared on oath that Patrick Menzeis fell at Dunbar. The Synod regarded the word "fell" as ambiguous, and referred consideration of that point to their Committee on Bills, and afterwards instructed the Presbytery to enquire whether Patrick were alive. In October 1657,<sup>2</sup> Alexander Menzeis of Stiux requested the Synod to declare the marriage void, on the ground that the death of Patrick Menzeis, his son, had not been proven. The Synod did not grant his request. It appeared

<sup>1</sup> Under date 1653, Nicoll writes (*Diary* 106) :—"This yeir Anabaptistes daylie increst in this natioun, quhair nevir nane wes of befoir, at leist durst not avow thame-selfis: bot now many maid oppin profession thair of and avowit the same; sa that thryse in the oulk, viz., on Monday, Weddinsday, and Fryday, thair wer sum dippit at Bonyngtoun mylne betuix Leith and Edinburgh, both men and women of guid rank. Sum dayis thair wald be sindrie hundreth persones attending that actioun, and fyftene persones baptized in one day by the Anabaptistes.

"Divisioun yit increst and daylie continued among the ministrie, sindry of thame mantening strange opiniounes, different ane from another; pairt mantening and defending Anabaptisme . . ."

<sup>2</sup> v. p. 37 *supra*.

that Ireland, not Menzeis, had married the parties. The Synod found "that Mr Thomas Irland, minister at Weyme, who married them, was too precipitant in marrying them before the witnesses were fullie examined thereanent; and the said Mr Thomas, being posit thereupon, acknowlegit his rashnes in so doeing, for which he wes admonisht, and exhortit to be more circumspect in tyme cuming."

At that meeting also, the allegation of his sympathy with Anabaptist teaching was again noticed. He had been instructed to confer with the ministers of Perth on the doctrine of Holy Baptism, but it is not known that he discussed the subject with them. The minute of the Synod proceeds:—

"Concerning the reference anent Mr Thomas Irland, his scandell of Anabaptisme, he, being now present, wes posit thereupon, who did judiciallie declair before the Synod that he renuncit Anabaptisme; lykeas some of the brethren declaires that he does baptize children when occasioun offers. So that mater ceasis and closis for the tyme."

It was reported in 1659 that he had signed a petition, "in behalf of that vast toleration that is now on foot in these nations." Certain additional signatories to a Testimony against Cromwell's Toleration, among them being Messrs Thomas Lundie, minister at Rattray, Thomas Glass, minister at Little Dunkeld, Gilbert Menzies, minister at Fortengel, Patrick Campbell, minister at Killin, and James Strachan, who designated himself minister at Dunkell, made special reference to that "mis-carriage," for which, as they declared, they desired to be humbled before God, and against which they judged it their duty to bear witness before the world.

At the diet of the Privy Censure of the Presbytery held by the Synod in October 1659, all the members present were approven save Ireland. It was reported that he had been frequently absent from his Charge, and "that he wes under some other scandalls, particularlie, that he is for a tolleratioun of errours, contrary to the Word of God, the Covenant, and Confessioun of Faith within this Church." The Presbytery admitted that such reports were current, but declared that they were unable to subject him to trial on account of them, inasmuch as he declined to acknowledge their authority. In consideration of the divided condition of the Presbytery, the Synod decided to appoint a Committee to examine the allegations against him, and he was cited to appear before them on the first Tuesday of February 1660. At the request of Ireland, who stated that some of the members of the Presbytery intended to raise a process against him in a disorderly manner, the Synod forbade any but their Committee to institute proceedings with reference to the charges brought against him. The Committee, however, did not meet, and the

Synod of April 1660, to whom it was reported that others were dealing with it, referred his case to the following meeting.

The others who were "medling therein" were, doubtless, the Protestant Presbytery of Dunkeld. That body, as appears from an entry in the *Register of Deeds* (Register House), suspended him from his ministry "upon some grave reasones," which have not been recorded, and declined to repon him without a call from the parishioners of Weem. At his request, the heritors and elders petitioned the Presbytery to restore him, but under the conditions that he should join with the laird of Weem, his parishioners, and his ordinary hearers in calling Mr John Menzies, or some other qualified person, as his Colleague, and should demit office before December 25, 1660. By Obligation signed at Menzies, May 14, 1660, before Thomas Menzies in Kirktoone of Weyme, William Henderson, servitor to Alexander Meinzie of that Ilk, and William Jerden, he bound himself to concur in the appointment of a Colleague, to subscribe and present a call to the Presbytery, or any other competent judicatory, before December 8, and, on the admission of a Colleague, to demit the service of the cure before March 1, 1661. He further bound himself to fulfil his obligations, under penalty of 500 merks, and of being declared infamous.<sup>1</sup>

Ireland was restored to his ministry under those conditions. He was present at the meeting of the Synod in October 1660. Reference was made to the fact that he had signed the petition for Toleration, contrary to the liberty and order of the Church. He admitted that he had done so, and humbly submitted himself to the judgment of the Synod. As the scandal of that offence had not yet been removed, the Synod "referred him to the Presbytery of Dunkeld to take such satisfaction as may remove the same."

Ireland duly removed the scandal of signing the petition for Toleration, in the manner prescribed by the Presbytery. The proceedings of the Presbytery were approved by the Synod in April 1661, but only after a vote. Against that decision, however, Mr Alexander Pittcairnes, minister at Dron, protested, and appealed to the General Assembly. The terms of that Protest and Appeal were:—"Considering that Mr Thomas Irland is a man so scandalous and infamous for subscribing that vyle supplicatioun to the Usurpers for Toleration, for his dividing from Synod and Presbytery, and accessioun to the divisive and factious courses of the tyme, for these and several other reasons, which shall be given in time and place convenient, I protest against the Synod's appro-

<sup>1</sup> *Register of Deeds*, Dal, September 17, 1661. The chief reason of his suspension was doubtless his signing a petition for a "Toleration of Errors." He was suspended by the Protesters. He was not associated with the Resolutioner Presbytery till later.

bation of the Presbytery's receiving him upon Profession of his repentance for that Toleration, and continuing him in the ministry notwithstanding of these and many other scandals that are rumoured of him ; and appeals to the General Assembly."

Ireland had been one of the ministers who had withdrawn from the meetings of the Presbytery. In October 1660, the Synod enjoined the various Presbyteries to take such action, with reference to ministers within their bounds acknowledged to be members of the Synod, who had failed to attend Presbyterial meetings, or had been accessory to the Remonstrance, the Protestations, or other divisive courses prejudicial to the order of the Church, as might best conduce to the welfare and peace of the Church ; and to report their proceedings to the meeting of the Synod in April 1661. It was reported to that meeting that Ireland, with Messrs Thomas Lundie, minister at Rattray, Thomas Glass, minister at Little Dunkeld, Coline Campbell, minister at Blair-Atholl, and Francis Peirson, minister at Kirkmichael, were again associated with the Presbytery, and had been re-admitted to their seats on accepting certain articles of agreement. Their diligence was approved ; but they were enjoined to insist that those brethren should definitely disclaim and disown the Remonstrances, and "The Causes of God's Wrath," and all statements contained in them that encroached and reflected on the King's authority and government, and should subscribe their disclaimer.

Messrs William Colvill, minister at Perth, Robert Young, minister at Dumbarrie, William Bell, minister at Errol, Alexander Balnevis, minister at Tibbermure, Alexander Pittcairnes, minister at Dron, and George Weymes, minister at Scone, were appointed a Committee to advise the Presbytery.

It is not known that the re-admitted brethren signed the required disclaimer.

He conformed to Episcopacy in 1662. He was denounced rebel on May 10, 1664.<sup>1</sup> He was translated to Kirkmaiden after June 24 and before September [? October] 29, 1664.<sup>2</sup>

At the meeting of the Synod of Galloway held in May 1665, Ireland was chosen one of the privy conference, and was frequently re-appointed. He was translated to Kirkcolm between the meetings of the Synod in May and October 1665, and at the latter meeting, was appointed Moderator of the Exercise of Stenrauer. At the meeting in April 1666, he, as Moderator, and the Clerk of the Exercise of Stranraer, were threatened by the Synod with suspension if the Register of that Pres-

<sup>1</sup> *Register of the Privy Seal*, English, ii. 15.

<sup>2</sup> *Perthshire Inhibitions*, July 8, 1664. v. Strachan (Weem), p. 427 *infra*.

bytery were not properly filled up. He ceased to be Moderator after October 30, 1666. The Synod of October 1668 appointed him to preach at Carsfairn, which had been long vacant and destitute of ordinances. He reported, in April 1669, that he did not obey because of illness; and it was stated that a minister who did go to that parish failed to obtain a congregation. In October 1669, he was one of a committee appointed by the Bishop and Synod to meet with the Presbytery of Kirkcudbright with reference to scandals alleged against Mr David M'Queine, minister at Kirkmabreck.<sup>1</sup>

He had sons, Alexander,<sup>2</sup> and Thomas,<sup>1</sup> who was appointed bursar of the Synod of Galloway on October 6, 1669; and daughters, of whom the eldest was Elizabeth.<sup>3</sup>

1. *References in the Register of Sasines for Perthshire.*

Mr Thomas Irland, minister at Weyme, witnessed at Dunkeld, October 15, 1635, a charter of confirmation by Mr Alexander Chrystesone, prebendary of Fordishaw, superior, with consent of the Bishop, Dean, and Chapter, of the lands and crofts in the town of Dunkeld, called the crofts of the prebendary of Fordishaw, in favour of Thomas Robertson, elder, citizen of Dunkeld, in liferent, and Thomas Robertson, younger, his eldest son, in fee.

Registered February 18, 1636.

Sir Alexander Menzies, patron of the vicarage of the parish church of Weyme, granted, February 2, 1642, a charter of sale, of the kirk lands of the said vicarage, with the manse, etc., reserving to Mr Thomas Irland, vicar of the church, and his successors, a sufficient house and yard, in favour of Thomas Menzies, his fourth son. Sasine was given on February 23, 1642.

Registered March 15, 1642.

John Steuart of Killichassie, as bailie for Mr Thomas Irland, minister of Weyme, gave sasine, November 21, 1655, of a tenement of land on the south side of the market place of the city of Dunkeld, to James Stewart in Meckhauch [Meiklehauch]; proceeding on a precept of sasine in a charter granted by Mr Thomas Irland, with consent of Mr John Irland of Milnhoill, his brother-german, at Perth, ——— 1652.

Registered January 2, 1656.

<sup>1</sup> *MS. Records of the Synod of Galloway*, passim.

<sup>2</sup> *Perthshire Deeds*, September 25, 1667:—Alexander Ireland, eldest son of Mr Thomas Ireland, minister at Weyme, witnessed at Weim, June 8, 1663, a bond by David Bisset in Kirktoone of Weyme, for 100 merks, in favour of John M'Greigor, eldest son of Patrick M'Greigor *alias* Dow, there.

<sup>3</sup> *Register of Deeds*, Mack, i. 4, November 29, 1661.

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### 2. *Reference in the Register of Deeds of Perthshire Sheriff Court.*

Mr Thomas Ireland witnessed at Weyme, May 17, 1656, an obligation by Alexander Menzies in Aberfeldy for Margaret Stewart, his wife, and for John, William, and Robert, their children, concerning the redemption of certain lands, in favour of Alexander Menzies of that Ilk.

Registered January 1, 1659.

### 3. *Reference in the Register of Inhibitions for Perthshire.*

James Menzies, son and heir of the deceased Mr William Menzies, minister at Kendmoire, and Grissell and Christian, his sisters, obtained Letters of Inhibition, June 24, 1664, forbidding Mr Thomas Ireland, minister at Kendmoir, to sell, wadset, or put away his lands, etc., to the prejudice of the creditors of the said Mr William Menzies. Ireland by obligation had bound himself to pay certain sums of money, amounting to a third of Menzies' debts.

Registered July 8, 1664.

### 4. *References in the Register of Deeds (Register House).*

Mr Thomas Ireland, minister at Weyme, granted an obligation, for £41 Scots, in favour of Marion Guthrie, daughter of Alexander Guthrie, burgess of Edinburgh; at Edinburgh, July 2, 1659.

Registered October 11, 1661 (Dal.)

Alexander Menzies of that Ilk granted a bond, for 200 merks, in favour of Mr Thomas Ireland, minister at Weyme, whom failing Elizabeth, his eldest daughter; at Weyme, January 5, 1658.

Registered November 29, 1661 (Mack, i. 4).

### 2. James Strachan, 1664-1692.

The son of John Strachan, merchant in Dunkeld,<sup>1</sup> and Janet Small, his wife,<sup>2</sup> he matriculated at the University of St Andrews on March 23, 1642, and received the degree of Master of Arts in 1645. He was bursar of the Presbytery of Dunkeld at the New College, St Andrews, in October 1648,<sup>3</sup> and was licensed before November 9, 1652.<sup>4</sup> He identified himself with the Protesters.

The charge of Dunkeld became vacant by the "removal"<sup>5</sup> of Mr

<sup>1</sup> *Perthshire Sasines*, August 10, 1643.

In a petition heard by the Commissioners of the Treasury in December 1695 (*v. p.* 431 *infra*), he stated that he was sixty-six years of age.

<sup>2</sup> *Perthshire Sasines*, July 20, 1671.

<sup>3</sup> *MS. Register of the Synod*, October 1648.

<sup>4</sup> *Perthshire Deeds*, November 23, 1655. *v. Glass*, Little Dunkeld, p. 308 *supra*.

<sup>5</sup> *MS. Register of the Presbytery of Perth*, April 8, 1657.

John Heart after June 8, 1652.<sup>1</sup> On June 11, 1655, between 9 and 10 o'clock at night, without lawful call and formal edict, Strachan was admitted to the cure by Messrs Thomas Lundie, minister at Rattray, Thomas Glas, minister at Little Dunkeld, Thomas Ireland, minister at Weem, and Robert Campbell, minister at Moulin, protesters within the bounds of the Presbytery of Dunkeld, in presence of Messrs John Murray, minister at Methven, and John Crookshank, minister at Redgorton, protesters within the bounds of the Presbytery of Perth.<sup>2</sup> The Presbytery of Dunkeld informed the Presbytery of Perth of the action of those two members. On June 27, when the letter of the Presbytery of Dunkeld was read, they, "being posed thereupon, did acknowledge that they were witnesses to the said admission, and that they had no commission from the Presbytery of Perth, but had a call from them whom they looked upon as the Presbytery of Dunkeld." The Presbytery referred the matter to the Synod "for clearing." The "disorderly, scandalous, and unwarrantable" admission of Strachan to Dunkeld came under the notice of the Synod, which met at Dunblane on July 10, by a Protestation by Mr Alexander Ireland, minister at Kinclaven, against it, and an Act of the Presbytery of Dunkeld referring him to the Synod. A committee, appointed to hear protestations against ministers whose right to sit as members of the Synod was questioned, submitted the case, without discussion, to the judgment of the Synod. The decision of the Synod upon it runs:—"The whilk day, Mr Gilbert Steuart of Polcace and Thomas Fyffe, elders, and balzeis of the Toune of Dunkeld, and commissionars from the Sessioun and Toune, as their commissioun read in the Assemblée did schew, productit ane protestatioun maid be Mr Alexander Irland, minister at Kinclavine, agaynst the irregular and inorderlie admission of Mr James Strachan to the Kirk of Dunkeld, together with ane reference of the Presbyterie of Dunkeld, wherein the said Mr James Strachan is referd to the Synod for usurping the place of the ministrie of Dunkeld; quhilk protestatioun the Synod haveing read and considerit, and haveing heard the said Mr James and all parties haveing intrest, did find their procedinges not onlie to be informall and irregular but scandalous, contrair to the established ordor of this Kirk, and Acts and Constitiounes thereof, in regaird the said Mr James haid neither ane call from the Sessioun, nor any lawfull call from the Congregatioun, but by the contrair, all the congregatioun (except some few) opposeing and protesting agaynst his admissioun, as the paper under their hands productit to them did manifest;

<sup>1</sup> *MS. Register of the Synod.*

<sup>2</sup> Under date August 17, 1655, Alexander Brodie of Brodie wrote, that he "staid a quhil at Dunkel; where I heard that the Protector had placd a minister; but the L. Athol and the people had rejected him. The yong man submitted and dimited the place; and so the Protesters disclaim him" (*Diaries of the Lairds of Brodie, 146*).

and finding that use wes maid of ane pretendit call to be the ground of ane edict, which they did scandalouslie intimate at the mercat Croce, no sermon preceeding, as if it had beine ane thing civill, being done at 4 a cloak eftirnoone or thereby, and reportit at 7 a cloak the same night, they admittit him about 9 a cloak or thereby the said night, contrair to all ordor, lawes, and practique of this Kirk, the lyke whereof the Synod hath not heard to have beine done in any Christian Kirk in the world: lykeas the Synod finding that, notwithstanding of his admissioun, the people wold not heare him preach there, but when he offerit himselff to doe it, the people withdrew themselffis, so that he hath not preached there since his admissioun, because the people wold not heare him, and professes that they will not heare him nor owne him as their minister: all which the Synod taking to their consideratioun, did declair by a vote the Kirk of Dunkeld to be vacand, and ordaines the Presbyterie to goe about the plantatioun of the same; yet in regaird the said Mr James Strachan wes ordained by pastors, the Synod delayit the consideratioun of his case till their nixt Sessioun, and for that effect they cited him *apud acta* to be present."

From that Act Mr Thomas Hog dissented.

The Synod duly proceeded to consider the case of Strachan—Ireland, the Moderator, leaving the Chair. Strachan submitted himself to the judgment of the Synod. The minute proceeds:—"Quhilk day, the Synod, taking to their consideratioun the case of Mr James Strachan, did find indeid that he wes ordained by pastors; yet, in regaird he did presum, without ane lawfull call, to usurp the charge of Dunkeld, and intrude himselff upon that people in the functioun of the ministrie, to the overthrow of the ordor and discipline of the Kirk, and to the great scandell of the ministrie, did therefoir, for preventing the lyke scandell and offence, and for preservatioun of the established ordor of the Kirk, that none might presum to doe the lyke in tyme to come, Depose the said Mr James Strachan from his ministrie simpliciter, and ordaines Mr George Halyburton, minister at Perth, to intimate this sentence of his deposition."

At the same Session, Mr Gilbert Steuart of Polcake declared that Strachan had been guilty of acts of drunkenness, and offered to prove his charges under pain of underlying the censures of the Church. The Synod appointed a Committee, of which Haliburton, minister at Perth, and Balneavis, minister of Tibbermuir, were members, to meet at Dunkeld, to try the allegations, and if they were found not to be proven, gave power to the Committee to permit Strachan to preach the Gospel, "as a testimony of the Synod's favour for his submission."<sup>1</sup>

<sup>1</sup> See note 2, page 421.

Mr Thomas Glass, minister at Little Dunkeld, protested against the deposition of Strachan and all other Acts of the Synod concerning him.

The Synod, at their 8th Session, entered on the consideration of an Act of the Presbytery of Dunkeld, referring to the judgment of the Synod those ministers of their number who were concerned in the pretended admission of Strachan to Dunkeld, viz. :—Messrs Thomas Lundie, minister at Rattray, Thomas Irland, minister at Weem, Thomas Glass, minister at Little Dunkeld, and Robert Campbell, minister at Moulin. The Synod judged them “censurable for that informall and illegall deid, being done contrary to the Acts of the General Assemblie and discipline of this Kirk, etc.,” but delayed their censure till the following Synod.<sup>1</sup>

The Committee appointed to try the charges against Strachan did not meet; and in October, the Synod renewed their Commission, instructing them also to examine a paper presented to them by Strachan, containing “some prevaricatiounes and contradictiounes and reflexiounes” on their last meeting.

The Committee reported to the Synod, in April 1656, that they had held several meetings, but had come to no findings on the case, as all the witnesses had not been examined; and that they had cited certain witnesses not yet examined, and Strachan himself, to appear before the Synod. Only one witness appeared—Donald Crockett. He was referred for examination to the Committee. When the Synod resumed consideration of the case, Strachan required that, as all the witnesses had not been examined, the Committee should be reappointed. The Synod considered it expedient first to examine the proceedings of the Committee, and found that the absence of members from the Sessions had hindered their proceedings. The excuses of the absentees were required and were sustained, but the Synod admonished those brethren to attend such meetings better in future. It was found that only 7 of the 13 witnesses had been examined. The Synod then asked Strachan if he would submit to the judgment of the Committee if reappointed. He replied that he “wold labour to give satisfioun in that and other thinges.” The Synod ordered him to state the terms of his submission in writing at the next Session.

Strachan failed to deliver any document; but declared that he would submit to the determination of the Committee in the matter of the charges of drunkenness, but that he was unable to submit to their judgment with reference to other allegations brought before the Synod, viz., of his preaching, and “his meddling with” the stipend of Dunkeld, since his deposition.

<sup>1</sup> See note 5, page 420.

He was asked how often, and where, he had preached since that event, and replied that he had preached twice, once at Dunkeld, and once at Stratharle (Kirkmichael). He declared that he had not administered the Sacraments. The Synod reappointed their Committee, and instructed Messrs William Menzies, John Cunison, and Thomas Irland to examine, and to take the depositions of, such witnesses as resided above Dunkeld, and Messrs Alexander Irland, Franceis Peirson, Hugh Ramsay, David Drummond, and Harry Steuart, ruling elder, to take the depositions of such witnesses as resided below Dunkeld, and to forward those depositions to the Committee at Perth by the first Wednesday of July.

The Committee found themselves unable to close the process before the meeting of the Synod in October 1656; and, therefore, the moderator of the Synod cited Strachan to answer before the Synod to the charges already brought against him and additional allegations, and also summoned the witnesses to appear.

On October 15, Strachan appeared. Thomas Young, Alexander Boyd, James Man, and Donald Robertson in Dunkeld, James Bannerman, younger, Mr Gilbert Menzeis and William Brydie were present as witnesses. Strachan offered no exceptions against them as witnesses, but desired to know who had given their names. It was replied that their names had been presented in due form, and that the persons had been legally cited by virtue of a summons from the Moderator. Thomas Fyffe also appeared as a Commissioner from the Town of Dunkeld, and stated that other counts would be added to Strachan's libel. Those counts were duly submitted to the Synod. They bore that Strachan had been several times intoxicated, and had suborned some persons "to side with him." When asked for exceptions against the witnesses, Strachan declared that he could not admit their evidence, "because they, and the Toune of Dunkeld, haid actit and subscribit divers thinges both for and agaynst him." The Synod declined to sustain his exception as relevant, but ordained the witnesses to purge themselves of malice and partial counsel against him, if he should require them to do so. Strachan, however, did not ask them to take the oath of purgation, and admitted them as witnesses. The Synod referred their examination to the Committee. But the Synod were unable to declare the process closed, because all the witnesses to the counts of the libel had not been examined. They, therefore, appointed Messrs Thomas Lundie, Alexander Ireland, Alexander Anderson, and Hugh Ramsay to examine the remaining witnesses on the first Wednesday of November and to forward their depositions to the Committee, whom they continued, with the addition of Messrs Henry Guthrie and James Forsyth, and whom they appointed to meet at Perth,

the last Wednesday of November. They also declared that neither Mr Gilbert Stewart, nor any other person concerned in the process, would be heard after that date.

At the sixth Session, the Synod were informed that Strachan, who had desisted from preaching for a time, was officiating regularly at Dunkeld, in spite of his deposition. They questioned him on the subject. He acknowledged that during the past three months he had preached at Dunkeld, and declared that it was his purpose to continue to do so. The Synod referred "his case and cariage" to the Committee appointed to try the other charges against him, with full power "to doe therein as they sall think most expedient for planting the church of Dunkeld."

The process, however, was not closed by the Committee, and the Synod, in April 1657, again referred it back to them. The Committee reported to the Synod, in October, that the witnesses cited did not appear before them, and that, therefore, the case was not ripe for decision. No further effort was made to close the process against him. In October 1659, his case was delayed to a more convenient season. In October 1660, the Presbytery were instructed to take proceedings against such ministers officiating within the bounds as had been either informally admitted to charges or deposed. It was reported to the Synod, in April 1661, that the Presbytery had removed Strachan from the exercise of the ministry at Dunkeld. He petitioned that meeting of the Synod for liberty to preach the Gospel. They referred him to the Presbytery, "who ar to doe anent the desyre of his supplicatioun as they will be answerable to the nixt Synod."

It is not known that his licence was restored by the Presbytery.

Reference is made to the case in a paper entitled "A short Answer to the Libel against the Synod of Perth intituled 'Evidences of the growth of Defection in the Province of Stirling and Perth.'" In the "Evidences" it is averred—"The Synod in the proceedings against Mr James Strachan, minister at Dunkell, besides any thing upon the matter, did in their manner of proceeding shew themselves gross in some things and subtile in other things, as appears in these two particulars. 1. In that before they did proceed to any sentence against Mr James Strachan, they did declare the Kirk of Dunkell, where he was minister, to be vacant, and appointed the same to be planted with another minister, and thereafter did proceed to sentence against him, and depose him from the ministry. 2. In that they dealt with him both in private and in public, before the proceeding to a sentence, that he would submit the matter unto them, and they would deal gently and favourably with him; and having obtained a qualified submission from him, they did immediately thereafter depose him from his ministry, and referred him to a Committee

for trial of some alleged scandals informed against him by Mr Gilbert Stewart, Commissary of Dunblane" [Dunkeld]. In the "Answer," those charges are met as follows:—"The 2nd consideration is of the proceedings of the Synod against Mr James Strachan, where there is a twofold challenge, 1st of grossness, . . .

"Answer: The Synod, having found that Mr James had no lawful call to the congregation of Dunkeld, but that he had in a most scandalous and schismatic way intruded himself upon a people who were so far from calling him that they would not hear him preach among them, could not judge their kirk planted by his intrusion; therefore, declared the same still to be vacant, as it was before by the removal of Mr John Hart. It is true they deposed him after, but not from his ministry at Dunkeld, for he had none there, but from his ministry simpliciter, and from his *ministerium vagum*, or his ministry any where else, for the reasons contained in his sentence; and this was the reason of the Synod, and not grossness as is grossly alleged in the paper.

"The next challenge is of subtlety, as if the Synod had dealt with him both in private and public to submit to them, and promised that they would deal gently and favourably with him upon his submission.

"Answer: It is true the Synod, having doleful experience of the disobedience that is now given to censure, and fearing that which afterwards came to pass, did publicly enquire of him, before they went to judge, if he would acknowledge their authority, and would submit thereto; for if he did decline their authority, then they were to advise what to do in that case, but that the Synod did desire him to submit, promising to deal gently and favourably with him upon his submission, is a false calumny. What is meant by his qualified submission; when it shall be condescended upon the qualifications, there shall be an answer given to them, but they have been mental reservations whereby he qualified his submission, for there are not any qualifications remembered, nor registered, in the Synod: and yet there was favour shewn to him for his submission, as it was notour to the Synod that he had abused the Scripture by gross ignorance, particularly at a Fast, expounding these words, Isaiah 58. 5, 'to bow down his head like a bulrush,' he said by a bulrush was meant a bull rushing, and compared the Malignants to bulls rushing in several particulars, and spent meikle time in following out this comparison; nevertheless, the Synod only admonished him for this, and would not put it into his sentence, lest it should have been a bar to him after to keep him from the ministry. Furthermore, the Synod intended to shew him this favour, that though they deposed him from the ministry for the reasons contained in his sentence, yet, in regard of his submission, upon his supplication acknowledging of his fault, they

were to open his mouth, and declare him capable of the ministry, and not to be put to trials again as an expectant, (were not new emergent scandals ever given in against him) ; for the trial whereof, the Synod appointed a committee, with power to them to open his mouth if he were found clear of the said scandals ; and, in hope of this favour, Mr James did for a long time not only submit to the authority, but also to the sentence of the Synod, neither preaching at Dunkeld nor any where else, till of late he has contemptuously disobeyed the order of the Synod, and doth now preach notwithstanding of his deposition ; and for all this, the Synod has with much patience borne this affront, and notwithstanding has taken meikle pains to get him cleared of the foresaid scandals given in against him after his deposition.”<sup>1</sup>

On November 22, 1659, he signed an adherence to the Testimony against Cromwell's Toleration.

Ireland became minister of Kirkmaiden after June 24, 1664, and Strachan was presented to Weem by the laird of Weem, and admitted to the vacant charge before September [? October] 29, 1664. On October 29, 1664, he, as parson of Wyme, and having undoubted right to the parsonage and vicarage teinds, granted at Menzies, with consent of Alexander Menzies of that Ilk, patron of the said teinds, a tack of the teind sheaves and other small teinds, parsonage and vicarage, of the kirk of Weem, for all the days of his life, and five complete years after his death, in favour of Colonel James Menzies of Culdares, for payment of £300 Scots yearly, beginning at Martinmas, entry being declared to be at Whitsunday 1664.<sup>2</sup>

Weem was an Highland parish, but, at his admission, Strachan was ignorant of Gaelic. He endeavoured, however, to acquire it.<sup>3</sup>

On January 25, 1671, an action by him against the laird of Menzies and others was heard by the Lords Commissioners of Teinds. It was objected for the defenders that they were not bound to pay stipend to a minister whom they did not understand, and who could not speak Irish ; that they had raised an action for dismembration of the parish, in which they would certainly succeed, and, therefore, that they should not be burdened with an augmentation of stipend ; and that the rental of the laird of Weem was understated. It was replied for Strachan, that “ the first merits no answer, being the interest of the church to provide kirks, and not *hujus loci* ” ; that the process of dismembration had not been produced, and could not be received by the Court unless it had been settled ; and that the defenders had no interest to complain of the

<sup>1</sup> *MS. Register of the Presbytery of Perth*, April 8, 1657.

<sup>2</sup> *Dunkeld Commissariat Deeds*, August 9, 1690.

<sup>3</sup> *MS. Register of the Presbytery of Dunkeld*, February 1, 1682. v. p. 102 *supra*.

statement of Weem's rent, because he was patron and the teinds belonged to him. The Lords Commissioners repelled the first and second objections, and ordained the heritors to depone upon their rentals.<sup>1</sup>

On August 27, 1675, and July 30, 1680, he was at the Horn for debt.<sup>2</sup>

The *Register of the Presbytery* contains many references to his remissness in the discharge of his duties, and to conduct inconsistent with the ministerial character. It appears, from the minute of November 2, 1681, that he had failed to attend the meetings of the Presbytery with due regularity, and had been required to be present on that day. He failed to appear, however; and, accordingly, the Presbytery instructed their Clerk again to require him to be present, with certification that, if he did not appear at the next meeting, they would proceed formally to summon him. Strachan duly appeared at that meeting; but, at a diet of Privy Censure, it was found that he had failed to celebrate the Sacrament of the Lord's Supper, though repeatedly rebuked for his neglect. He undertook to give the reasons of his conduct at the following meeting. As he did not appear then to fulfil his promise, the Presbytery referred his case to the Bishop. The Bishop ordered them to hold a visitation of the parish of Weem. The Presbytery, accordingly, met at Weem on February 1, 1682. The minutes of the visitation show that while Strachan was regarded by the patron as a sound and edifying preacher, he was not diligent in all the parts of his calling, and had not been exemplary in his personal conduct. They bear also that, despite the reproofs of the Presbytery, he had not dispensed the Holy Communion since his admission; that there was no Kirk-Session; that the "Session book" had not been duly kept; and that, for those reasons, the Presbytery, having rebuked him for negligence, suspended him from his ministry until March 1, 1682. On that date, he failed to submit his "Session book" to the Presbytery, as he had been ordered, but produced only scrolls of defective minutes, covering a period of three or four years, and was enjoined to endeavour to complete them. The sentence of suspension was continued, until the Bishop should pronounce a decision on his case, and, at his Lordship's request, was further continued till the meeting of the Synod, that he and they might consult concerning him. Strachan was absent from the meetings of the Presbytery from June 7, 1682. On September 7, the Presbytery, "in regard of his frequent absences, his proces not yet concluded," appointed the Clerk to enjoin him "peremptorie to be here the next Presbitrie after the Synod." He failed to appear, however, because of illness. The Presbytery, on December 6, severely rebuked him "for the many defects and enormities of his Session booke," and ordered him to be more diligent in his calling and circumspect in his

<sup>1</sup> Connell on *Tithes*, ii. 196.

<sup>2</sup> v. note 1, p. 433 *infra*.

behaviour. They also enjoined him to cease from expending the money collected for the poor on the maintenance of the fabric of the parish church, to pursue for a competent stipend for himself, and a salary for a schoolmaster, to dispense the Communion before Lammas following, and to seek a commission from the Bishop for the designation of a glebe and grass. On November 9, 1683, he was again rebuked for his failure to dispense the Lord's Supper, but promised to do so "against" the next March. He failed, however, to keep his promise; and, on April 2, 1684, the Presbytery appointed the minister of Fortingall to convey to him an expression of the Presbytery's displeasure, and their intention to refer him to the Bishop and Synod, unless he celebrated the Communion in a short time. In a letter excusing his absence from the meeting of Presbytery on July 2, he stated that he intended to celebrate the Holy Communion within a month. At the diet of Privy Censure on September 3, 1684, it was reported that he had at last dispensed that Sacrament, and was "circumspect and ministerial in his carriage." His amendment of his personal conduct was not permanent: on April 7, 1686, he was "sharply rebuked for some immoralities in his life."

His attitude toward the Revolution, and his consequent treatment by the rebels, are stated in a petition considered by the Privy Council on November 17, 1691. It bore that he had been robbed and spoiled of all his goods and cattle by the rebels for owning the present Government, which, as he averred, he did with all sincerity since its establishment, by his hearty prayers for their Majesties, by his obedience to all public Proclamations, Fasts, and Thanksgivings, and by the discharge of ministerial duties to the garrison at Weeme, both in church and garrison, and occasionally to that at Finlawrig. For his allegiance, it was declared he was not only spoiled of his goods, but, on several occasions, was compelled to flee for his life, a circumstance stated to be known to several of their Lordships, and, in consequence, he was reduced to such a state of poverty that he, his wife, and four children were in a starving condition. The Petition further represented that his stipend was only £300 Scots, and that a part of it had been arrested by his creditors, and the rest kept back by violence and malice. It craved their Lordships to grant, for the relief of himself and his family, a sum of money from the unappropriated stipend of one of the churches in the Presbytery of Dunkeld, such as Kinloch, which, as was stated, had been vacant for two years, or from any other fund which their Lordships should judge proper. The Privy Council recommended him to the Lords of Their Majesties' Treasury for such supply as their Lordships should think fit to grant, to be paid out of the vacant stipends of their Majesties' patronage, or otherwise.<sup>1</sup>

<sup>1</sup> *MS. Register of the Privy Council, Decreta.*

Another petition by him was heard by the Privy Council on February 25 of the following year.<sup>1</sup> In it he repeated the substance of the preamble of the former petition, and added that, as his residence was near Blair Atholl and his circumstances so bad, he had been compelled to his great grief to leave his charge in the previous October to seek recompense for his extraordinary damages. He reminded their Lordships that they had recommended him to the Lords of the Treasury, and stated that, as the diets of those Lords had been very infrequent, and their Lordships at their meetings much engaged with public affairs, he had received no answer to his petition to them. He represented that the Lords of the Privy Council had been frequently pleased, out of their grace and favour, summarily to consider the pitiful condition of distressed ministers, and to vote a grant for relief of their necessities; that the parish of Elliot (Alyth), formerly in the patronage of the Bishop of Dunkeld, and now in their Majesties', had been vacant for some time; and that the case of no minister who had petitioned their Lordships more deserved consideration than his, because of his sufferings for the Government. He, therefore, craved them either to grant him the vacant stipends of Elliot, or to enjoin Mr James Melvill of Cassingray, Collector of the Vacant Stipends, to pay to him from the first portion of such stipends so much as their Lordships should appoint for his relief. The Privy Council granted him the vacant stipend of the kirk of Elliot for 1691.

A petition and complaint by William Henderson in Weem, afterwards designated chamberlain to the laird of Wiem,<sup>2</sup> in name of several heritors and parishioners of that parish, against Mr James Strachan, "pretended minister there, as guilty of many great scandalls," was laid before the Presbyteries of Perth and Dunkeld on March 23, 1692. It was alleged against him, "1°, that the said Mr James Strachan was never, and is not, able to preache in the Irish language, so that he is as a bar-barean to his people, and he to them; 2°, that he altogether neglected his dewtie by staying away from them manie moneths altogether; and particularlie, that he was not within the parish of Weeme, and preacht not in it, from the moneth of October 1691 till the moneth of March last, 1692; 3°, that he was a habituall drunkard, severall acts therof condescended upon in the lybill; 4°, that he appropriat the poor's money for his owne use."

Strachan was present on June 22, when the Presbytery led evidence on the counts. He confessed that he could not preach in Gaelic, but denied the other charges. Having examined these witnesses, against whom Strachan offered no relevant exceptions, viz.—Duncan M'kaghtone,

<sup>1</sup> Acta.

<sup>2</sup> *MS. Register of the Presbytery of Perth and Dunkeld*, June 7, 1693.

Patrik M'arthur, Archbald Millar, and Duncan M'Alaster Roy, all in Comrie, and John M'greigor, John M'kintosh, and Duncan M'gillop, in Kirktone of Weeme, the Presbytery found it sufficiently proved that he had stayed at Edinburgh and elsewhere during the period mentioned, "that he was never hard pray or preach" in Gaelic, and that he was guilty of two acts of drunkenness. The Presbytery, in consequence, unanimously deposed him from the ministry.

Strachan, however, declined to quit possession of the manse. Mr Duncan Menzies, his successor, who was admitted on September 12, 1694, found it necessary to invoke the aid of the Privy Council to obtain his rights. A petition by him was considered on January 10, 1695. In it he stated that Mr James Strachan, who had been deposed from the ministry for scandalous and gross immoralities, most unwarrantably continued to retain the manse, and refused to remove from it. He, therefore, asked that a warrant should be issued for Letters of Horning against Strachan, charging him to deliver the keys of the manse to him and to remove from the manse. The Lords enjoined Strachan to deliver the keys of the manse to Menzies, to remove from it with his family, and to leave it "void and redd," that his successor might enter into peaceable possession of it.<sup>1</sup>

On December 18, 1695, a petition by Strachan came under the notice of the Lords Commissioners of their Majesties' Treasury. It represented that the petitioner had been minister at Weem for 28 years, or thereby, preceding July 1, 1692; that he had been persecuted and robbed by the rebels on account of his loyalty; that he had been processed before the Presbytery by the laird of Weem, who had offered violence to him in his manor-place, and had prevented him from discharging the duties of his office, by causing the church doors to be shut against him; that the Presbytery had deposed him without affording him an opportunity of defence; but now sensible of the injustice done to him, an infirm man, afflicted with the universal gout, had recommended him to their Lordships as a fit recipient of their charity. He stated that he was 66 years of age, that he, his wife and four children (his wife and two children being then in Edinburgh), were in a condition of great poverty and misery, and that having been violently extruded from his house, he had no stated place of residence. He added that, in the previous March, he had petitioned their Lordships for some part of the vacant stipends, and that they would willingly have granted his crave had he been able to condescend upon any vacant stipend at His Majesty's disposal. He represented that, according to his information, the church of Meikle in the shire of Angus, the church of Crieff on the south side of the Tay, and the church of Kinloch on the

<sup>1</sup> Decreta.

north side of the Tay, were either vacant at that time, or had been vacant at Whitsunday last, and that the half year's stipends due at Whitsunday were at His Majesty's disposal. He affirmed that there could be no more deserving objects of their bounty than himself, his wife, and family, who were in extreme poverty and without a home, and that there was no greater sufferer in his station for loyalty than he; and craved their Lordships, in consideration of the recommendation of the Presbytery of Perth and of his own claims, to grant him the half year's stipend of one of those churches. The Lords Commissioners ordered the collectors of the Vacant Stipends to pay him 400 merks.<sup>1</sup>

The Lords Commissioners of the Treasury considered another petition by him on April 17, 1696. After a preamble similar to that of his last supplication, he stated that the stipends which he had mentioned had been allocated by Parliament, but that the stipend of the church of Dull in the Highlands, of which His Majesty was patron, for crop and year 1695, was at His Majesty's disposal, and asked the grant of that stipend. The Lords Commissioners divided the vacant stipend of Dull for 1695 between him and Mr William Cameron, formerly minister at Greenock, who had been recommended to them by the General Assembly.<sup>2</sup>

He was alive on September 3, 1699, when, designated late minister at the Weim, he received 29s. from the Kirk-Session of Kettins, and was dead before July 15, 1707.<sup>3</sup> He married Anna Balmain<sup>3</sup>; and in 1695 had four children dependent on him.<sup>4</sup>

#### I. *References in the Register of Sasines for Perthshire.*

James Strachan, son of the deceased John Strachan, merchant in Dunkeld, and Mr Thomas Glas, son of Mr William Glas, minister at Dunkeld, witnessed, August 4, 1643, an instrument of sasine, of the manse of Crieff, with garden, lying in the city of Dunkeld, in favour of Agnes Guild, daughter of Alexander Guild in Dunkeld; proceeding on a precept in

<sup>1</sup> *Treasury Papers—Acts disposing of Vacant Stipends.*

<sup>2</sup> *Ibid.*

<sup>3</sup> On that date, Anna Balmain, designated relict of Master James Strachan, sometime incumbent at the Weem, petitioned the Presbytery of Dunkeld to recommend her to the Synod, that she, with other widows of ministers, might obtain a share of the centesima. Before granting her request, the Presbytery appointed the members to enquire into her manner of life. On August 5, they recommended her to the charity of the various Kirk-Sessions. The Synod also passed an Act in her favour (*MS. Register of the Presbytery of Dunkeld*, October 28, 1707). The *Register of the Kirk-Session of Kinloch* notes under date March 28, 1708:—"That day, there was intimatione made from pulpite of a voluntary contributione in favours of a gentlewoman, relict of the deceist Mr James Strachan, minister, allowed through the Presbytrie." Kinloch collected £3, 10s. Scots for her. She was a recipient of the charity of the members of Presbytery on June 30, 1713.

<sup>4</sup> *Treasury Papers—Acts disposing of Vacant Stipends*, December 18, 1695.

a charter granted by Mr David Drummond, prebendary of Crieff, superior, dated May 4, 1643.

Registered August 10, 1643.

Mr James Strachane, minister at Weem, with consent of Janet Small, his mother, granted a charter to Donald Toscheoch, merchant, Dunkeld, and his spouse, of a tenement of land in Dunkeld. Sasine in terms of the precept was given on July 6, 1671.

Registered July 20, 1671.

Mr James Strachan, minister at Weyme, granted, September 8, 1680, in presence of Gilbert Stewart, clerk of Dunkell, and others, an obligation to infest John Murray in Dunkeld, in a tenement of land in Dunkeld, in security of a sum of 500 merks advanced by him.

Registered September 13, 1680.

2. *References in the Register of Deeds of Perthshire Sheriff Court.*

Mr James Strachan in Dunkeld, witnessed, December 9, 1661, a bond by Duncan M'Nab in Turrirach, for 200 merks Scots, in favour of Patrick Campbell of Easter Scheane and William Campbell, his son.

Registered 1673 (Vol. 1671-4, p. 300).

Mr James Strachan, minister at Weyme, granted at Edinburgh, April 17, 1675, a bond, for 100 merks Scots, in favour of William Cuningham, vintner, burges of Edinburgh, and Jeane Stewart, his spouse.

Registered September 28, 1675.

Mr James Strachan, minister at Weyme, having been apprehended by Andrew Chryste, messenger, by virtue of letters of caption raised at the instance of Mr William Barclay, minister at Fortaviot, for his failure to pay £30 Scots principal and 10 merks expenses, [for 5 bolls of meal], and the said Andrew having at his request suspended further diligence against him till July 25, 1676, Thomas Menzies of Cars and Archibald M'Nab of Mullion, at Monesse, July 18, 1676, bound themselves to produce the person of Mr James Strachan, within the dwelling house of David Wilson, Jailor of the Burgh of Perth, on the said day, between 11 and 12 o'clock in the forenoon, otherwise to pay the above mentioned sums; and Mr James Strachan bound himself and his heirs to relieve his said cautioners.<sup>1</sup>

Registered August 30, 1676.

<sup>1</sup> Letters of Horning had been raised on July 8, 1675; and Strachan had been denounced on August 27 (*Perthshire Hornings*, xxvi. 328). Strachan was probably denounced on November 23, 1678, at the instance of Thomas Craigdallie, bailie of Perth (*Ibid.*, 421, 450). On July 30, 1680, he was also denounced at the instance of John Murray, citiner in Dunkeld (*Ibid.*, xxvii. 42).

3. *References in the Register of Inhibitions for Perthshire.*

Letters of Inhibition were obtained by Robert Stewart, citener in Dunkeld, against Mungo Campbell of Kincaigie and Mr James Strachan, for his interest. Stewart had obtained decree against them before the Commissary on October 17, 1675, Campbell being ordained to pay 1700 merks due by him to Strachan, or as much as would satisfy him for 118 merks, etc., contained in a bond by Strachan, as principal, and complainer, as cautioner, in favour of James Porter in Inwar. Letters were granted January 7, 1676.

Registered March 1, 1676.

James Man, merchant in Dunkeld, obtained Letters of Inhibition, February 6, 1677, against Mungo Campbell of Kincaigie, for payment of (a) 500 merks due by him to Mr James Strachan, or at least for 116 merks principal, etc., due under a bond granted by the said Mr James, January 6, 1672, and (b) £8, 16s. principal, and 26s. 8d. expenses of plea, contained in a decret obtained by the said James Man before the Commissaries against the said Mr James on October 12, 1676.

Registered February 28, 1677.

4. *Reference in the Register of Acts and Decrees (Dal).*

Margaret Bisset, widow of Andrew Reid, merchant, burges of Perth, obtained decree against Mr James Strachan, minister at Dunkell, Mr David Weymes, minister at Scone, and others, for sums due for merchandise.

Registered February 26, 1662.

## REDGORTON

Patrick Auchterlonie, 1681-1691.

A son of the Laird of Guynd,<sup>1</sup> he matriculated at the University of St Andrews on February 15, 1671, as a student of St Salvator's College, in the semi-bachelor class, and graduated Master of Arts on July 26, 1673.

He was presented to Redgorton by the Crown on April 7, 1681. His presentation is inserted here as an example of a presentation of the period.

“ Charles &c. : To the right reverend father in God Androw, Bishop of Dunkeld, Lords of our Counsell and Session, and to all and sundrie uthers our leidges &c. : Forasmuch as we understanding that the paroch church of Rodgertoun within the diocess of Dunkeld is now vaccant in

<sup>1</sup> *Perthshire Sasines*, May 16, 1682.

our hands, and at our gift and presentation as undoubted patron thereof *pro hac vice*, through the dimission of Mr James Carnegy, last minister thereat, and we being informed of the liltratur, qualificatione, life, and good conversation of Mr Patrick Auchterlouny, student in Divinity, Theirfor witt ye ws to have nominated and presented, lykeas &c., the said Mr Patrick Auchterlowny to be minister at the said church of Rogortoun dureing all the dayes of his lifytyme and serveing the cure of the ministrie at the said church of Rogortoun, and to the constant locall and modified stipend thereof, manss, gleib, and pasturage of the same, and that of the cropt and year of God 1681 yeares instant, and in all time coming dureing his said lifytyme and serveing the cure of the ministrie at the said church, with all and sundrie fruits, rents, emoluments, casualities, and priviledges pertaining, or that may be knowen to pertain, to the same; to be peaceable bruiked, injoyed, and possessed be the said Mr Patrick Auchterlouny, sicklyke and also frielie in all respects as the said Mr James Carnegy, last minister at the said church, or any others his predicessors, ministers thereof, bruiked and enjoyed the same of before frielie, queitlie, well and in peace, but any impediment or again calling whatsomever; commanding yow, the said Right reverend father in God Androw, Bishop of Dunkeld, to admitt and receive the said Mr Patrick Auchterlowny to be minister at the said church of Rogortoun, and to the constant locall and modified stipend thereof, manse, gleib, and pasturage of the same, with all and sundrie other fruits, rents, and casualities belonging thereto, and that of the said cropt and year of God 1681 years instant and in all tyme coming dureing his said lifytyme and serveing the cure of the ministrie at the said church of Rogortoun, and to authorize him with your letters testimoniall of admission and collation in sick dew and competent forme as effeires; and sicklyke that ye take his oath for acknowledgeing our royall prerogative, subjection to ws, and dew canonicall obedience to yow his ordinarie; commanding also yow, the saids Lords of our Counsell and Session, upon sight of this our presentation, collation, and instrument of institutione to follow thereupon, to grant and direct our other letters of horning and other executorialls neidfull upon ane simple charge of ten dayes only, at the instance of the said Mr Patrick Auchterlowny, against all and sundrie the heretors, fewars, liferenters, conjunct fiars, and all uthers quahatsomever lyeable and in use of payment of the said constant locall and modified stipend and others above writtin, for causing him, his factors, servants, and others in his name, be readily answered obeyed and payed thereof, and that for the said cropt and year of God 1681 yeares, and in all time coming dureing the said Mr Patrick Auchterlowny his lifytyme and serveing the cure of the ministrie at the said church. Given &c., att our Court at

Whythall, the 7th day of Apryle 1681 yeares and of our reigne the 33 year.”<sup>1</sup>

On May 4, 1681, a letter from the Bishop of Dunkeld was laid before the Presbytery of Perth, requesting them to take him upon trials in order to his admission. As the presentee lived at a great distance from Perth, the Presbytery appointed that he should have Exercise and Addition on one day, and prescribed as a Commonhead *De celibatu pastorum*, the thesis to be produced at the next meeting. The patronage of Redgorton, however, was disputed. It was claimed by Lord Nairn as well as by the Crown. A presentation by Lord Nairn in favour of Mr James Lambie had been rejected by the Bishop, and he had appealed to the Archbishop, but in vain.

On May 18th, during the course of the trials of the presentee, “Compared George Nairne, in name of my Lord Nairn as he pretended, (not producing any commission or warrant from the said Lord), & declared that my Lord Nairn, understanding that Mr Patrick Auchterlonie was entered upon his trials in order to the church of Rogortoune, desired that the Presbytery would desist from proceeding in the trials of the said Mr Patrick, in regard my Lord Nairn had an undoubted right to the patronage of the said church. The Moderator replied, in name of the Presbytery, that he had received a letter from the Bishop of Dunkeld appointing them to enter him upon his trials, and to expedite the same with all convenient diligence, wherefore they could not forbear to proceed till they were commanded to the contrary; and withal the Moderator acquainted him that the next meeting was not to be till that day 20 days, betwixt & which time his Lordship might have full opportunity to represent the same to my Lord St Andrews and Bishop of Dunkeld, whereupon the said George Nairn took instruments in the Clerk’s hands.”

On June 9, Lord Nairn presented a petition to the Privy Council, to the effect that they should charge the Bishop of Dunkeld to accept the presentation issued by him, or to give a reason for his refusal to sustain it, and that meanwhile they should forbid any further procedure toward the admission of Auchterlonie. The Lords appointed the Archbishop of St Andrews and the Bishop of Edinburgh to consider the reasons of the petition, and ordered procedure on the presentations to be sisted.<sup>2</sup>

The approbation of the trials of the presentee occasioned a scene at the meeting of the Presbytery of Perth. The official record runs:—

“Perth, the 23d of June, 1681.

“The said day, George Nairn compared before the Presbytery, and, after Mr Patrick Auchterlonie’s trials were passed and approven, produced

<sup>1</sup> *Register of the Privy Seal* (English), iii. 338-9.

<sup>2</sup> *v. pp. 124-6 supra.*

an order from the Privy Council to hinder the admission of Mr Patrick Auchterlonie to the kirk of Redgortoun. The Presbytery desired the order to be read, which accordingly was done. The Presbytery desiring a double of it, he refused, saying: 'Devil turn us, and it,' whereupon the Moderator took instruments in the hands of a notary public. The said Mr Nairn took an instrument that the Presbytery had disobeyed the Council's commands. The Moderator took instruments that they were ready to obey the Council, and that they were to proceed no further: after that, the said Mr Nairn he did scandalously swear before the Presbytery, and with many reflecting and slighting expressions, he did uncivilly put on his hat before the Presbytery. The Presbytery thinks fit to represent his carriage to their Ordinary, and to my Lord Dunkeld; as also how rudely he had treated the Moderator & some brethren with him in David Jacksone his house, being about their affairs, having taken another instrument against the Moderator before the Presbytery meeting."

On August 2, the Privy Council, on the petition of Lord Nairn, remitted the disputed right of patronage to the decision of the Lord Ordinary and discharged any further diligence on the presentations till November 1.

It does not appear that any steps were effectually taken by Lord Nairn to determine the right of patronage: and accordingly the Bishop of Dunkeld issued an Edict toward the admission of Auchterlonie to Redgorton. When the Edict was returned at Kinclaven on May 11, 1682, and objectors were summoned to appear, George Nairn protested, in the name of Lord Nairn, against any step toward the settlement of Auchterlonie, on the ground that, by their Act of August 2, 1681, the Privy Council had ordered procedure to be sisted until the right of patronage should be settled. He also produced a summons of declarator at the instance of Lord Nairn. Auchterlonie also protested, among other things, that no objection had been lodged against himself; and Mr Robert Gordon protested, in name of the Bishop, that neither the protest of Lord Nairn, nor the presentation of the King, should be prejudicial to his right of patronage, but stated that he had no objection to offer against the presentee.<sup>1</sup> Auchterlonie was subsequently admitted to Redgorton.

Redgorton was within the bounds of the Presbytery of Perth: at the meeting of the Synod of Dunkeld in April 1687, it was transferred to the Presbytery of Dunkeld.

A complaint by several of the elders of Perth against Auchterlonie was laid before the Presbytery on November 26, 1690, and he was cited

<sup>1</sup> *MS. Register of the Presbytery of Dunkeld*, June 7, 1682.

to the next meeting. He duly appeared, was informed of the complaint, and was offered a copy of the libel, but " he, with severall opprobrious speaches, declined the meeting, and protested, without appealing to any, and added that he was not under the inspectione of this Presbytrie, becaws Rogortoune was disioyned from the Presbytrie of Perth fyve years agoe by the Synode of Dunkeld : to which he was told, that this Presbytrie was not to own the deed of the Bishop and Synod of Dunkeld in disjoineing that church from the Presbytrie of Perth ; and although he were truely under the Presbytrie of Dunkeld, yet the Presbytrie of Perth and Dunkeld are presently unite by virtue of ane Act of the Generall Assembly, and so he is still lyable to answer : to which he answered, that, notwithstanding therof, he adheared to his declinator, and took instrumentts in a nottars hand that he brought with him." He again refused to receive a copy of his libel, and was summoned to appear at the next meeting. He failed to do so, however, and evidence was led against him as follows :—" Patrick Maner, beddell in Rogortoune, depones that Mr Patrick Auchterlony neither kept Fastes nor Thanksgiveings, nor made intimationes, or read Proclamationes theranent ; as also he depones he was witness to the scandalous marriage of Serjeant Dickson, and widow Call.

" Mr William M'Comy, reader in Scone, depones that he was witness to the marriage of Serjeant Dickson and widow Call, the forsaid scandalous persones. William Bennet in Rogortoun depones that the said Mr Patrick did not keep the Fast daies nor Thanksgiveings, nor read the Proclamationes theranent. Patrick Imbry, William Bizat in Hillhead, and Thomas Richie in Rogortoun, all of them depones the same, viz., that Mr Patrick Auchterlony did not keep the Fast daies nor Thanksgiveings, nor read the Proclamationes theranent. Patrick Campbell in Perth depones that Mr Patrick Auchterlony did mary him without proclamatione or testificat. George Dury and Henry Murray in Perth depones that the said Mr Patrick Auchterlony did marrie the said Patrick Campbell without proclamatione or testificate. David Ranken, kirk officer in Perth, . . . depones that Mr Patrick Auchterlony . . . baptized children in the said kirk of Perth." John Murray, kirkbellman in Perth, and John Davidson, kirk officer in Perth, gave evidence similar to that of the previous witness.

Auchterlonie was suspended from the exercise of his ministry on January 14, 1691, his punishment being referred to the Synod.

Auchterlonie was duly cited to appear before the Synod, but failed to obey the summons. The Synod approved of the action of the United Presbyteries, and delayed further consideration of his case till their meeting in April, meanwhile appointing them to examine the truth of the

report that, in contempt of their sentence of suspension, he continued to exercise the ministerial office.

The Synod instructed the Presbytery to cite him and the witnesses to appear before themselves on April 1, and before the Synod on the first Tuesday of April.

Auchterlonie did not appear before the Presbytery when called, and evidence was led against him :—“ John Murray, kirk beddell, depones . . . that Mr Patrick Auchterlony did baptize the child of John Smith in Perth, begotten in fornicatione, . . . within this moneth or therabout.”

The minute proceeds :—“ In the mean time of the examinatione compeared Mr Patrick Auchterlony, and gave in a declinatour declining the Presbytrie of Perth as a judicatour to censure him, with the reasones contained in the declinatour, and took instruments therupon in the hands of the Clerk of the Presbytrie, and also in the hands of Andrew Maiden, nottare, whom he brought with him.” The Presbytery rejected his declinator, and found themselves to be a competent judicatory ; and, having cited Auchterlonie to appear before the Synod, proceeded with the examination of witnesses :—“ John Davidstone, kirk officer in Perth, . . . depones that Mr Patrick Auchterlony did baptize the child of John Smith, son to Provost Smith, begotten in fornicatione, and that within this moneth or therabout. Alexander Flockart, glover in Perth, and John Flight, servitor to Deacon Broun in Perth, both of them depones that, on Sabbath was a twentie daies, they did hear Mr Patrick Auchterlony preach in the kirk of Rogortoune, being the eight of March.”

Auchterlonie, though cited, again failed to appear before the Synod. On April 7, a motion to depose him was carried, a minority supporting a proposal to refer his case to the Commission for advice. The terms of the sentence were approven on the following day, and he was formally deposed from the office of the ministry, for contumaciously preaching at Redgorton, and baptizing children after the intimation of his suspension.

The minister appointed to intimate the sentence at Redgorton twice failed to do so, alleging as his excuse for his failure on the second occasion “ the oppositione which he apprehended he wold meet withall.” The Presbytery delayed procedure until July 15, 1691, when they again appointed the sentence of the Synod to be intimated at Redgorton. The minister nominated—Mr Alexander Dunning—reported, on July 30, that he had obeyed his instructions. Access to the church had apparently been denied him : he had conducted worship in the churchyard.

Complaint was made to the Presbytery, on December 25, 1691, that Auchterlonie continued to exercise his office both at Redgorton and elsewhere, and particularly that he baptized children in Perth, both in

private houses and in the church. The Presbytery ordered him to be cited to appear before the ensuing General Assembly.

On April 4, 1693, a complaint against Auchterlonie and other clergymen, to the effect that they continued to preach without praying for their Majesties as King and Queen of Scotland, and had failed to read the Proclamations of the Estates, etc., came under the notice of the Privy Council. It was stated that his case was the more culpable, inasmuch as he continued to preach though he had been deposed by the Synod of Perth and Stirling. Auchterlonie had been cited to appear but was unable to be present, in consequence of indisposition and inability to travel, as was evidenced by a medical certificate. The Council delayed consideration of the complaint against him until their first meeting in June, and ordered him to appear on that day in his defence. No action was taken against him at that time.

In accordance with an Act of the Privy Council ordering the keys of vacant churches to be delivered to the Presbytery of the bounds, the Presbytery of Perth and Dunkeld, on October 24, 1694, instructed Mr David Meldrum, minister at Tibbermuir, to require from Lord Nairn the keys of the church of Redgorton. He, accordingly, did so, and reported, on November 28, that Lord Nairn had stated that the church was not vacant, and had refused to give up the keys.

Considering the attitude adopted towards them with reference to the keys of Redgorton and other parishes, the Presbytery found "that it looks like a combinatione to stop and hinder the lawfull planting of these kirks, and, having used all civilitie and done all they can, but to no purpose," appointed the Moderator to obtain Letters of Horning charging all who held the keys of vacant churches within the bounds to deliver them up. A list of the persons against whom Letters of Horning were to be raised was submitted to the Presbytery on February 6, 1695: in it were included the names of Lord Nairn and Mr Patrick Auchterlonie.

Auchterlonie continued to preach at Redgorton. On September 14, 1696, the Presbytery instructed the brother appointed to attend to ecclesiastical affairs during the session of Parliament "to represent the great hurt done to the Government daylie by the irregularities of incumbents, and of depryved and deposed ministers, and their influence on heritors, particularlie by Mr Patrick Aughterlonie, incumbent at Regortown, who continows in office notwithstanding he is deposed by the Church." The representation did not issue in any effective measures to silence Auchterlonie. On April 20, 1698, the Presbytery instructed Mr David Meldrum, minister of Tibbermuir, "to represent to the Councill the great hurt the Government sustains by Mr Patrick Aughterlonie's contemptuous preaching for many yiers at Regortowne, after he was justlie deposed

by the Synod : and to endeavour that the Church censure against him be made effectually." It was reported, on May 26, by Mr Darling, who had been appointed to assist Mr Meldrum in the proceedings against Auchterlonie, that he had been summoned to appear before the Privy Council on June 7, 1698.

On that day, Letters of Complaint against him, at the instance of Sir James Stewart, His Majesty's Advocate, were considered by the Privy Council. They bore that it had been enacted that all ministers and preachers should take the Oath of Allegiance, and subscribe it and the Assurance, under penalty of deprivation, and, in the case of intruders, of appropriate punishment, but that Mr Patrick Auchterlonie, late incumbent at the kirk of Redgorton, presumed and continued to exercise the ministerial office without having qualified according to law, and consequently had incurred the penalties of the Act. They further declared that, though deposed by the Synod of Perth, he yet discharged ministerial functions, in contempt of their sentence and of the authority of the Church. They further alleged that, ever since the happy Revolution, he had neglected, if not despised, to read the Public Proclamations appointed by Authority for Fasts and Thanksgivings, and that he continued to reside in the parish of Rogertoune, infesting that bounds to the great disquiet of the settled order and peace of the Church. For such conduct, the letters concluded, he ought to be punished and restrained from committing any such abuses to the example and terror of others. Auchterlonie was present and acknowledged the truth of the allegations against him. The Council thus found them proven, and, in consequence, banished him from the bounds of the Presbytery of Dunkeld, in which, as they stated, the Kirk of Rogertoune lay, and enjoined him to bind himself to remove therefrom before October 1, and, meanwhile, to exercise no part of the ministerial office : further, they ordered the macers of the Council to take him into custody until he should sign that obligation, and if he failed to do so at once, to place him in the Tolbooth. The obligation or enactment was signed on the same day.

Auchterlonie was afterwards employed as chamberlain to Lord Panmure, and was alive in 1716.<sup>1</sup> It is stated that he "carried off all the public records in his time, as well as those that were more ancient, and," it is added, "since, no account of the ancient poor's funds has ever been recovered."<sup>2</sup>

<sup>1</sup> Marshall's *Historic Scenes in Perthshire*, 69.

<sup>2</sup> *The Statistical Account of Scotland* (1795), xv. 539.

FASTI OF THE PRESBYTERY OF COWPAR-ANGUS, 1687-1689

## ABERNYTE

Andrew Shepherd, 1664-1703.

The eldest son of Mr Andro Shepherd, minister at Benvie,<sup>1</sup> he matriculated at the University of St Andrews, as a student of St Salvator's College, on February 8, 1654, and graduated Master of Arts on July 25, 1657. On April 20, 1664, when the *Register of the Presbytery of Dundee* begins, he had already been entered on trials by that Presbytery in order to the ministry at Abernyte, in succession to Mr John Minniman, deprived for non-conformity. He was approved in his trials on September 8. The minute of December 21 is as follows:—"Mr Robert White reported that on Sunday, 4 of this instant, he admitted Mr Andrew Sheeheard to the congregation of Abernyte, and on the morrow gave him induction and institution."

Shepherd complained to the Presbytery of Dundee, on January 12, 1665, that he was unable to obtain possession of the *Register of the Kirk-Session* from his predecessor. The Moderator undertook "to deale with" Minniman. On April 26, Mr James Middeltone and Mr Thomas Kinneries were appointed to be present, with a mason and a wright, for the apprising of the manse of Aberneit, on receiving notice from the minister. It was reported, on May 31, that the manse had been valued by David Jack, mason, and Renold Robertsons, wright, at 240 merks.

The question of the repairing of the manse then emerged. On receipt of a letter from the Bishop of Dunkeld, the Presbytery of Dundee, on September 27, appointed a committee to approach the heritors on the subject. On November 22, it was reported that the heritors "had promised with the first conveniency to repair the same."

On November 22, 1665, and on May 24, 1671, he was appointed Clerk to the Presbytery until the following Synod, and, on December 13, 1665, was appointed to preach at Aughterhouse on the last day of the year, and from the pulpit to rebuke the Countess of Buchan for her sin with Mr James Campbell, minister there.

In 1667, trouble again arose between Shepherd and Minniman, the latter having refused to deliver up the papers relating to the benefice. On April 3, Shepherd complained to the Presbytery, who at once referred the matter to the Synod.<sup>2</sup>

<sup>1</sup> v. *General Register of Hornings*, April 14, 1670. Perhaps the Mr Andrew Sheeheard who retracted his signature of the Declination of the General Assembly of 1638 (Gordon's *History of Scots Affairs*, ii. 152).

<sup>2</sup> The minute of the Synod of St Andrews in October 1666 proceeds:—"The Lord Archbishop and Synod are to think on this overture to the next Synod: Whether it be fit that the rights that ministers have to their stipends, and the case

Unlike many incumbents, especially in the West and South of Scotland, Shepherd ministered to an undivided parish, at least for a time. In 1676, it was declared that in Abernyte (Aberneet) there were no nonconformists. The same conditions indeed prevailed in other parishes within the bounds of the Presbytery of Dundee. In Morroes, Strathmartine, Maines, Monifieth (Monefooth), Liffe, Benvie, Rossie, Longforgund, and Kynnard, no separatists were found, and almost none in the town of Dundee.<sup>1</sup>

Shepherd continued to be minister of Abernyte till his death on January 3, 1703.<sup>2</sup>

On October 17, 1671, he was contracted in marriage with Jean, daughter of the deceased William Patrick, goldsmith in London.<sup>3</sup> He was survived by Margaret Campbell, his widow and executrix, whom he became bound to infest in the annual-rent of 2000 merks,<sup>2</sup> under a contract of marriage dated December 4, 1683, and by a daughter, Grizel, afterwards resident in the North-East parish of Edinburgh, who married Mr William Gillan, minister at Bothkennar, on August 24, 1726.<sup>4</sup>

#### 1. *References in the Register of Deeds of Perthshire Sheriff Court.*

Mr Andrew Shepherd, minister, witnessed at Pittkyndie, February 19, 1681, an obligation by Elizabeth Hay, widow of Patrick Boyd of Pittkyndie, for £100 Scots, in favour of Alexander Pettrie, servant to Craigster.

Registered August 21, 1682.

Mr Andrew Shipard at Inchlesslie, October 17, 1671, entered into a contract of marriage with Jean Patrick, daughter of the deceased William Patrick, goldsmith in London, with consent of Lauchlane Lessly, chamber-

of their manses, free or affected with burdens, should be registered in the Presbytery books (*MS. Register of the Presbytery of Perth*, November 7, 1666). There is no reference in the Minutes of the Synod to Shepherd's complaint.

<sup>1</sup> *MS. Register of the Presbytery of Dundee*, July 11, 1676. On August 30, the ministers of Dundee reported two persons as "schismatics and disorderlie persons, viz., John Storrock and Thomas Whittitt's wife." On December 19, 1677, the ministers reported Alexander Kircaldie and his wife, John Adam and Elizabeth Symmon, as separatists; on May 1, 1678, James Cant, and on June 12, Thomas Paterson. It was stated on the last date that Kircaldie, Cant, Paterson, and Storrock had "purchased disorderlie Baptism to ther children." Their names, it was stated, would be forwarded to the Archdean. John Adam and Elizabeth Symmon were referred to the Synod: on October 23, 1678, "The Moderator, according to the advise of the Synod, resolved to deliver them up into the hands of the Toune Magistrates."

<sup>2</sup> *Dunkeld Com. Testaments*, February 9, 1703.

On December 21, 1706, the Crown granted a warrant for a yearly payment to her of £12 sterling out of the funds allocated to charities, in consideration of her necessitous circumstances (*Treasury Register*, v. 433).

<sup>3</sup> *Perthshire Deeds*, July 27, 1691.

<sup>4</sup> *Edinburgh Marriage Register*.

lain to the Countess of Levine, and indweller in Inchlesslie, under which Lessly promised to pay to Shepherd 900 merks Scots as tocher-good, under provision of reversion if the said Jean died within three years of the marriage without issue.

Registered July 27, 1691.

Andrew Hunter in Pittkindie, and Elizabeth Hay, his wife, granted at Abernyit, April 18, 1692, in presence of John Gadsmein, schoolmaster, there, a bond, for 42 merks Scots, in favour of Mr Andrew Shepherd, minister at Abernyt.

Registered November 30, 1692.

2. *References in the Register of Deceets of Perthshire Sheriff Court.*

Mr Henry Auchinleck, minister at Perth, for his own interest, and as assignee, March 9, 1666, of William Auchinleck, his brother, executor of Mr James Auchinleck, minister successively at Kettins and Auchterhouse, obtained decree against Mr Andrew Shippart, minister at Abernyt, cousin-german and lawfully charged to enter heir to the deceased Margaret Shippart, widow of Thomas Robertson, maltman, burgess of Dundee, and daughter of Andrew Shippart, baxter, burgess of Dundee, for payment of 66 merks yearly during non-redemption, being interest on 1100 merks for the years since Martinmas 1655. This sum was due under a bond of corroboration (dated December 30, 1655) by Mr Andrew Shippart, minister at Benvie, principal, and Thomas Robertson, cautioner, in favour of the said Mr James Auchinleck, corroborating a bond (dated June 10, 1633) by Sir John Scrimgeour, James Scrimgeour, his eldest son, Andrew Shippart, baxter, burgess of Dundee, and Mr Andrew Shippart, minister at Benvie, all deceased, in favour of Mr James Auchinleck, then minister at Kettnes, and Grissal Lindsay, his wife, and assigned, December 16, 1655, by the said Mr James to Mr Henry Auchinleck, minister at Mains, his son, and Agnes Guthrie, his spouse. The said Mr James and his assignees being willing to supersede payment for a certain time, Margaret Shippart bound herself to infest them in an annual-rent of 66 merks secured over lands belonging to her.

Registered July 13, 1666.

Letters of Diligence against Mr Andrew Shepherd, lawfully charged to enter heir to Margaret Shippart, were ordained to be issued, at the instance of James Auchinleck, eldest son of the deceased Mr Henry, and William Auchinleck, sheriff depute of Perth, his uncle.

Registered October 16, 1667.

## ALYTH

John Lowson, 1686-1689.

Son of James Louson, baxter, burghess of Dundee,<sup>1</sup> he matriculated at the University of St Andrews, as a student of St Leonard's College, and graduated Master of Arts on July 24, 1679.

He studied Theology at the New College, St Andrews. He was entered on trials for licence by the Presbytery of Dundee on January 11, 1682, and was appoven on June 28. On July 10, 1684, he, designated "our servant," was chaplain to the Bishop,<sup>2</sup> serving the cure of Meikle. His name occurs in the *Register of the Presbytery of Meikle* on March 3, 1685, when he reported on a delinquent in Meikle. From the form of the minute<sup>3</sup> :—"The Presbiterie recommends to the said Mr John to cause him enter [to the publict profession off his repentance] befor the next day of meeting," it is evident that he had obtained the orders of a Presbyter. Designated "preacher at Meikle," he was appointed by the Presbytery, on November 10, 1685, to write to the ministers of Montrose and Brechin in connection with a fugitive from the discipline of the Kirk-Session of Meikle.

He was presented by the Bishop to the charge of Alyth, in succession to Mr Thomas Robertson, on or before April 19, 1686. In the edict towards his admission, he is styled minister of the Gospel and our chaplain. He was admitted to Alyth, with the concurrence of the Presbytery of Meikle, by Mr George Hay, minister at Cowpar-Angus, on Tuesday, June 1, 1686.<sup>4</sup>

From October 30, 1686, till March 15, 1687, he was Clerk to the Presbytery of Meikle. In the *Register of the Kirk-Session of Alyth*, under date November 21, 1686, it is noted that "ther was no preaching, but reading, psalms, and prayers, becaus our minister was unexpectedly called to Edinburgh by the Bishop." A petition by William Dick in Alyth (Elith) for himself, and in name of the rest of the parishioners, for his deprivation was considered by the Privy Council on October 1, 1689. Lowson (Lawson) was present in obedience to a citation. He confessed that he had failed to read the Proclamation issued by the Estates, and dated April 13, 1689, and to pray for William and Mary as King and Queen of Scotland; and, accordingly, was deprived of his benefice, forbidden to officiate in the parish, and ordered to quit possession of the manse and glebe at Martinmas.

He died on May 20, 1693.<sup>5</sup>

<sup>1</sup> v. *Perthshire Deeds, infra*.

<sup>2</sup> *Perthshire Sasines*, August 1, 1684.

<sup>3</sup> He reported on the case to the next meeting. At the same time, he was authorised to write to the Presbytery of Brechin regarding another delinquent.

<sup>4</sup> *MS. Register of the Presbytery of Meikle*. v. vol. i. pp. 230-2.

<sup>5</sup> *MS. Register of the Kirk-Session of Alyth*.

1. *Reference in the Register of Deeds of Perthshire Sheriff Court.*

At Alyth, on November 13, 1691, in presence of John Patillo, Commissary Clerk of Dunkeld, Mr John Lousone, minister at Alyth, who had been summoned at the instance of James Flesher, Provost of Dundee, to enter as heir to the deceased James Louson, merchant, burges of Dundee, his father, in order to pay certain sums alleged to be due by the said James, inasmuch as he should obtain no benefit but suffer great loss thereby, granted a renunciation of his heirship to his father, and intimated his willingness that Flesher should have adjudication for the sums due to him.

Registered November 19, 1691.

2. *Reference in the Register of Decrees of Perthshire Sheriff Court.*

James Flescher, merchant, burges and Provost of Dundee, raised an action against Mr John Lausone, minister at Ailoth, son of the deceased James Lawsons, baxter, burges of Dundee, who, on April 27, 1691, had been charged to enter heir to his father, for payment of certain sums contained in bonds granted by his father. Lausone was assoilzied, but Flescher was ordained to receive the goods of the deceased debtor.

Registered November 25, 1691.

## AUCHTERHOUSE (AUGHTERHOUSE : OUCHTERHOUSE)

John Robertson, 1667-1699.

The eldest son of Mr John Robertson, minister at Dundee,<sup>1</sup> he graduated Master of Arts at the University of St Andrews on July 28, 1656.

He was licensed before April 20, 1664, when the Presbytery of Dundee appointed him to preach at Fowles.

He was entered on trials before that Presbytery, on November 30, 1664, "in order to his presentation to the kirks of Fowles and Lundie, in obedience to a letter from the Archbishop of St Andrews." He was approven in his trials on March 29, 1665. When the Edict toward his admission, which Mr James Middeltowne had been appointed to serve in "the united parishes of Lundy and Phauls," was returned executed and endorsed on May 10, none appeared to object, but Lord Gray craved by letter a delay of procedure for 20 days. The request was granted. Robertson was admitted to "Lundy and Phawlls" at the church of

<sup>1</sup> *General Register of Inhibitions*, September 17, 1669. Under Deed of Nomination by Marjory Robertson, he was entitled to 1000 merks. He obtained Letters of Inhibition against Robert Stewart, son of William Stewart, burges of Stirling, her husband. The first husband of Marjory was Robert Young, merchant in Stirling.

Lundy, by Mr Thomas Kinneries, on June 11, 1665.<sup>1</sup> On February 14, 1666, Auchterhouse, the minister of which had been previously suspended until the following Synod of Dunkeld, was stated to be vacant. Robertson was presented to the cure before July 3, 1667, when the Presbytery appointed Mr Patrick Makgill, minister at Tealling, to serve the Edict toward his admission on July 14, and was admitted by the same minister on September 1, 1667. On September 25, the Presbytery, at his request, appointed a committee "to cognosce of the sufficiency of the manse at Ouchterhouse"; on October 30, they reported that the manse was "unsufficient."

On November 14, 1666, he and Mr Alexander Scrymsoure were appointed to report on the sufficiency of the manse of Liff; on December 5, they stated that they judged it sufficient; and on January 6, 1669, he and Mr James Fithie were appointed to approach the heritors of Strathmartine, with the object of inducing them to build a manse. On August 16, 1671, the Presbytery of Dundee appointed him to "go to Kinnaird and receav [into fellowship] Gilbert Blair, who gave scandal in opposing the minister in his authority befor the Session." He and Mr Patrick Macgill, who had been commissioned to visit the manse of the Maines, reported, on April 23, 1673, that the roof of the hall and all the offices except the stable were in a ruinous condition.

On October 24, 1683, he and Mr David Fergueson, minister at Straithmartine, were appointed to apprise the repairs on the manse of Murrois, the minister of that parish being Mr Robert Edward, Moderator of the Presbytery of Dundee, and author of *The Doxology Approven*.<sup>2</sup>

The Synod of St. Andrews, on April 15, 1687, appointed that Auchterhouse should be visited during the ensuing summer. The parish, however, was transferred on April 27 from the Presbytery of Dundee, to form, with other parishes in the Diocese of Dunkeld, the Presbytery of Cowpar-Angus.

Auchterhouse became vacant before November 1, 1699, when the United Presbyteries of Dundie, Meigle, and Forfar refused to grant a request by the laird of Auchterhouse that they would delay to declare the parish vacant.

<sup>1</sup> On January 3, 1666, he intimated that he could not present a valuation of his stipend, because it had not been settled. On September 5, the manse was reported to be "very insufficient." The laird of Lundie, it was stated, "promised not to be wanting in any thing that was incumbent for him to doe" with regard to the manse and the school-master's house.

<sup>2</sup> The manse was appraised on December 7, 1683. The repairs were valued at £305, 9s. 8d. Scots. The craftsmen were Robert Crystall, wright, and Hendrie Constable, mason, and the witnesses, in addition to the two ministers, were John Gray in Auchterhouse and John Andersone in Murrois (*MS. Register of the Presbytery of Dundee*, June 4, 1684).

Robertson married, in 1669,<sup>1</sup> Margaret,<sup>2</sup> daughter of Robert Hay of Dronlaw,<sup>1</sup> and had issue.<sup>2</sup>

*Reference in the Register of Acts and Decrees (Mack).*

Alexander Robertson, merchant, burghess of Dundee, raised an action against Mr John Robertson, minister at Auchterhouse, for payment of (a) sums delivered by Mr Alexander Robertson, uncle of the defender, in terms of a letter of credit, dated October 31, 1672, to William Robertson, brother of the defender, then imprisoned in London, and assigned to the pursuer, (b) £290, 14s. due to William Robertson for merchandise bought for the defender's marriage in 1669, and assigned to the pursuer, and (c) other sums, including £7, 4s. as the cost of a "piriwick" bought from the pursuer by the defender's father-in-law, Robert Hay of Dronlaw. He obtained modified decree. In the course of the pleading, it was stated for Mr John Robertson that he had given £100 to Mr Thomas Robertson, minister at Elioth, to buy what he thought necessary for the furnishing of his house in preparation for his marriage.

Registered June 25, 1681.

#### BENDOCHY

I. Henry Malcolm, 1663-1688.

The eldest son of Mr Robert Malcolm, his predecessor,<sup>3</sup> and Margaret Guthrie, his wife,<sup>4</sup> he matriculated at the University of St Andrews on January 26, 1650, as a student of St Leonard's College, and graduated Master of Arts on May 13, 1653.

He was an expectant within the bounds of the Presbytery of Meigle on July 17, 1660, when he was appointed to add at the next meeting, and to preach as one of a leet at the vacant church of Meigle on July 29. He failed to preach at Meigle, and was again appointed to do so, but again failed to obey. His excuse was sustained on August 14, but he was "peremptorly" appointed to preach at Meigle on the following Sunday. He obeyed the instuction.

[He was admitted to Burntisland on 17th June 1663.]

<sup>1</sup> *Acts and Decrees*, Mack, June 25, 1681.

<sup>2</sup> John Gray, kirk beddell in Auchterhouse, as attorney for Mr John Robertsons, minister of Auchterhouse, Margaret Hay, his spouse, and their children, had sasine, February 7, 1690, of an annual-rent of £160, to be uplifted from the lands and barony of Fullertoun; proceeding on a precept in a bond granted by William Fullertone, younger, of that ilk, at Newtyle, August 3, 1686 (*General Register of Sasines*, February 11, 1690). He had a child baptised on November 25, 1686 (*Inglis' Annals of an Angus Parish*, 136). His son, Mr Robert, had sasine, as heir to his father, of two annual-rents out of the lands of Fullerton (*Perthshire Sasines*, December 11, 1699).

<sup>3</sup> *Perthshire Sasines*, May 29, 1658.

<sup>4</sup> *Ibid.*, December 8, 1665.

His father died in June 1663,<sup>1</sup> but Malcolm did not return to Burnt-island. He was within the bounds of the Presbytery of Meigle on August 11, and on September 8, 1663, when the Presbytery desired him to preach at Blairgowrie for Mr John Ramsey, who had been appointed to preach at Bendochy in connection with a case of discipline.

He was admitted to Bendochy perhaps before September 23,<sup>2</sup> certainly before October 6, 1663.<sup>1</sup>

In the summer of 1664, he was absent from four successive meetings of the Presbytery. On September 6, 1664, he and Messrs David Patton, Thomas Blair, and Robert Crichton "were requyred by the Moderator to keep the meetings better in tym coming."

He was Clerk to the Synod of Dunkeld on October 4, 1665, and attested the books as Clerk for the last time on October 4, 1676. He acted as Clerk to the Presbytery from October 17, 1665, till April 17, 1666, from May 3, 1670, till November 8, 1670,<sup>3</sup> and from October 16, 1675, till April 18, 1676.<sup>4</sup>

On May 19, 1674, it was intimated that he had been appointed to moderate in the Presbytery of Meigle in the absence of the constant Moderator, Dr George Haliburton. In October 1678, he succeeded Dr Haliburton as Moderator, and retained that position until the meeting of the Synod of St Andrews on October 6, 1686, when, by Act of the

<sup>1</sup> *Perthshire Services*, Sheriff Court, October 6, 1663. He died on June 30, his name appearing in the list of absentees from the Presbytery meeting on that date.

<sup>2</sup> He reported to the Presbytery on that date that a delinquent had been absolved from scandal.

<sup>3</sup> The minutes from November 29, 1670, till April 4, 1671 are in his handwriting, but are signed by the clerk, Mr Thomas Blaire, minister at Blair.

<sup>4</sup> The following letter from Malcolm to James Rattray of Craighall-Rattray, declining to preach a funeral sermon, is taken from the Charter chest at Craighall-Rattray, and is printed by permission of Colonel Burn-Clerk-Rattray of Craighall-Rattray :—

For the Ryt Hon<sup>ll</sup> The laird of Craighall.

*Benathe, Apryl 11, 1677.*

Ryt Hon<sup>ll</sup>,—Sir, My respects to your familie are such, in regard not only of the desert on your part but also obligation on me weigh so with me, that I wer both unjust and ingrate if I did not comply with your commands in every thing within the compass of my power quhereanet I have no scruple ; but as to the desyre in yours anent a funerall sermon, albeit it would be a sufficient apologie for me to alleadge the shortness of advertisement, being ane employment I was never acquainted with, but I will further shryve myselve to you so farre as to say that I have no freedom anent the thing in generall, quhereanet I sall God willing give you full satisfaction at meeting. I thought, according to my promise, to have waited on you this night at Craighall, but am detained by severall frinds, but, God willing, to-morrow I shall perform that dute. Your good health and good heart sal be wished and prayed for by

Ryt Hon<sup>ll</sup> Sir,

Your most humble servant,

H. MALCOLME.

Archbishop and Synod, Mr Silvester Lammie, minister at Eassie, was appointed Moderator.<sup>1</sup>

The *Register of the Presbytery of Meigle* on June 29, 1680, bears that Malcolme was absent from the meeting on that date. The explanation of his absence is found in the *Register of the Privy Council*. He, with John Meek of Ledcassie, James Souttar in Coupergrange, Abraham Low, hammerman, there, and George Donald in the Grange of Aberbrothick, had been cited as witnesses in a complaint by David Crichton of Adamston against James Couppar, portioner of Coupargrange, for seizing papers belonging to James Crichton of Coupar Grange. On July 1, 1680, he and his companions presented a petition to the Privy Council, bearing that they had been in attendance at Edinburgh for twelve days and had been two days on the road, to their great expense, being horsemen, and that they would be some time on their homeward journey, and craving that, as was usual in such cases, expenses on a liberal scale should be granted to them. The Privy Council ordered that each one of them should be paid sixteen shillings for each of sixteen days by David Crichton, at whose instance they had been summoned, and ordained Letters of Horning to be issued against him to that end if necessary.<sup>2</sup>

<sup>1</sup> The See of Dunkeld was vacant at the time. Malcolme was superseded probably on account of his action in the Lintrathen case. *v. vol. i. p. 250.*

<sup>2</sup> David Crichton of Adamstone, tutor of James, Margaret, and Elspeth, children of James Crichton, portioner of Coupergrange, his brother, complained to the Privy Council that, contrary to law and in contempt of a warrant of the Lords of Session, Janet Ramsay, widow of James Crichton, and James Coupar, portioner of Coupergrange, immediately after the death of Crichton, seized his writs and charter chest, and though ordered by the Lords of Session to produce them before the Sheriff of Perth, or his deputies, that an inventory might be made for the purpose of ascertaining whether it would be safe for his pupil to enter heir, they, and George Ramsay of Gallery, spouse of the said Janet, intending to make the inventory before another judge, with Thomas Ogilvie of Little Keithick and Mr John Crookat, broke open the charter chest, made a fashion of inventory, and intromitted with what papers they pleased. Crichton claimed that they should be compelled to produce the charter chest and inventory before the Council, and be punished for their disobedience. The Privy Council, on July 1, 1680, found the defenders not guilty of riot, and referred the matter of right to the decision of the Court of Session (*Reg. of Privy Council*, Third Series, vi. 487).

James, Bessie, Issobell, Elspeth, and Margaret, children of the deceased James Crichtoun, portioner of Cowpar Grange, James Cowpar, his nephew, and William Geikie of Balldowrie, their tutors, raised an action against David Crichtoun, brother-german of the said James Crichtoun. They stated that James Crichtoun had nominated David, his brother, James Cowpar, and William Geikie tutors of his children, and had subscribed a blank document to be filled up with such provisions in favour of the children as they should deem suitable, and had delivered it to his brother, in the presence of witnesses of standing, to be placed amongst the rest of his papers, and to be used with common consent of the three tutors. They declared that David Crichtoun fraudulently abstracted the document appointing tutors and the blank paper, with the intention of destroying the former, that he might serve himself tutor-at-law, and of filling up the latter with certain provisions in his own favour. They averred further that he had rendered himself suspect and incapable of executing the office of tutory, by obtaining fraudulently his father's signature to

He died in April 1688,<sup>1</sup> and was buried on or before the 8th.<sup>2</sup> In the *Register of the Kirk-Session of Cowpar-Angus*, the following entry occurs under that date :—“ Received for the mortcloath to Mr Henry Malcome, minister of Bennathy, £2, 18s.”

He married Helen Small before November 2, 1665.<sup>3</sup> Their only son was Henry.<sup>4</sup>

From his Testament, confirmed at Alyth on July 4, 1688, Mr Thomas Blair, minister at Blair, being cautioner for the son and executor, it appears that bonds in his favour had been subscribed by the Laird of Bamff, George Donald, portioner of Grainge of Aberbothrie, David Donald of Shangie, George Broun of Ligertlaw, — Bruce of Dalnabreik, John Ogilvie of Balfour, John Bird in Benithie, William Stewart of Balied, representatives of James Ratray of Craighall, John Ratray of Borland, George Chalmer of Milnhorne, Mr John Robertson of Dounie, Robert Chalmer of Cloqhat, James Husband in Cultie, David Spalding in Aird-blair, Mr Francis Persone, minister of Kirkmichell, John Crichtone in Blair, John Donaldsone of Bonnytowne, and — Ratray of Rannagulane.<sup>1</sup>

1. *References in the Register of Sasines for Perthshire and in the General Register of Sasines.*

Mr Henry Malcome, son of Mr Robert Malcome, minister at Bennathie, witnessed, October 25, 1656, an instrument of sasine, of the lands of a certain document. They craved decree that Crichtoun should be compelled to deliver up the papers in the same condition as when subscribed by James Crichtoun ; should be forbidden to act upon them save by common consent of the tutors ; that he should be declared unfit to be trusted with the tutory of the children, as having given reason for suspecting his fidelity ; and that the debtors of the children should be discharged from making any payments to him on their behalf. David Crichtoun did not appear, and decree was given as craved (*Acts and Decrees*, Mack, July 31, 1679).

Issobell Crichtoun married Gilbert Robertson of Drumlochie (*Ibid.*, March 21, 1682).

For a suggested conference between Malcolme and named brethren, *v. vol. i. p. 227*, Presbytery of Meigle, June 5, 1683.

<sup>1</sup> *Dunkeld Com. Testaments*. His name does not appear among the absentees from the meeting of the Presbytery of Cowpar-Angus on April 3.

<sup>2</sup> On April 3, the Presbytery appointed supply for the pulpit.

<sup>3</sup> *Perthshire Sasines*, December 8, 1665.

<sup>4</sup> Mr Henry Malcome, designated only lawful son and heir of the deceased Mr Henry Malcome, minister at Bendochie, had sasine, October 15, 1691, of an annual-rent of £32 Scots, to be uplifted from the town and lands of Lidgertlaw and Nether Buttergask ; proceeding on a precept in a bond by George Broun of Lidgertlaw to the deceased Mr Henry Malcom (*Perthshire Sasines*, November 23, 1691).

He married Euphame Honyman, daughter of Dr Robert Honyman, brother of Andrew, Bishop of Orkney (*Row's Life of Blair*, 467), preacher in [minister of] St Andrews (*Acts and Decrees*, Mack, March 16, 1683), formerly minister of Newburn, Dysart, and Cupar (*Chronicle of Fife*, 122, 208), and Cicill Carmichaell, his wife. He is designated residenter in St Andrews, and died in February 1693. His will was given up by Mr William Mainie, preacher of the Gospel, then residing at Craighall(-Ratray), one of the two tutors of Henry, his only lawful child. Euphame Honyman died in July 1697 (*St Andrews Com. Testaments*, November 7, 1694 ; March 17, 1698.)

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Bennathie and others, in favour of Thomas Ramsay, son and apparent heir of Gilbert Ramsay of Bamff, and Jean Lumsdeane,<sup>1</sup> daughter of Sir James Lumsdeane of Innergellie, knight, his promised spouse; proceeding upon a precept in a charter by Gilbert Ramsay of Bamff, dated at Littleton of Rattray, October 25, 1656.

Registered November 15, 1656.

Mr Henry Malcome, eldest son of Mr Robert Malcome, minister at Bennathie, as attorney for Issobell Malcome, eldest daughter of the said Mr Robert, had sasine, April 26, 1658, from William Malcome, eldest son of Mr John Malcome, minister at Airlie, bailie for Andrew Many in Bruntie, of a quarter of the town and lands of Little Keathick, with the ward and myre and a quarter of the salmon fishing, etc., lying in the prebendrie of Fordischaw; proceeding on a precept in a charter by the said Andrew Many in favour of the said Issobell, his promised spouse.

Registered May 29, 1658.

Mr Henry Malcolme had sasine, June 22, 1665, as heir of Mr Robert Malcolme, minister at Bennathie, his father, of one-half of the myln of Kincarroquhie and the mill-lands thereof, proceeding on a precept from Chancery, dated May 26, 1665: on the same date, David Mitchell of Kincarrochie had sasine of the same subjects, proceeding on a precept in a charter granted by Malcome, and Margaret Guthrie, his mother.

Registered June 29, 1665.

Mr Henry Malcome, minister at Bennathie, had sasine, November 23, 1665, of lands in the barony of Pitcallane, proceeding on a precept of clare constat by Sir George Hay of Pitcullane, superior: on the same date, William Many, son of William Many of Pockmylne, had sasine of the same subjects, proceeding on a precept in a charter (dated November 2, 1665) granted by Malcolme, with consent of Margaret Guthrie, his mother, and Helen Small, his spouse, in presence of William Malcolm, his brother.

Registered December 8, 1665.

Mr Henry Malcome witnessed, October 20, 1666, a charter by James, Lord Coupar, of a piece of land in Coupar, called the Playfeild, in favour of James Wichtan. Sasine was given, in terms of the precept, on October 24, 1666.

Registered October 26, 1666.

Mr Henry Malcome witnessed, October 23, 1666, an instrument of sasine, of the lands and barony of Drumkilbo, in favour of Marion Ogilvie,

<sup>1</sup> She afterwards married David Erskine of Dun (*Bamff Charters and Papers*, 326).

daughter of James, Earl of Airlie, in liferent ; proceeding on a precept of sasine in a contract of marriage between James, Lord Coupar, and her, signed October 11, 1666, in presence of Mr George Haliburton, minister at Coupar, and Mr John Hamilton, parson of Lestlerick.

Registered October 30, 1666.

Mr Henry Malcome witnessed, May 7, 1673, a charter by James Campbell of Keathick, of part of the milne lands of Miklekeathick, called Knytishaugh, and Shillinghill, in favour of Andrew Many, in Bruntie, son of William Many of Pockmilne. Sasine, in terms of the precept, was given on May 13, 1673.

Registered May 16, 1673.

Mr Henry Malcome, minister at Bendochie, witnessed, March 19, 1680, a marriage contract between George Ramsay of Galray and Janet Ramsay, relict of James Crichton, portioner of Coupar Grange. In terms of the precept therein, the said Janet was infest in liferent in an annual-rent of 300 merks furth of the lands of Galray.

Registered May 4, 1680.

Mr Henry Malcolm witnessed, November 6, 1680, a bond by James Campbell of Kaithick, of an annual-rent of £121, 18s. 8d. to be uplifted from the Boat and Boatlands of Coupar, in favour of George, Bishop of Brechin, in liferent, and John and Margaret Halyburton, his children, in fee.

Registered November 8, 1680.

Mr Henry Malcolm, minister at Bennathie, and Mr Thomas Blair, minister at Blair, witnessed, July 31, 1682, a marriage contract between William Chalmer of Over Cloquhat and Robert Chalmer, his oy, on the one part, and David Rattray of Dalrizean, and Jean Rattray, his eldest daughter, on the other part, for the marriage of the said Robert and Jean. In terms of the precept the said Jean was infest in liferent in the miln and milnlands of Over Cloquhat.

Registered August 15, 1682.

Mr Henry Malcolm witnessed, March 7, 1683, a bond by James Campbell of Keathick in favour of James Robertson in Kemphill and Anna M'Gill, his wife, for an annual-rent of 300 merks from the lands of Keathick and others. Sasine, in terms of the precept, was given on April 16, 1682.

Registered May 24, 1683.

Mr Henry Malcolm had sasine, March 11, 1687, in presence of James Donaldson, his servitor, and David Finlay, kirk officer of Bendochy, of

an annual-rent of £72 Scots, to be uplifted from the one-eighth part of the Grange of Aberbothrie ; proceeding on a precept in a heritable bond by the deceased David Donald, portioner of the Grange of Aberbothrie, and George Donald, his youngest son, directed to William Davie, school-master at Coupergrange.

Registered March 25, 1687.

Mr Harie Malcolme, minister at Bennathie, received sasine, January 13, 1688, of an annual-rent of £80 Scots from the lands of Ardblair and Gormock, proceeding on precept in a bond for 2000 merks by John Blair of Ardblair and James Blair, his eldest son, as principals, and John Blair of Balleid and James Blair, his eldest son, as cautioners, dated November 30, 1672.

Registered February 11, 1688 (*Gen. Reg. Sas.*).

2. *References in the Register of Deeds of Perthshire Sheriff Court.*

Mr Hary Malcome, son to Mr Robert Malcome, minister at Bennithie, witnessed at Coupar Angus, August 23, 1653, a bond by James Olipher in Lawsteine, for £97 Scots, in favour of Andrew Gray, servitor to Lord Coupar.

Registered September 25, 1654.

Mr Hare Makime, minister at Bennathie, Mr Here Guthrie, minister at Kilspinde, and Mr William Baneves, preacher of the Gospel, witnessed at Kilspindie, October 8, 1663, a bond by William Oliver in Wardmyle, for 50 merks Scots, in favour of Margrit Guthrie, relict of Mr Robert Malcolme, minister at Bennithie.

Registered March 10, 1664.

Mr Henry Malcome, minister at Benethie, witnessed, December 12, 1664, a bond by John Wilson, portioner of Grange of Aberbothrie, for £17, 17s. Scots, in favour of Margaret Guthrie, widow of Mr Robert Malcome, minister at Bennithe.

Registered April 6, 1665.

David Anderson, Clerk of Cowpar, granted, June 1, 1665, a bond for 220 merks in favour of Mr Henry Malcome, minister at Bennathie.

Registered November 17, 1665.

William Kinman of Hill, as principal, and William Ogilvy of Murie, and Patrick Hay of Pitfouer, his cautioners, granted at Murie, June 23, 1665, a bond, for 1100 merks Scots, in favour of Mr Henry Malcolme, and Margaret Guthrie, his mother, for her liferent use.

Registered October 26, 1669.

James Gray in Scone granted at Benithie, July 3, 1676, in presence of Mr John Langlands, school-master at Benethie, a bond for £13 Scots in favour of Mr Hendrie Malcome.

Registered July 30, 1681.

Mr Henry Malcome and Mr John Langlands witnessed at Coupar Grange, January 29, 1683, a bond by George Chalmer, portioner of Wester Banchrie, for 350 merks, in favour of James Makie in Cowpar Grange, eldest son of the deceased Johnie M'Kie, there.

Registered June 24, 1684.

Mr Henry Malcome, minister at Bedoche [Bendoche], wrote, and with William Husband, his servant, and Mr William Dobie, school-master of Bandoch, witnessed at the kirk of Bandoch, January 14, 1688, a bond by George Chalmers, elder, of Milnhorn, for 200 merks, etc., in favour of Jannet Robertstone *alias* Reoch, eldest daughter of James Robertson *alias* Reoch in Balgillo, and servant of Mr Henry.

Registered December 5, 1693.

3. *Reference in the Register of Services, Acts of Curatory, etc., of Perthshire Sheriff Court.*

Mr Henry Malcome, minister of Bennethie, was declared heir to his father, Mr Robert Malcome, minister at Bennethie, by an inquisition held in the Court of the Viscounty of Perth, in the half-miln and miln lands of Kincaroachie, with crofts, etc., and pasture for two horses and cows in the common of Kincaroachie and Balformode, and two acres and pasture of one horse, one cow, and twelve sheep in the said common, under burden of £5 Scots for the milnelands and 13s. 4d. for the two specified acres.

Registered October 6, 1663.

4. *Reference in the Register of Hornings for Perthshire.*

Mr Harie Malcome, minister at Bandochie, obtained Letters of Horning, November 14, 1684, against Patrick Murray, son of William Murray of Keillor, for payment of 1000 merks, etc., due under bond dated October 20, 1675. Murray was denounced, December 2, 1684.<sup>1</sup>

Registered December 2, 1684.

<sup>1</sup> Malcolme obtained decree of adjudication of the lands of Keiler on February 27, 1686 (*Acts and Decreeets*, Mack).

5. *Reference in the Register of Inhibitions for Perthshire.*

Mr Henry Malcolme obtained Letters of Inhibition against James Ramsay, eldest son of George Ramsay of Galraw.

Registered November 20, 1686.

## 2. Thomas Blair, 1688-1692.

The second son of James Blair of Ardblair, who married a daughter of Sir John Blair of Balgillo,<sup>1</sup> he matriculated at the University of St Andrews, as a student of St Salvator's College, on January 31, 1653, and graduated Master of Arts on July 28, 1656. He studied Theology at the New College, St Andrews.

On August 19, 1661, he submitted to the Presbytery of Meigle a testimonial, signed by Samuel Rutherford and Alexander Colvill, Masters of the New College, and was entered upon trials for licence. He was licensed to preach the Gospel on October 22, 1661.

Mr John Ramsay, minister at Blairgowrie, died between October 6 and 17, 1663.<sup>2</sup> On November 10, Mr Robert Crichtone, minister at Esie, presented to the Presbytery of Meigle a Commission from the Archbishop of St Andrews, bearing that Mr Thomas Blair had been presented by the King to the church of Blair(gowrie), and requesting them to proceed to the usual trials. At the next meeting, November 24, the Presbytery, desiring to have the charge of Blair speedily filled, appointed him to have Exercise and Addition on one day. He was appoven in his trials, and "judged qualified for the ministrie at Blair," on January 26, 1664, and the Presbytery granted him a certificate to that effect that he might obtain Ordination. A letter from the Archbishop, stating that he had given Ordination to the presentee, and requesting that the usual steps for his settlement should be taken, was received by the Presbytery on March 8. Blair was admitted to Blair, on Wednesday, March 23, 1664, by Mr Harie Malcolm, minister at Bendochy, in presence of the congregation, and of Messrs John Rattray, elder, David Patone, George Haliburton, and John Nicolson, ministers, commissioned by the Presbytery to give him the right hand of fellowship, "and the ordinarie rits were used at his admission." On that day also the manse was apprised.<sup>3</sup>

On September 6, 1664, he, and Messrs David Patton, Henry Malcolm, and Robert Crichton, "were requyred by the Moderator to keep the meetings better in tym coming." He was Clerk to the Presbytery from May 5 to September 25, 1666, from November 29, 1670, to April 4, 1671, and from October 19, 1680, to April 5, 1681.

<sup>1</sup> Douglas' *Baronage*, 191.

<sup>2</sup> *MS. Register of the Presbytery of Meigle*, October 17, 1663.

<sup>3</sup> *Ibid.*, March 29, 1664.

He preached a Sermon of Thanksgiving at Rattray after each of the four celebrations of Holy Communion between 1665 and 1674, the first being on August 9, 1668. On July 7, 1670, he registered Letters of Horning against the heritors for payment of his stipend, which had been modified, on January 11, 1650, at the instance of Mr John Ramsay, at 4 chalders victual ( $\frac{2}{3}$  meal and  $\frac{1}{3}$  bear) and £400 Scots, including the vicarage, and £40 for communion elements.<sup>1</sup>

In accordance with a commission from the Archbishop, dated at the Abbey of St Andrew, October 5, 1670,<sup>2</sup> a visitation of the parish of Blairgowrie was held by the Presbytery of Meigle, on November 8, 1670, for the purpose of allocating to the heritors "roome to plant desks in."

On March 8, 1664, at the request of Helen Symmer, widow of Mr John Ramsay, who requested them "to see to the peaceable settlement of the minister in the manse," the Presbytery appointed a committee to hold an apprizal of the manse on March 17. The committee duly met: many heritors were present: David Ramsay, brother of the late minister, appeared for the widow, and John Donaldson, wright in Rattray, and James Mitchell, mason, selected by the heritors, and David Donaldson, wright, and John Lam, mason, were also in attendance. The minute proceeds:—"the foirsaid fowr craftsmen were requyred to give ther oathe, and solemnlie to promise, in the sight of God, that they showld appryse the said manse according to their knowledge and conscience, and give in the iust value of it to the brethren, but they replyed that they were not cleare to give their oathe at this tym, and had not sufficient tym for suche a work. The brethren, therupon, desired the heretors and David Ramsay to instruct and deall with the craftsmen, that they wold tak the oathe against the day of admission, or provyd som other honest and skilfull men to doe the samine, and to be present themselvs for the work. . . ."

The minute of March 23 proceeds:—"After the publict service of God, the brethren met, a considerable number of the heretors, being present at the admission and waiting on this day, were called and enquiryed at, if they had prevailed with the craftsmen to tak the oathe, quhiche ansueared they had done so. Thes above named craftsmen being called and requyred now to give the oath to appryse the manse, according to their knowledg and conscience, they one by one promised with uplifted hands, as in the sight of God, to appryse the manse according to their skill, and to give a report in writt subscribed with their hands befor the sun sett; quherupon the meeting dissolved.

<sup>1</sup> *General Register of Hornings*, July 7, 1670. It is stated there that he was collated by the Archbishop on April 18, 1664.

<sup>2</sup> *MS. Register of the Presbytery of Meigle*, October 19, 1670.

“ *Sessio 2<sup>a</sup> post meridiem.* ”

“ The brethren met again, and the apprizers being reddie were called and gave in this following writt, being subscribed be John Donaldson, David Donaldson, James Mitchell, and John Lam, declaring, according to ther skill and knowledg, [the manse] was worthe eleven hundreth and eightain merks. (*Not recorded.*)

“ The heretors, being also present, and David Ramsay, for the relict, did acquiesce with the apprizment; quhereupon the brethren desired the heretors to tak som effectuall cowrse for speedie payment of the manse either to the relict or to the intrant, for his peaceable possession and entrie to the sam. The present heretors ansueared as follows: The laird of Bamff declaired himself willing to satisfie according to the apprizment either to the relict or intrant; so did the laird of Ardblair, Drumlochie, Persie, Georg Chalmer, portioner of Meikle Banchrie, James Sowter, portioner their, Henrie Anderson, portioner ther, John Wilson of Lochend, James Turnbull, portioner of the Weltown of Blair, promised to satisfie according to the aprizment. Maior James Stewart said he was not ane heretor but a lyfrenter, and cowld say nothing. John Pattillo, bailzie to my Lord Airlie, in Alyt, declaired he had no comission to that purpose from my Lord Airlie, but hoped his Lordship wold do as the rest of the heretors.

“ After this, Mr Thomas Blair, intrant minister, took instrument upon the heretors acquiescing to the appryzing, and promising to satisfie for the samin either to the relict or intrant, in the hands of John Miller, notar publict.”<sup>1</sup>

The minute of the visitation is at least of local interest:—

“ *Blair, November 8, 1670.* ”

“ The brethren mett, ther beeing absent only Mr David Nevay. No exercise, the brethren being long a coming by reason of the great distance of many; as also the day beeing short and the work in hand difficult.

“ After incalling on the name of God, the Archbishops commission and Presbitries act therupon the last day wer read, and the minister of the place, beeing inquired at whether he had made due and lawfull intimation of this meiting as he was appointed, ansuared affirmative.

“ Therafter the heritors or others concerned who had any thing to desyre of, or represent to, this visitation wer publiklie called at the kirk doore: Whereupon ther wer presented diverse petitions by heritors for roomes in the kirk to plant desks in, conforme to ther interest in the parish, viz., by Alexander Stewart in Rochsheal, in name of the Earl of

<sup>1</sup> *MS. Register of the Presbytery of Meigle, March 29, 1664.*

Athol, his master, by Sir James Ramsay, feear of Bamffe, by Archibald Campbel of Persie, William Gray of Drumelzie, by John Meik of Leed Cassie and James Halyburton of Mawes; as also a petition was presented by Mr John Robertstone of Bandirran, for repossessing him with his roome and desk disorderly removed out of his roome and without his knowledge and consent, and possessed by another.

“The brethren of the Presbitrie, having received and seriouslie considered the several supplications above mentioned presented to them, as also having taken notice of the state of the said parish, and beeing weel informed of the proportionable interests that the severall heritors have in the parish, and consequently what proportions of the kirk they may justlie claime, and having particularlie noticed and measured the kirk, did find it necessarie for the satisfying of all parties and avoyding contention, and providing such as wants, to divide the whole kirk among the heritors in the parish, as if no place wer presentlie possessed by any of them; and, therefore, according to the power comitted to them, They doe divyde the kirk, appointing to the several heritors ther particular places and proportions therin in mainer following:—

“Imprimis, to the laird of Ardblair, for his hail lands of Ardblair and Gormock, they assigne and appoint, as his proportion, the roome before the tuo yles as it is included within the sydes of the pends therof: to the laird of Blair, for his hail lands within the parish, they appoint and allott a roome in the north corner of the kirk, beginning at the kist in the back wall of the kirk, and going about the corner close to Litleblairs seat, leaving onely roome for a comon entrie to both, which seat of Litleblairs is appointed to be removed close to the forewall of the kirk: to Major James Stewart, for his lands of Easterbanchrie, upon his own desyre, they appoint the roome betuixt the south yle the nearest door westward, and this in exchange of the roome he formerly possessed by the east syd of the east door: to the heritor of the lands of Drumlochic that roome, now presentlie possesst by them, to the eastward of Ardblairs yle on the north wall: to the heritor of Litleblair that roome presentlie possesst by him, removing his seat onely close to the south wall as said is: to the Earle of Athole, his fewars and tenents in Wester Callies, Rochsheal-boggs, and Rannagogs and Blackcraigs, they appoint the roome on the West gavell of the kirk betuixt the door and the back wall: to the laird of Bamffe, for his lands of Mawis and Cruchie, they appoint tuo ells on the back wall of the kirk by east and lyand contigue to the roome now designed to the Earle of Athol his tennents: to George Chalmers, for his lands in Wester Banchrie, they appoint tuo ells immediatly joyning to the laird of Bamffes roome on the east syd: to John Meik of Leedcassie they appoint seven quarters and ane halfe on the back

wall contigue to Ardblairs yle and by west the same, for his lands of Cassie and in Banchrie : the remainder of the roome betuixt the said place now designed for John Meik for his lands of Leedcassie and 4th part of Wester Banchrie, they appoint for David Ireland for his lands of Parkhead, he retrinching his seatt to fyve quarters and a halfe and leaving ane entrie comon : to Mr John Robertstone of Bandirran, for his lands in Blair, they appoint and allot the roome adjoyning contigue to the laird of Blairs roome and by west the same, viz., ane ell and ane halfe by west the ust ? in the back wall : the remainder of the roome on the back wall betuixt this now designed and that possessed by Drumlochie, they allott for the lands of Cloquhats : to Hary Anderson and George Chalmers, for ther halfe lands of Banchrie, they allott in comon betuixt them tuo ells on the south wall contigue adjoyning to Litleblairs desk westward : to James Halyburton, for his lands of Mawis and Tamnamoon, they appoint six quarters on the fore wall immediatly by east the east door : to James Trumble and John Pilmor, for ther lands in Weltoun, they allott the remaining roome on the fore wall betuixt the place now designed for James Halyburton and that appointed for Hary Anderson and George Sowtar : to Archibald Campbel of Persie, for Morganstoun taking in with him Drumelzies fewars in Mawis, they appoint the roome on the west gavell betuixt the door therin and the south wall : to the Earle of Airlies tennents, and the other fewars in Creuche, they appoint tuo ells to the eastward of Persies roome, leaving him as much as will conteine a double desk : to George Farquhar, for his lands of Rochalloch, they appoint thrie quarters wher his seatt now stands close to the west syd of the westmost door on the south wall : the remaining roome, betuixt the fewars and tennents in Cruchie and that allotted to Rochalloch, they leave to the minister and session to plant as they sall think expedient : to the minister they appoint the roome betuixt the pulpit and the east door : and further, they appoint that the repentance stool sall be removed and planted on the forewall, close by the roome allotted for Rochalloch and by west the same.

“It is lykwise appointed and ordained that the plantation of the roomes above designed with desks, and the framing of the same desks as to ther forme and quantity and situation, sall be at the site, and with the allowance, of the minister and session of Blair, and that none be prejudged therby as to the site of the minister, nor the comon passage in the body of the kirk, nor the setting up or serving of the communion tables impeded or obstructed. It is heirby also specially provided that whatever person, who is provided with a roome by this present division and designation, does not plant ther roome with a decent desk, to the satisfaction of the minister and session, before the first of August next in the yeir of God

1671, sall for ther negligence lose the benefit of this present act, and it sall be free to the Presbitrie to allott ther roome to any other they sall think fitt; as also that no persons, whose roome presently possessed by them is retrinched or allotted for any other, sall bee oblidge to lessen or remove ther seats, untill the person heirby preferred therto bring a desk ready made to fill up the same.

“The which division and particular designations beeing openly read to the heritors present, viz., laird of Bamffe, James Stewart of Easter Banchrie, Archibald Campbel of Persie, William Gray of Drumelzie, John Meik of Cassie, fewers of Wester Banchrie, Mr John Robertstone of Bandirran, fewars of Mawis, Alexander Stewart in Rochsheal, representing the Earle of Athole, and Mr John Cokat, representing the Earle of Airlie, all of them did declare ther satisfaction therwith, and did willingly accepted to the same, and accept the respective roomes above designed to them, except my Lord of Athols tennents and fewars, whose satisfaction the Presbitrie promised to endeavour and recomended the same to the minister.

“Anent the above mentioned petition presented by Mr John Robertstone of Bandirran, the Presbitrie found that seat petitioned for by him to have been built and possessed for many yeirs by his predecessors and authors, heritors of the milne of Blair, the same having ther name and armes cut on it, as also, by present production of authentick papers, the late laird of Blair to have *per expressum* disponed to the said Mr John Robertstone, his father, together with the milne of Blair and others lands, the foresaid desk and the roome it then stood on: and, therfor, they judge the removall of the said desk out of its old roome to have been disorderlie and injurious to the said Mr John Robertstone, and ratifies and approves the act of the session of Blair made theranent; and doe heirby allow and authorize the said Mr John to possesse the said desk, and to plant it in the roome above designed for him, providing it take up no more roome then is allowed him as his proportion, otherwise to dispose of the same as he sall think fitt.

“The Presbitrie recomends to the minister and session of Blair to sie the hail premisses orderlie executed and observed, and to report ther diligence theranent.”<sup>1</sup>

<sup>1</sup> “*Meigill, Apryl 4, 1671.*”

“This day, John Meik of Leedcassie presented a supplication to the Presbitrie, bearing that wheras the Presbitrie in ther late visitation of the kirk of Blair had assigned and allotted to him a roome in the said kirk proportionable to his heritage and interest in the parish, and that, in obedience to the said Acts of visitatione ther, he had built a seat equal to the roome assigned, and had made his addresse to the minister and Session of Blair for ther assistance and oversight in the setting up of his desk, as the foresaid Acts also do appoint, but that in stead of having his roome made voyd for him, that he had found it prepossessed by another who had

In 1674, he had the unpleasant duty of instituting ecclesiastical proceedings against his brother, the laird of Ardblair. The laird had become amenable to the discipline of the Church, but refused to obey the instructions of the Kirk-Session to make public profession of his penitence for his sin. Consequently, his case was referred to the Presbytery, who, on June 23, appointed the minister of Bendochy "to deal effectually with him, and press him to yeild obedience." In the event of his refusal to obey, Blair was instructed to cite him to the next meeting of the Presbytery. Malcolme reported to that meeting that Arblair "professed he was willing to satisfie, if not ordained to goe to the place or pillar of publick repentance quhich he obstinately refused," and that he had been duly cited to appear before the Presbytery. Ardblair, however, disregarded that and two additional private citations, and before proceeding further, the Presbytery appointed a committee to interview him. On November 10, it was stated that he had promised to satisfy the discipline of the Church before Candlemas. He was unable to implement his promise because of illness; and, on his recovery, the Presbytery warned him that, if he failed to do so before their next meeting, they would proceed against him, and that no further delay would be granted. Again he declared his willingness to express his penitence publicly, but only in his own seat, and not in the ordinary place, and requested the Presbytery not to proceed further against him at that time, promising to consult the Moderator and some other members on his case. The Presbytery granted his request, but, in the event of his failure either to meet, or to satisfy, those members, ordered him to be cited to appear at their next meeting. The laird was unable to consult with those clergymen on account of illness. On July 13, 1675, Blair stated that he had not summoned him to appear at that meeting, and "that his fear was, if he should be summoned publikely, wee should lose him, and he would fall of from our Church. The Presbetrie, therupon, resolving not to be rash in summonding him publikly lest he should be irritated, but purposing still to use all lenity towards him, thought fitt to appoint no title nor clame to it, that therefor the Presbitrie, that conforme to ther former Act, they would cause make voyd the roome designed for him for the setting up of his seatt.

"The which desyre the Presbitrie found reasonable, and therfor appointed the Moderator and Mr Harie Malcolme to deal with the persons interested in the obstructing of the said John Meik in the possessing of his roome designed for him; and in the mean tyme that the Acts of the said visitation be extract, and reported to the Archbishop of St Andrew, that, having his ratification, persons concerned may have the benefit of the same for pursuing for ther interest allotted them therby; and this they ordaine the minister of Blair to report to his Session and heritors of his parish."

"*Megil, May 9.*

"John Meek in Ledcassie was possessed in his seat in Blair by the Moderator and Mr Herie Malcolme."

Dr Haliburton and Mr Henrie Malcome, who wer to be at the celebration of the Sacrament in Blair, to speak to him for removing the scandall in the ordinarie way and place." Ardblair, however, absolutely refused to express his penitence in the accustomed place, and the Presbytery, on the grounds that he had not kept his promise, and had abused their lenity, appointed him to be summoned from the pulpit to appear before them. Blair did not summon him for reasons appoven; and, on September 28, the Presbytery, suspecting that he had not satisfied the discipline of the Church, referred his case to the Archbishop and Synod of St Andrews for their advice.<sup>1</sup> During the winter of 1675-76, all proceedings against him were sisted because of Blair's illness. On June 6, 1676, Blair reported that Ardblair "had ingadged to give satisfacione, and that he wold enter his repentance before the congregacione with all conveniencie." He was prevented from doing so at once because of illness and business; but, on August 22, Blair reported that "he hes entred," on September 18, that "he is still willing to goe on," on January 23, 1677, that "he still professes himself willing to satisfie, yet still delays," and finally, on March 23, 1677, "that he hes satisfied."

He was absent from the meetings of the Presbytery from December 7, 1675, to April 18, 1676 on account of illness.

At Newtyle, on May 26, 1685, "the minister of Blair preached on Colossians iv. 3, 4, and, after sermon, with all the ordinary rites and ceremonies, admitted Mr Alexander Mackenzie to the exercise of the sacred office of the Ministry at the said church of Newtyle."<sup>2</sup>

In October 1686, he was appointed by the Archbishop and Synod of St Andrews to collect the fees due from the Presbytery of Meigle to the widows of Dr Lyon and Dr Honyman, formerly Clerks to the Synod.

He was presented by the Crown to Bendochy by warrant, dated at Whitehall, May 4, 1688.<sup>3</sup> He is designated minister of Blair on July 29, 1688,<sup>4</sup> and had been admitted to Bendochy before August 13, 1688, when he is styled minister at Bennathy in the notice of a service conducted by him at Kettins on the Monday after Holy Communion.

He died in 1692.<sup>5</sup> The inventory of his goods was given up by Helen Malcome,<sup>6</sup> his widow, in name of Margrat, Isobell, and Helen, his

<sup>1</sup> There is no reference to the case in the minutes of the Synod recorded in the *Register of the Presbytery of Perth*.

<sup>2</sup> *MS. Register of the Presbytery of Meigle*.

<sup>3</sup> *Abstract of Secretary's Register*.

The presentation to his successor, Mr Gilbert Blair, is dated May 25, 1688.

<sup>4</sup> *MS. Register of the Kirk-Session of Cowpar-Angus*.

<sup>5</sup> *Dunkeld Com. Testaments*, October 14, 1692.

<sup>6</sup> Presumably a sister of his predecessor. His son was cautioner for the executrices. v. *Perthshire Deeds*, March 2, 1694, pp. 272-3 *supra*.

daughters and executrices-dative, and was confirmed on October 14, 1692, Mr Hary Malcome in St Andrews becoming cautioner for the executrices.

He had also a son, William, who, "going to the College," received £6 Scots from the Kirk-Session of Cowpar-Angus on December 20, 1696. On November 21, 1697, he received £6 Scots from the Kirk-Session of Kettins, as bursar of the Presbytery. On January 4, 1714, William Rattray, Clerk of Coupar, is designated the brother-in-law of William Blair.<sup>1</sup>

*1. References in the Register of Sasines for Perthshire.*

Mr Thomas Blair, son lawful to James Blair of Ardblair, as attorney for Catherine Blair, daughter of the said James Blair, and promised spouse of Robert Pattillo, received sasine, June 29, 1657, of the corn-mylne of Kinnochtrie and others; proceeding on a precept in a charter by the said Robert, dated June 4, 1657.

Registered July 15, 1657.

Mr Thomas Blaire, designated as above, witnessed, October 29, 1659, a contract between James Blair of Ardblair and John Blair, his eldest son, on the one part, and Alexander Nairne, fiar of Tullyfergus, on the other part, for infetting the latter in an annual-rent of £116 Scots from the lands of Ardblair and Gormock. Sasine was given on September 15, 1660.

Registered November 8, 1660.

Mr Thomas Blair, minister at Blair, witnessed, September 15, 1674, a marriage contract between John Blair of Ardblair<sup>2</sup> and James Blair, his son, on the one part, and Margaret Blair, daughter of Patrick Blair of Little Blair, on the other part. In terms of the precept, the said James was infet in the lands and barony of Ardblair and others and the said Margaret, in liferent, in the Mains of Gormock.

Registered November 2, 1674.

Mr Thomas Blair, minister at Blair, by the hands of Mr Thomas Blair, schoolmaster at Blairgowrie, his attorney, had sasine, July 2, 1677, of an annual-rent of £16 Scots, to be uplifted from the lands of Morgonstone and Over Persie, proceeding on a precept in letters of obligation by Archibald Campbell of Persie.

Registered July 24, 1677.

<sup>1</sup> *MS. Register of the Kirk-Session of Kettins.*

<sup>2</sup> John Blair of Ardblair, before August 14, 1652 (*Perthshire Decrees*), married Isobel Stewart, widow of John Stewart of Fongorth (*Acts and Decrees, Dal.*, February 7, 1663), who died in January 1650 (*Perthshire Hornings*, xxii. 70). John Stewart was the youngest (5th) son of Sir William Stewart of Grantully (*Perthshire Decrees*, 1667-70, p. 163).

Mr Thomas Blair witnessed, December 22, 1686, a bond of corroboration by James Robertson, son of John Robertson of Bandirran, for infefting David Paton and Eupham, his daughter, in an annual-rent of 60 merks Scots, to be uplifted from the lands of South Bandirran, or the corn-milne of Blair. Sasine was given on March 21, 1687.

Registered March 22, 1687.

*2. References in the Register of Deeds of Perthshire Sheriff Court.*

Mr Thomas Blair witnessed, February 17, 1665, an obligation by James Wilson, portioner of Rattray, and Eupham Blair, spouse to John Wilson of Lochend, for £40 Scots, in favour of John Moon, maltman, burges of Perth: and also a bond by Patrick Anderson, maltman, burges of Perth, for £25 Scots, in favour of George Moon, maltman, burges of Perth.

Registered July 4, 1665.

Mr Thomas Blair, minister at Blairgowrie, and Thomas Gray, school-master of Mulzeing, witnessed, on the 25th and 12th days of March and April 1666, an assignation by Anna Stewart, daughter of John Stewart of Fongorth, of the goods belonging to her father, in favour of William Stewart of Fongorth and his heirs.

Registered March 2, 1667.

Mr Thomas Blair, minister of Blair, and Mr Robert Lundie, brother-german to Mr Thomas Lundie, minister at Rattray, witnessed at Rattray, May 29, 1665, a tack by George Nairn of Tulifergus, and Alexander Nairn, his son and heir, of the fishings of the Keith, and the whole fishing pertaining to them in Erich forment the Barony of Rattray, high and low, up and down, for four years, for 300 merks yearly, £12 Scots to be paid to the minister, and six score salmon to the laird of Pitcur, as superior, in favour of Patrick Cargill, brother-german to Donald Cargill of Haltoune, and John Anderson in Kirktown of Rattray.

Registered June 12, 1669.

Alexander Chalmer of Ower Clowhat granted at Blair, May 7, 1667, a bond for £17 Scots, in favour of Mr Thomas Blair, minister, and the elders of the Session of Blairgowrie: Robert Fergusson in Blackcraig, as principal, and Andrew Syme, his servitor, granted at Blair, June 9, 1665, a bond for £4 Scots, in favour of Mr Thomas Blair, minister, and the Kirk-Session of Blairgowrie.

Registered June 6, 1670.

Mr Thomas Blair became cautioner for John Blair of Ardblair and John Blair of Wester Gormock to a bond (dated at Newtyld and Ardblair,

November 1, 7, and 16, 1671) for 1600 merks, and for an annual-rent of £84 to be uplifted from the lands of Ardblair and Wester Gormock and others belonging to them, in favour of Mr John Nicolson, minister at Errol. John Blair of Ardblair, with James Blair, fiar of Ardblair, and Mr Thomas Blair, minister at Blair, as cautioners, granted at Blair, February 13, 1677, in presence of William Gray of Drumellie and Mr Thomas Blair, schoolmaster at Blair, a bond for £257, 7s. 4d. in favour of Mr John Nicolsone, minister at Errol.

Registered September 18, 1677.

Mr Thomas Blair, Archibald Campbell of Persie, David Blair, brother-german to the laird of Ardblair, and Mr Thomas Blair, schoolmaster at Blair, witnessed at Blair, February 11, 1680, a bond by James Spence, portioner of Midlemawes, for 100 merks, in favour of James Crombe in Burnesyde of Morgounstoune, which bond was assigned to Mr Thomas Blair, minister, on December 9, 1680.

Registered March 29, 1684.

3. *Reference in the Register of Inhibitions for Perthshire.*

Mr Thomas Blair obtained Letters of Inhibition against John Robertstone, sometime of Tullimurdo and afterwards in Weltoun of Crewchie, who by bond (dated July 19, 1676) became obliged to pay £227, 15s. 8d. Scots of bygone stipends due by John Heries, portioner of the Waltoun of Crewchie, and the proportional part of the cost of the manse of Blair due by the said John Heries.

Registered June 6, 1678.

4. *Reference in the Register of Decrees of Perthshire Sheriff Court.*

Mr Thomas Blair, son of the deceased James Blair of Ardblair, donator by gift of the late Protector of the escheat of the goods and lands belonging to William Blair of Balgillo at the time of his denunciation, which was October 23 and November 22, 1656, obtained decree against William Blair of Balgillo, Henry Smith in Glaswill, Robert Miller in Balmacrone, John Cargill, there, and others, for the rents of those lands.

Registered February 19, 1662.

5. *Reference in the Register of Acts and Decrees (Mack).*

Alexander Nairne of Tulliefergus granted, September 7, 1669, a bond, for 100 merks, in favour of Mr Thomas Blair, minister of Blair, and the elders, who assigned it to James Blair of Ardblair. Ardblair obtained decree against Nairne.

Registered November 14, 1684.

## COWPAR-ANGUS

Mr George Hay, 1682-1698.

[If the identification be correct, he matriculated at St Leonard's College, St Andrews, on February 12, 1672.]

He was admitted to Balmerino before September 22, 1678.<sup>1</sup> On August 24, 1682, he was a party to a contract of excambion of the manse and glebe for the house of Boddamcraig, with yards, etc., and 6 acres of land, belonging to Lord Balmerino and John, Master of Balmerino.<sup>2</sup>

He was presented to Cowpar-Angus by John, Master of Balmerino. An Edict toward his admission was served on October 8, and another on October 22, 1682, by Mr David Paton, minister at Kettins, the presentee preaching there. He was admitted to Cowpar-Angus on October 27, 1682, by Mr Henry Malcolme, Moderator of the Presbytery of Meigle, in presence of the ministers of Kettins, Alyth, and Ruthven. He preached his farewell sermon at Balmerino on November 5.<sup>3</sup>

On entering his cure, he found the parish church in an unsafe condition, and, before February 25, 1683, obtained a commission from the Bishop of Dunkeld for an examination of it. The proceedings in connection with the erection and furnishing of the church, which are at least of local interest, are best related in the following extracts from the minutes of the Kirk-Session :—

“ February 25, 1683.

“ This day, intimation made from pulpit that there was ane visitation of the kirk anent its ruinous condition on Tuesday the sixth off March. The heritors and members off the Session appoynted to be present.

“ March 6, 1683 : Tuesday.

“ Whilk day, conveened Mr Silvester Lammie, minister at Essie, Mr Thomas Robertson, minister at Alyth, Mr David and James Patons, ministers at Kettins, by vertue of ane written comission from the Bishop

<sup>1</sup> Campbell's *Balmerino and its Abbey*, 1899, 424. His predecessor was admitted to Carnbee on September 16, 1678.

<sup>2</sup> *Ibid.*, 431.

<sup>3</sup> Those statements are based on the *Registers of the Kirk-Sessions of Cowpar-Angus and Kettins*. According to the *Register of the Presbytery of Meigle*, his admission was appointed to be on November 26 (November 14), and on January 9, 1683, the Moderator reported that he had been admitted in accordance with that Act. The *Register of the Kirk-Session of Cowpar-Angus* bears as in the text ; and continues :—October 29.—Whilk day, Mr George Hay, minister, preached 2 Corinthians tuisse. November 5.—No Session : our minister being at Balmerino preaching his farewell sermon. November 12.—The minister preacht : Ephesians 6. 11 tuisse. November 19.—[Entry repeated.] November 26.—The minister preached Ephesians 6. 12 tuisse.

On October 22, Mr George Hay, minister of Balmerrino, preached at Kettins, the minister being at Cowpar serving Hay's Edict (*Register of the Kirk-Session of Kettins*).

The extracts from the *Register of the Kirk-Session of Cowpar-Angus* are given by the kindness of the Rev. Charles Stewart, B.D., minister of Cowpar-Angus.

of Dunkeld, empowering them to call two wrights and two masons, honest, approuen men, and to cause them view and inspect the fabrick off the church off Cowpar, and to declare upon oath what was the present condition of that house, and whether the parishioners could without hazard attend the worship, as also iff it was reparable upon its own stance ; who, after viewing the ston and timber work, rooffe, and vaults, declared and deponed that the church was quyte ruinous, and altogether unsafe to come and hear sermon in it, and that it could not be repayred where it stood without six tymes also much cost as wold build ane new church in the church yaird.

“ *Apryll 1, 1683.*

“ This day, the minister did acquaint the congregation that, in regard the fabrick off the church was becom so ruinous, both in the walls, vault, and rooff, that many of the heritors and people had quyte deserted it for fear of its falling on their heads, and that the workmen had deponed that nether minister nor hearers could with safety any longer repayr to it, he was necessitat to leave off preaching any more there, but that they might not be depryved off the ordinances, he wold (till ane new church should be built) preach thereafter in the low vaults off the Abbay.

“ *Apryll 8, 1683.*

“ A Minister preacht in the abbay vaults twyse on Colossians 3. 4.

Given for raising of Horning against the heritors for building ane new church, and for James Duthy, younger, his expenses in goeing expresses to Edinburgh for it . . .	£05	12	00
Given to George Cathro for translateing the pulpitt, and setting it up in the Abbay with the reader's seatt . . .	1	0	0
To Andrew Turnbull who helped . . .	0	12	0
To William Logie, smith . . .	0	12	6
For putting on the doors on the Laigh Abbay and mason work . . .	1	0	0
For meat and drink to them . . .	0	8	0
<i>Item</i> , for meat and drink to Alexander Rae and Robert Brown, masons, and to Robert Carr and George Cathro, wrights, who viewed the fabrick off the old church att the meeting of the visitation, March 6 . . .	01	04	0

“ *January 24, '86.*

“ No Session: the minister at Edinburgh anent the obtaining of ane decreet befor the Lords of Counsell for building an new church.

“ *February 7, '86.*

“ Whilk day, the minister reported that he had now obtayned ane decreet befor the Lords of Privie counsel, for building ane new church within the abbey church yeard ; and that he was resolvd with all diligence

to see it made effectual, the present place for divine service being so dangerous and incommodious.

“ *Apryl 11.*

“ Quhilk day, after the sermon in the forenoon, the minister did desyr the heritors to meet (for stenting themselvs to build ane new church) upon Tuesday at ten in the forenoon, with certification to such as should not meet, he would they should be proceed against as did accord of the law.

“ *Apryll 18.*

“ Conforme to the last dayes intimation, the major pairt of the heritors did meet and stented themselvs in 28 lib. Scots on each 100 lib. of valued rent ; and did choyse Hendrie Blair of Newton-milne collector, empowering him to agree with Alexander Rae in Balmaw, mason, and all other workmen needfull, both for building and finishing the church and school-house according to the decret of the Lords.

“ *May 9, '86.*

“ This week bypast on Fryday, being May 7th, Alexander Rae, Patrick Brown, and William Archer, masons, began to lay the foundation off the new church, being served by two barrowmen ; John Barclay, hyred to lead the stons from the old church, and James Simson, younger, to throw down the walls, James Gourlay to digg and carry the mortar, and so this work at length after four years obstruction was happily begun.

“ *December 12 (5 ?).*

“ This day after the forenoons sermon, the minister did intimate to the congregation, that since the new kirk was now finished as to the fabrick and rooff, that, the next Lord's day, the publict divyn worship was to be performed there and in all tyme comeing, and exhorted them to be thankfull to God that had now provyded for them a decent and convenient place for serving off Him ; and the better to evidence their gratitude, intreated them to extend their charity to the poor, and not to come befor the Lord upon the first day of their entrie to His house empty handed.

“ *December 12, 1686.*

“ George, Bishop of Aberdeen, preacht Haggaj 2. 6, 7, 8, it being the first sermon that was preacht in the new kirk off Cowpar. Whilk day, collected by James Wightan and James Wilky, collectors appoynted thereanent, £14, 12s.”<sup>1</sup>

<sup>1</sup> *December 12, 1686.*

“ After sermon the Session mett, and ordained, that whereas formerly the Collection was wont to be gathred at the door, that heerafter it should be gathred by two of the deacons within the Church, the one of them collecting the east end, the other the west end of the Church, and both of them to begin after the ending of the last psalm, during which tyme of their going through the Church, the reader

## 470 FASTI OF THE PRESBYTERY OF COWPAR-ANGUS

Hay was Clerk to the Presbytery of Meigle from October 28, 1684, to April 7, 1685. On the latter date, there was no Exercise, Hay, one of the speakers, being reported "sick of ane tertian ague."

He was appointed by the Bishop Moderator of the Presbytery of Cowpar-Angus, officiating for the first time on November 1, 1687, and was continued in the position by the Bishop and Synod till the fall of Episcopacy.

is ordered to read a portion of the Scriptures and these two collect a moneth together" (*MS. Register of the Kirk-Session of Cowpar-Angus*).

The following references to the furniture of the church may be of interest:—

"December 12, 1686.

"This day, the minister proposed to the session the buying of ane church byble, since ther was non belonging to the church in former tymes : which they all approved and recommended to himself to buy one.

"December 26.

"This day, the new byble in folio and ane red leather cover produced : payed for it out of the box twelve pounds Scots."

The Kirk-Session of Alyth obtained a pulpit Bible from Holland. "The Session was weell satisfied therwith, and ordained a false skin to be put upon a . . . given for bringing it out of Dundie 6s." (January 24, 1675).

The price of the Bible is not stated.

The Synod of St Andrews, in April 1611, ordered each minister to urge his parishioners to buy for the church "ane commoune Byble"—"ane of the Bybles laitlie printed be Andrew Hart"—under penalty of £6 (*Selections from the Minutes*, 10).

March 20, 1687.

"Gifted by a Gentleman, for decoring the pulpit off the new church, which James Wightan bestowed as followes, 28 lib. Scots. *Imprimis*, To William Archer, for 2 dayes work for building the foundation under the pulpit of ston, without meat or drink, £1, 2s. *Item*, To Alexander Skeen, for mullers to the pulpit head and for making the baptisme seat, £2, 2s. *Item*, 3 dails for the baptisme seat, £1, 7s. ; four score nails, 6s. 8d. ; Alexander Skeen, for ane forebrod to the pulpit and ane uther brod at the syd, 14s. *Item*, ane ell of English cloth green and fyve ell green wattins, £6, 9s. 4d. *Item*, 7 ounce and 5 drop silk fringes, £7, 8s. 4d. *Item*, 3 ell course green for a cover to the pulpit cloth, £2 ; to Andrew Fleeming, for varnishing the pulpit, £1, 10s. *Item*, to Alexander Skeen for collection brods, 18s. *Item*, to James Thome, taylior, for making the two pulpit cloaths, £1, 4s. ; to William Logie, for making a batt and rectifieng the stud of iron that upholds the bason for baptisme, 5s. 4d. *Item*, two hundreth tacketts and ane ell green stentin, 12s. 8d. *Item*, one pound iron and also much lead, 5s. 8d. ; eight drop green silk and the working it for fringes, 13s. 4d. *Item*, for nails, 8s. *Item*, for sixtie nails, 2s. 8d. *Item*, 14 unce and half lead, for securing the pulpit with iron batts in the wall, 2s. 8d. *Item*, to John Watson, carpenter, for helping Alexander Skeen at the work, 6s. 8d. *Item*, the workmen a pint ail, 1s. 8d. Which extends to the soume off twenty eight pounds Scots gifted as said is."

May 29, 1687.

"Whilk day, the minister proposed ane overture in the session, that since the heritors had been at considerable expenses in building ane new church, and had left sufficient room for accomodating the inhabitants off the town with seats in the middle off the church, the saids inhabitants being at no expenses in building the church, that, therefore, there might be ane collection appoynted for buying of silver cups for the comunion service, as also among the tennents and sub-tennents of the parish for helping to buy the saids cups and new table cloaths : whilk the session thought verie expedient, and, therefore, recomended to the minister, James Wightan, Andrew Ritchie, and David Myles, to gather the said collection the week

On February 7, 1688, he was absent from the meeting of the Presbytery, being "at the funeralls of his sister-in-law at Perth."

He retained his charge at the Revolution, but afterwards failed to qualify as the law enjoined.

In 1691 Lord Kinaird and other heritors of Errol called him to be after the cloth mercat of Perth: and the session clerk to goe along (and to write in ane roll what each person gave) from house to house.

"June 26, '87.

"Debursed for four new communion tables with fixed fourms. *Imprimis*, for 115 flooring and 20 plenshion nails, 6s. 8d.; 2 daills for rannsetts to the tables, 15s.; four dales for the desk and table in the school, £1, 16s. *Item*, bought from James Wightan eleven trees and ane half at 15s. per tree, £8, 12s. 6d. *Item*, to two wrights, viz., John Donaldson and his brother, without meat or drink, being nynteen dayes work betwixt them at 14s. to each per day is £11, 6s. 8d.

"August 8, '87: Monday.

"The Comunion Cups made at Perth by Robert Gardine weigh (both of them together) twenty seven ounces, the pryce of each ounce and workmanship thereof (the money being fine) was £3, 16s.; the totall sowme is £102, 12s. Off which forsaid sowme, the inhabitants of Cowpar, tennents and sub-tennents in the parish, gave voluntarily for the use forsaid nyntie one libs. four shillings. The remnant, which makes up the forsaid totall sowme, was taken out off the box, £11, 8s."

The Minute of the Kirk-Session on March 12, 1696, proceeds:—

"The minister and elders of the Kirk-Session being mett, and taking to their consideration that the new built church will frequently require money to uphold it both in the roof and windows, Therfor, that the said church may not turn ruinous, they have thought fitt, with the speciall advice and consent of the heritors of the said paroch, to keep the samen water and wind tight, to allott and appropriat ten pounds Scots money as the pryce of every buriall place for each man or woman within the midle of the said church from the on end to the other, and five pounds Scots for each child within twelve years of age, (excepting allwayes that space of ground, betwixt the ston pulpit door on the west and the baptism seat on the east of the pulpit forward from the south wall to the pillars of Arthurstans loft, as the constant buriall place of the ministers of the paroch and their families); declaring hereby that the said money which shall be uplifted for burying of honest persons who are not heritors, according to the rates befor mentioned, shall be put into the Kirk box, and kept in a box by itself, to be employed for reparation of the church fabrick, as is above said. The room for buriall of such persons (not heritors) within the midle of the church throughout not exceeding two ells in breadth, the rest of the room being, every on according to their seats and present possession, the proper buriall place of the heritors, who hereby declare that it shall not be leesom for them to permit or allow ane burying place for any by way of tolerance within their respective divisions who doe not belong to their own families, unless that, for each person so tolerate, the above-written rates be duely payd, as if they had been buried in the midle of the church."

The General Assembly of 1576 forbade interments within the church, and ordained "that the contraveeners be suspendit from the benefites of the kirk, qwill they make publick repentance" (Peterkin's *Booke of the Universall Kirk of Scotland*, 160).

"No burial to be within the kirk, vnder pane of x lib." (*Selections from the Minutes of the Synod of Fife*, 20).

At the visitation of Linlithgow by the Archbishop of St Andrews on July 3, 1611, those who alleged that they had "infetmentis of buriall" were enjoined to produce the evidence of their rights at the following Synod: otherwise, that their claim should be disregarded. Licences granted by the Kirk-Session were withdrawn: "and sic as hes infetmentis, or hes bought their buriallis or yit helpis the interment and vphald of the kirk, ar permitted and licenced to keip their rychts of buriall, till forder ordour be tane thairanent" (*Ibid.*, 23).

minister there. The Presbytery of Perth ordered a letter to be written to Lord Kinaird, to the effect that their call was illegal and Hay incapable of being called, as not having been admitted to ministerial communion as the law required.

On June 2, 1697, a libel against him was presented to the United Presbyteries within the Province of Angus and Mearns by Mr Adam Scott, in name of "some heritors and others concernd in the parish of Cowpar in Angus." On June 9, it was referred to the Commission of the General Assembly for their advice, but, as was reported on August 18, was not considered by that body because of pressure of business. The United Presbyteries on August 18, considering that Hay was a nonjuror and therefore under Act of Parliament not legally minister of Cowpar, ordered the church to be declared vacant on August 29, 1697. On August 31, it was intimated that that appointment had been kept, and the Presbytery at once provided supply, but on September 14, delayed to provide further supply until after more mature consideration.

Mr Walter Ainslie, minister at Minto, was appointed to supply the vacant charge on the first three Sundays of May 1698. On May 1, he found the church "prepossest by one Mr Ratray," but preached in the churchyard to what he reported to be a considerable auditory, and apparently without molestation. On one of the other Sundays, however, he did not escape violent opposition. He declared to the Presbyteries, on May 18, "that while he was passing along the street of the said Town towards the church, in order to have execute his said commission there, he was in a most turbulent, rude, and insolent manner surrounded with a great croud of people, who would neither suffer him to enter church nor churchyard, so that he was necessitate to preach in the open street of the said Town of Cowpar." The Presbyteries transmitted an Information by Mr Walter Ainslie of the circumstances, and also Informations by Mr Archibald Deans, minister of Bowdon (Bowden),<sup>1</sup> "of the opposition

<sup>1</sup> The circumstances are related in a libel raised before the Privy Council at the instance of Deans, with the concurrence of Sir James Stewart, His Majesty's Advocate. It appears that Deans, one of the ministers delegated by the General Assembly to preach in Angus and Mearns, had been appointed by the Presbytery of Dundee to preach on three Sundays at Blairgowrie, and on the first, May 8, to declare the church vacant through the deprivation of Mr Gilbert Blair. He duly went to Blairgowrie, but found the church doors closed against him and "ranforced within." He demanded the keys from Walter Rodger, the beadle, but the beadle refused to deliver them up. Deans then required John Drummond of Newtoun, one of the heritors, either to give up the keys or to cause the beadle to do so. Drummond, however, said that he was not concerned in the matter, and that he desired no such ministers as Deans to preach at Blairgowrie, as they were well enough supplied. Patrick Johnston of Gormack, another heritor, was also approached by Deans with the same demand, but he replied that he neither held the keys nor would order the beadle to surrender them, though the beadle might do so if he chose. Unable to obtain admission to the church, Deans preached in the

and most intollerable abuses committed against him by the insolent rabble at Blair," and by Mr James Marre and Mr James Robertson concerning the rabbling of them at Newtyle, to the Lord Advocate, with the request that summonses should be issued against the guilty parties. At the same meeting, the laird of Arthurstone, by letter, "signified the sense he and the rest of the well-affected party in the parish had of the Presbyteries care of them in sending them such a supply, but regrating the bad and undeserved maletreatment he (Ainslie) had mett with at Cowpar," and requested them to continue to supply Cowpar, in accordance with an Act of the General Assembly dated January 22, 1698. The Presbyteries agreed that the parish should receive "a share of the ordinary supplies," and "cheerfully" offered "their concurrence for addressing the Council for free access to the said church of Cowpar, it being now a most fit season to do the same," inasmuch as the Informations of Ainslie and others would be forwarded to the King's Advocate.

churchyard, "with great trouble and throwing of stones by a disaffected rable," while within the church, public worship was conducted by Mr Alexander Mackenzie, who had been deprived of his charge of Newtyle by the Privy Council and had not qualified as the law required. On the following Sunday, May 15, Deans again went to Blairgowrie in discharge of his commission, but was met by a mob of men and women, some of them armed, who had watched all night at the church. Among them were John M'Leran, footman to John Drummond of Newtoun, and Mr Gilbert Robison, younger, of Drumlochie. Whenever Deans endeavoured to enter the church, the mob pelted him with stones, divots, and rotten eggs, and hurled at him much opprobrious language. He then approached the heritors present in the churchyard, viz., James Blair of Ardblair, John Drummond of Newtoun, Patrick Johnston of Gormock, Mr Gilbert Robisone of Drumlochie, James Couper of Lochblair, Paull Farquharson of Rachalie, with whom were Mr Henry Fife, designated pretended minister at Ruthven, informed them of his commission, read to them an Act of the Privy Council ordering the heritors to deliver the keys to the Presbytery or those having commission from them to preach there, and demanded access to the church. During the reading of that Act, Deans was hustled by the crowd, the heritors standing passively by though required by him to interfere for his protection. The heritors replied that they did not hold the keys, but at once entered the church, refused access to it to Deans, and joined in public worship conducted by Fife, whom he had previously, and in name of the Presbytery, forbidden to preach there. Deans preached in the churchyard, but was mocked at and reviled by William Blair, son of Ardblair, and John Drummond, son of Newtoun, while John M'Leran and John Robertson, servant to Sibilla Foulter in Blair, flung stones, and John Kilgour in Blair cast rotten eggs at the people and minister, and John Ednie, son to David Ednie, flung stones directly at the minister. Deans was accompanied by John Ratrey in Meikhower (Meikleour): he too suffered violence, being beaten by — Robertson, son of Drumlochie, and William Sanders, brewer in Blair.

On May 29, in accordance with his commission, Deans again preached at Blairgowrie. Such was the "perverse obstinacy of the saids rablers," it was declared, that stones were flung by John Lesly, servant to Lochblair, James Mitchell, servant to Ardblair, and Thomas Ednie, son to David Ednie, and that James Milne, servant to Robert Nuckle in Blair, "did beat with a great cudgell and many strokes" Walter Robertson in Calless and James Cargyl in Rattray, who assisted the minister by obtaining a chair for him and flung away the chair and broke it in pieces (Acta, July 5, 1698).

On August 2, 1698, Hay was deprived of his charge by the Privy Council for continuing to officiate without having taken the oath of Allegiance and subscribed it with the Assurance as the Law required.

He was also enjoined never to officiate again in the parish, and to remove from his manse and glebe before November 1 : and it was ordained that the keys of the church should be delivered up to the Moderator of the Presbyteries. In the letters of Complaint, it was declared that he could be proved guilty of such ecclesiastical irregularities as baptising and marrying persons in a disorderly way, that he had never read the proclamations appointed by Authority, and continued to infest the parish of Couper of Angus to the disquiet of the settled order and peace of the Church.<sup>1</sup>

So far as the *Register of the Kirk-Session* bears, Hay preached at Cowpar for the last time on July 17, 1698.

The Minute of August 28, 1698, runs :—

“ Mr George Hay, minister, having been cited to appear befor the Lords off the Secret Councell, because he had not taken the oath off Alleadgance and subscribed the assureance, and accordingly compearing befor the saids Lords at Edinburgh, he was by their sentence deprived off his benefice, as not having given obedience to the acts off Parliament appoynting ministers to sweare alleadgance to King William and subscribe the assureance, and inhibit to exercise his office within this parish.”

A commissioner from Cowpar named Andrew Chapman appeared before the Presbyteries on November 2, 1698, and, among other things, craved the Presbytery to cause Mr George Hay to deliver to the Kirk-Session the Kirk-Bible, the Session-book and Registers, two Communion cups of silver, the Kirk box, with its two keys, the poor's bonds, the poor's money, a bason for Baptism, a velvet mortcloth, and two little mortcloths, and all other property belonging to the Kirk-Session. The Presbyteries instructed the Moderator to write to Hay to deliver them to the Kirk-Session.

On March 10, 1700, it was intimated that the property of the Session had been given up by Mistress Hay, and that she had received a receipt and discharge from the minister and heritors.

A Petition by him was considered by the Privy Council on December 6, 1698. He stated that he had been deprived by the Council some time before Michaelmas last ; that, in consequence, he and his large family were on the verge of hardship and want ; that, in pity, John, Master of Balmerino, the patron, was prepared, if their Lordships consented, to pay him the stipend due at Michaelmas ; and that Mr Mongo Gibson, minister at Abbotrule, who had preached some few Sundays between the deposition

<sup>1</sup> *MS. Register of the Privy Council, Acta.*

of the petitioner and Michaelmas, had remitted the fee of 20 merks due to him by Act of Parliament for his services on each Sunday. The Council granted him the stipend for the latter half of 1698.<sup>1</sup>

He married Margaret Haliburton,<sup>2</sup> and had four sons,<sup>3</sup> William, George, James, and George, and three daughters, Jean, Anna, and Margaret. A daughter was buried in November 1699.<sup>4</sup>

He had an elder brother, William,<sup>5</sup> and a younger, James,<sup>6</sup> admitted minister at Newburn, September 16, 1685.

## KINCLAVEN

Thomas Murray, 1687-1693 (*v. p. 273 supra*).

## KINLOCH

Alexander Balneaves, 1687-1689.

The younger son of Mr Alexander Balneavis, minister of Tibbermuir, and Katherine Reid, his wife,<sup>7</sup> he matriculated as a student of the second year at St Leonard's College, St Andrews, on March 9, 1681.

<sup>1</sup> Decreta.

<sup>2</sup> Scott's *Fasti*, vi. 745. She had a sister, "the Ladie Monorgan and Clerk Pilmore's relict" (*MS. Register of the Kirk-Session of Cowpar-Angus*, March 3, 1700).

<sup>3</sup> There was no service on November 11, 1694, the minister being at St Andrews with his son (*Ibid.*).

<sup>4</sup> *Ibid.*, June 23, 1700.

<sup>5</sup> "The minister at Perth, preaching in his elder brother's absence who was transporting his family" (*MS. Register of the Kirk-Session of Cowpar-Angus*, February 3, 1684).

Mr William Hay, minister at Kilconquhar (admitted November 19, 1673), and afterwards minister at Perth, and Bishop of Murray—"by Balcarras his favour" (Fountainhall's *Historical Notices*, ii. 834)—preached, in connection with the yearly celebration of Holy Communion, at Cowpar-Angus in the years 1683-1687.

The *Register of the Kirk-Session* contains other references to the Bishop:—

March 11, 1688.—"Mr Thomas Murray, minister of Kinclavin, preacht twyse Psalm 73. 25, the minister being in St Andrews witnessing the consecration of his brother, the Bishop of Murray." May 20, 1688.—"Quhilk day, the minister absent at Perth assisting his brother, the Bishop of Murray, in administrating the holy sacrament of the Lord's Supper, there was no preaching but reading." June 17, 1688.—"William, Bishop of Murray, preacht twyse, Proverbs 4. 7." March 10, 1689.—"The Reverend Bishop of Murray preacht twyse, Ezra 8. 22 *parte ultima*." May 19, 1689.—"My Lord Bishop of Murray preacht twyse, John 2." May 26, 1695.—"The minister being gone North to Ennerness to see his brother, the Bishop of Murray, that was sick, Mr James Paton preached afternoon Mark 3. 28." October 31, 1697.—"The minister not at home seeing his brother at Ennerness."

He was deprived of his benefice of Elgin on October 15, 1689.

William, Bishop of Murray, applied to the Crown for aid in his necessitous circumstances, and Queen Anne, on April 17, 1704, granted him £100 sterling (*MS. Treasury Sederunt*, x. 434). On November 21, 1706, the Lords of the Treasury agreed that that sum should be uplifted from the rents of the Bishoprick of Ross (*Ibid.*, xi. 137).

<sup>6</sup> He married about November 14, 1686. The minute of the Kirk-Session of Cowpar-Angus on that date runs:—"Mr James Paton, minister of Kettins, preached twyse, our minister being at Perth at his younger brother's marriage."

<sup>7</sup> *Perthshire Deeds*, December 24, 1669.

He is designated late minister at Tibbermuir on December 6, 1687, when an Edict towards his admission to Kinloch on the presentation of the Bishop was called at the church of Cowpar. He was admitted before January 24, 1688,<sup>1</sup> when he was one of a commission appointed by the Bishop to apprise the manse of Meigle. On October 1, 1689, a petition by the laird of Dowhill, in his own name and in name of the rest of the heritors and parishioners, and by Sir John Dalrymple, His Majesty's Advocate, for His Highness' interest, for his removal, was considered by the Privy Council. The petitioner averred that Balneaves (Balnaves) had neither read the Proclamation of April 13, issued by the Estates of Parliament, nor prayed for William and Mary as King and Queen; that he continued to pray for the restoration of King James to the Throne; and that he had wilfully neglected to read the proclamations for a Thanksgiving and a Fast. Balneaves had been cited to appear, and was present. He admitted that he had neither read the Proclamation of the Estates, dated April 13, nor prayed for their Majesties in terms thereof; and, accordingly, was deprived of his benefice, forbidden to discharge any part of the ministerial office in the parish of Kinloch, and ordered to remove from his manse and glebe at Martinmas.

He petitioned the Privy Council in 1691. He stated that, for some years till Martinmas 1689, he had served the cure of Kinloch, with the approbation of the people, and had lived there "most peaceably without any disturbance"; and that the Highland army had entered the parish, and had destroyed his corn, and despoiled his house. He further represented that the stipend for Kinloch for 1690 was at the disposal of the Council, no clergyman having served the parish since his removal, and that the heritors, as a certificate under their signatures testified, were willing that he should receive it. He, therefore, craved the Council to grant him a warrant to uplift the stipend, in reparation of his losses. The Lords, on July 14, 1691, granted him the stipend of Kinloch for the first half of crop 1690, and ordered the heritors to make due payment of it according to the locality, if one had been authorised, and if not according to the proportions decerned by the ordinary judge.

Another petition was presented by him to the Council. After recapitulating the narrative of his former petition concerning his losses at the hands of the Highland army, he stated that the proportion of stipend granted to him would not "by half repair the forsaid losses," that he had discharged his office in the parish for three months after Michaelmas 1689, and that in those months his chief loss had been sustained. He, therefore, craved warrant to uplift also the second half of the stipend for 1690. The Lords ignored his acknowledged dis-

<sup>1</sup> Perhaps before January 15.

obedience to their Act of October 1, 1689, and granted the prayer of his petition on August 4, 1691.

Balneaves died between November 17, 1691, and January 5, 1692.<sup>1</sup>

In his Testament and Inventory, given up by his brother, Mr John Balneavis, minister at Dumbarnie, decerned executor *qua* creditor, it was declared that James Blair of Glasclune, James Hering of Callies, and Alexander Mitchell, factor for Dowhill, were indebted to him, and that stipend was due to him for crop 1690 from the lands of Balleid, Tommanet, Ballburdoch, and Neither Ballcarne.<sup>2</sup>

1. *Reference in the Register of Sasines for Perthshire.*

Mr Alexander Balnavis witnessed, August 29, 1690, an instrument of sasine, of the lands of Nether Balcairne and others, in favour of James M'Condochie, tailor, Edinburgh, and Marie Smyth, his wife; proceeding on a precept in a charter by Patrick Johnston of Gormock, writer, Edinburgh, dated July 30, 1689.

Registered August 30, 1690.

2. *References in the Register of Deeds of Perthshire Sheriff Court.*

James and Alexander Balneavis, sons of Mr Alexander Balneaves of Carnbadie, students at St Martins, witnessed at Myrside, August 8, 1675, a bond by Alexander Martin, portioner of Newmylne, for 50 merks, in favour of John Martin in Craigincuran, his brother-german.

Registered August 18, 1679.

Mr Alexander Balneavis, minister at Kinloch, granted at Drone, July 12, 1688, a bond, for 100 merks, etc., in favour of Mr John Tailour, minister at Dron, which he assigned to Barbara Balnavis, his wife, March 19, 1690.

Registered March 19, 1690.

Mr Alexander Balneaves, minister at Kinloch, with Mr John Balneaves of Friertoune, minister at Dumbarnie, and James Balneaves of Kirkland, as cautioners, granted at Perth, November 17, 1691, a bond, for 500 merks, etc., in favour of Lawerance Oliphant, brother-german to the laird of Bachilton, which bond was assigned, August 2, 1693, to the said Mr John Balneavis.

Registered March 20, 1693.

3. *Reference in the Register of Inhibitions of Perthshire Sheriff Court.*

Mr Alexander Balneaves, minister of Kinloch, youngest son of Mr

<sup>1</sup> *v. infra*, *Perthshire Deeds*, and Strachan, St Martins.

<sup>2</sup> *Dunkeld Com. Testaments*, November 22, 1694.

Alexander Balneaves of Carnbadie, assignee by letters, dated November 15, 1689, to the sum of 7000 merks, etc., payable by Sir Andrew Murray of Murrayshall and Dame Rebecca Cheap, his wife, to the said Mr Alexander Balneaves, senior, under a contract of marriage (dated July 17, 1688) between James Ballneaves, eldest son of the third marriage of the said Mr Alexander Balneaves (therein designed minister of Tippermoor) and Cathrin Read, on the one part, and Cathrin Murray, eldest daughter of the second marriage of the said Sir Andrew Murray and Dame Rebecca Cheap, on the other part, having obtained decree of the sheriff of Perth for payment on September 15, 1690, raised Letters of Inhibition against Sir Andrew Murray, March 5, 1691.

Registered April 25, 1691.

#### LETHENDY

George Ireland, 1687-1689.

A son of Mr Alexander Ireland, minister at Kinclaven,<sup>1</sup> and Grissel Lundie, his wife, he matriculated at St Leonard's College, St Andrews, on February 28, 1676, and graduated Master of Arts on July 24, 1679.

He was appointed Prebendary of Capeth M'Athell by George, Bishop of Dunkeld, on April 25, 1663.<sup>1</sup>

He was admitted to Simpron<sup>2</sup> about 1683.

In 1687 he was presented to Lethendy in succession to Mr David Young. The Edict in order to his admission was returned at Dunkeld on September 7, and none appeared to object. He was admitted before September 29, 1687.<sup>3</sup> In virtue of his benefice, he was Chancellor of the Cathedral, and he retained the prebend of Capeth M'Athell.<sup>4</sup>

He was frequently absent from the meetings of the Presbytery of Cowpar-Angus on account of illness. He was alive on February 5, 1689.<sup>5</sup>

He married Jane —, who was appointed executrix of his Will, confirmed April 18, 1689, Mr Gilbert Blair, minister at Blair, becoming cautioner for the executrix. In that document, an item appears of "ane hundreth merks for droggs warred wpon the said defunct the tyme of his sicknes and lx lib. warred wpon his funeralls." Bonds were due by him to Mr John Lowson, and Mr Alexander Ireland, minister at Fossway, assigned to the widow, April 1, 1689. There were due to him, in addition to the unpaid stipend of Lethendie, £40, the estimated half year's rent of Chancellory dues of money, "kaindes" and casualties: £16, 13s. 4d. for the prebend of Capeth Makathill for an half year: £66, 13s. 4d. by

<sup>1</sup> *Perthshire Sasines*, January 15, 1670. v. vol. i. p. 305.

<sup>2</sup> *Ibid.*, September 16, 1686.

<sup>3</sup> *v. supra*, payment by Annabell Drummond.

<sup>4</sup> *Perthshire Sasines*, March 8, 1689.

<sup>5</sup> *MS. Register of the Presbytery of Cowpar-Angus*.

Annable Drummond, for the duties of the glebe, and vicarage teinds for 1687, uplifted by her: £4, 16s. by the representatives of William Cuming in Dunkeld, for the feu-duty for four years of the Mains of the Prebendary of Capeth Makethill.<sup>1</sup>

## RATTRAY

David Ranken, 1687-1689.

A son of Alexander Ranken of Pottie, merchant,<sup>2</sup> and sometime treasurer and bailie of the city of Perth,<sup>3</sup> and Agnes Reid, his wife,<sup>4</sup> he matriculated at the University of St Andrews on February 22, 1675, as a student of St Salvator's College of the second year, and graduated Master of Arts on July 28, 1677. He studied Theology at the New College, St Andrews.

On September 24, 1679, he appeared before the Presbytery of Perth, and requested that he should be taken upon trials in order to licence, according to the Act of the Synod. The Presbytery prescribed a text for an homily. On March 17, 1680, he was appoven in his trials. With other expectants within the bounds, he was appoven in life and conversation at the diet of Privy Censure on September 22, 1680.

The post of senior doctor of the Grammar school of Perth became vacant at Whitsunday 1682. On July 17, "The Counsell, haifing had a desyre fra Mr David Ranken off being ane of the doctors of the gramer scooll in place of Mr Thomas Hall," unanimously appointed him to the place of "eldest Doctor" of that school, as from Whitsunday, and after their meeting formally admitted him to the charge. On February 2, 1685, the Town Council of Perth, "considering that the place as precentor in the church of this brugh is now vacand by the deceas of Andro Garioch, and being desyreous to fill up the same with ane qualified persone, and

<sup>1</sup> *Dunkeld Com. Testaments*, April 18, 1689. He died probably before March 5.

<sup>2</sup> *Perthshire Deeds*, September 14, 1678. He died in 1679 (*St Andrews Com. Testaments*, February 25, 1702).

<sup>3</sup> *MS. Records of Perth City*, 1660-64, *passim*.

<sup>4</sup> *Perthshire Deeds*, September 12, 1685.

She was a daughter of Andrew Reid, merchant, burges of Perth—"the great merchant in St Jhonstone" (*Chronicle of Fife*, 136)—and Margaret Bisset, his wife. Her sisters were Margaret, Issobell, Elizabeth, Cathren, who married Mr Robert Lundie, Marjorie and Jonet, who married James Home, merchant, burges of Edinburgh (*Acts and Decreets*, Dal, July 26, 1671).

She, her daughter Margaret, and her servant were prosecuted for attending conventicles, and were denounced rebels (*Perthshire Hornings*, July 1, 1682—vol. xxvii. 150-3).

Their other children were Alexander, who married Elizabeth Scrymzeour, daughter of Hugh Scrymzeour of Eister Balraymonth (*Acts and Decreets*, Dal, February 28, 1677), and who was a prisoner in the Tolbooth of Perth on October 1, 1683 (*MS. Records of Perth City*): James (*infra*, *Perthshire Deeds*), probably the person designated servitor to Thomas Hay of Balhousie (*Ibid.*, November 14, 1693): Agnes and Elizabeth (*Acts and Decreets*, Mack, *infra*).

haifing good proof and experience of the literatour and good educatione of Mr David Ranken, ane of the doctors of the Gramer Scooll, and not doubting of his qualificationes for excerceing of that office as precentor," unanimously elected him Precentor and Reader of the church of Perth, at a salary of 100 merks yearly, with the dues and casualties which his predecessor enjoyed ; granting him liberty to employ " ane young man, upon his awin expence, for tairking up of the Psalmes in the church," but reserving the right to confer the office of musicianer and teacher of the music school as they should think fit.

Ranken accepted the office, " and faithfullie promiseist to be serviceable therein." He resigned his appointment in the Grammar school.<sup>1</sup>

He was presented to the church of Rattray by the laird of Balhousie, and, on July 5, 1687, entered on trials before the Presbytery of Cowpar-Angus. On August 2, when he had undergone a portion of his trials, a letter was presented to the Presbytery directing that he should be examined no further, with an edict to be served at Rattray by Mr William Rattray, minister at Cargill, and to be returned at Cowpar on August 17. Objectors were duly called at Cowpar on that date, but none appeared. By appointment of the Presbytery, Ranken was admitted to the church of Rattray by Mr Thomas Murray, minister of Kinloch, on Sunday, September 18, 1687.

On September 26, he appeared before the Town Council of Perth and demitted his office of precentor and reader.<sup>2</sup>

Ranken adhered to King James at the Revolution. On October 1, 1689, a petition by Thomas Whitson, writer at Rattray, for himself and in name of the rest of the parishioners, and by Sir John Dalrymple, younger, of Stair, His Majesty's Advocate, for His Highness' interest, for his removal, was considered by the Privy Council. Ranken was present in obedience to a citation. He confessed that he had neither read the

<sup>1</sup> Mr David Ireland was appointed to the vacant post on the recommendation of the Schoolmaster and Ranken, who declared that he was " verie fitt to be advanced " (*MS. Records of Perth City*, February 9, 1685.)

<sup>2</sup> On that date, the Town Council by a majority appointed Walter Moncreiff, writer in Perth, precentor and reader ; but, on October 31, the new Town Council annulled the election, stating that their predecessors had acted " verrie precipitantlie," without consultation with the ministers. On the advice of the ministers, they nominated Mr George Monroe, precentor and reader at the church of Dolor, " precenter of this paroch church of Perth, and master of all musick to be taught within this place both vocall and instrumentall, secluding all others during his serving the cure from offering to teach any of the saids sciences," and recommended the Kirk-Session to give him the " lyke encouragement " as they had bestowed on Garioch and Ranken.

Moncreiff had acted as Depute Town Clerk, and, on May 30, 1687, had been elected to the office of Town Clerk, vacant by the death of Thomas Butter. On December 12, 1687, the Town Council, in obedience to an order dated at Whythall, November 10, 1687, elected James Oliphant, notary in Perth, to the office.

Proclamation of the Estates, dated April 13, 1689, nor prayed for William and Mary in the terms thereof. He was, accordingly, deprived of his benefice, forbidden to exercise the ministerial office in the parish, and ordered to remove from the manse and glebe at Martinmas.

The unauthorised settlement—or intrusion—of Ranken at Bendochy (Benithie) was adduced by the Synod of Perth and Stirling, in April 1693, as an illustration of the “grievances within this Province.”

On November 3, 1698, the United Presbyteries within the Province of Angus and Mearns, and the committee of the General Assembly for the visitation of the North, appointed Mr Samuel Nairn to preach at Bendochy on the 6th, and to declare the church vacant. Nairn declared, on November 8, that he had discharged his commission, and stated “that he got free access to the church, the doors being open in the morning, had a full auditory, and that, in presence of the congregation, he discharged all persons from preaching there without commission and allowance from the Presbyterie of Dundie: as also he signified that there may be seven or eight men found in that Paroch to be Elders, but that although he called for the keys from Mr Rankin, Intruder there, yet he was denyed the same.”

The minute of the United Presbyteries of Dundee, Meigle and Forfar on December 7 of that year proceeds:—

“This day, compeared a commissioner from the parish of Bendochy desireing supply to the said parish, and complaining that Mr David Rankin, Intruder there, did still keep up a meeting house, and that he also keeps up the keys of the kirk-door with the several utensils belonging thereto, and that he sometimes comes and baptizes children in the church, all which are contrary to, and expressive of high contempt of, the present Establishment and comely Order of this Church: whereupon the Presbyterie did appoint their Moderator to write to the said Mr Rankine and represent to him the inconveniency of his keeping up a meeting house in that parish, and his keeping up of the keys of the kirk-door, and other utensils belonging thereto, and his making use of the said church to baptize children, it being now in the possession of the Presbyterie; and withall to certifie him that if he do not satisfie the Presbyterie as to these things, they will be necessitate to take another method.”

Ranken's answer was reported to the United Presbyteries, on January 4, 1699, in these terms:—“That he was resolved to keep up that Meeting-house there as long as Authority would permitt him, but that what utensils belonging to the church he had should be delivered, and, accordingly, that he delivered the keyes of the church doors and a basone: and as to his marrying and baptizing in the church, he promises to forbear to do so

any more, for he can administer the Ordinances in any other place where he hath opportunity."

The Presbyteries, on January 12, 1699, instructed their Commissioners to call the attention of the General Assembly to the many meeting houses kept up by several deprived Episcopal Incumbents, among them that at Bendochy in which Rankin officiated; and on January 25, 1700, in answer to a statement of grievances submitted to them in writing by an Elder from Bendochy, agreed "That the Meeting-houses be represented to the Assembly, and particularly Mr Rankin at Bendochy, a reputed Arminian."

Mr James Ramsay, minister at Cortachie, was admitted to Bendochie on November 27, 1700; and, on that day also, the united Presbyteries instructed their Moderator to write to Ranken, stating that Ramsay had been duly admitted to Bendochie and that Cortachie would be declared vacant "against" January 1, and to require him to leave the manse "against" that date, and to cease at once the performance of ministerial duties in the parish.

Ranken's reply to that letter was unsatisfactory.<sup>1</sup> The Presbyteries found "that the forsaid Mr Ranken declines expressly to give any positive answer to them anent what they require of him." They, accordingly, ordered a copy of the letter of the Moderator and Ranken's reply to be transmitted to the Commission, "that they may give their advice and assistance in applying to the King's Advocate for making void the manse of Bendochie, and removing the meeting house kept in that parish." The Commission, as was reported to the Presbytery on January 1, 1701, gave all the assistance they could.

He was consecrated a Bishop by the College party of the Scottish Episcopal Church on June 11, 1727.<sup>2</sup> He died in November 1728. He has been characterised as "a person of indefatigable labour and diligence in promoting the peace and concord of the church, which being very much defeated by the restless spirit of some, troubled him exceedingly, and the gravel increasing on him at last cut him off."<sup>3</sup> A paper on the "Usages" attributed to him is printed by Lawson.<sup>4</sup>

#### 1. *References in the Register of Deeds of Perthshire Sheriff Court.*

David Ranken witnessed at Perth, August 22, 1672, an assignation by George Moon, maltman in Perth, and Catherine Gray, his wife, of 200

<sup>1</sup> *MS. Register of the Presbytery of Dundee*, November 28, 1700.

<sup>2</sup> Lawson's *History of the Scottish Episcopal Church*, ii. 253. <sup>3</sup> *Ibid.*, 532.

<sup>4</sup> *Ibid.*, 539. It is an interesting fact that Bishop Ranken signed a document declaring Bishop Rattray's election to the Episcopate null and void, his consecration most irregular and uncanonical, and him to be no Bishop of the Scottish Episcopal Church. Bishop Rattray was laird of Craighall in the parish of Rattray, Bishop Ranken's first cure (Tod's *Protestant Episcopacy, etc.*, 552).

merks, being rent of the lands of Fordell due by David Mershall and John Langlands in Fordell, in favour of John Smith, merchant in Dundee.

Registered February 22, 1686.

Mr David Rankin and James Rankin, sons of Alexander Rankin of Pottie, merchant in Perth, witnessed at Perth, August 13, 1677, a bond by Mr Patrick Robertson of Littleton, for 200 merks, in favour of their father.

Registered September 14, 1678.

Mr David Rankin and James Rankin witnessed at Perth, October 12, 1678, an assignation by Alexander Rankin, elder, in favour of Alexander Rankin, junior, his son.

Registered October 12, 1678.

David Rankin witnessed at Perth, May 25, 1677, a bond by his father for 1000 merks in favour of Robert Ross, son of the deceased Robert Ross in Friartoun, and present servant to James Young, bailie in Perth.

Registered November 20, 1679.

Mr David Rankin and James, his brother, witnessed at Perth and Pottie, November 7 and 15, 1677, a bond by their father, for 300 merks, in favour of Alexander Letham and John Langlands, his tutor.

Registered February 28, 1680.

Mr David Ranken and Mr Gilbert Blair, designated respectively minister at Rattray, and son of John Blair and minister at Blair, witnessed at West Gormock, September 16, 1691, a bond by John Blair of Wester Gormock and James Blair, his eldest son, for £140, etc., in favour of Katharine Reid, widow of Mr Robert Lundie, provost of Perth.

Registered September 4, 1693.

## 2. *Reference in the Register of Acts and Deceets (Mack).*

William Pattoun, merchant, burges of Edinburgh, obtained decree against Alexander Rankine of Pottie, Mr David, James, Agnes and Elizabeth Rankin, children of the deceased Alexander Rankin, merchant, burges of Perth, to the effect that the Escheats of the said deceased Alexander Rankin, who was denounced on September 20, 1678, for failure to pay sums due under a bond granted to William Pattoun and George Moseman, burgesses of Edinburgh, belonged to him by gift under the Privy Seal, dated November 22, 1678.

Registered February 22, 1679.

## RUTHVEN

Mr John Fyff, 1666-c. 1691.

He matriculated at the University of St Andrews, as a student of St Salvator's College, on January 28, 1657, and graduated Master of Arts on July 14, 1660.

He obtained licence to preach the Gospel from the Bishop of Brechin,<sup>1</sup> on the recommendation of the Presbytery of Brechin. He was presented by the Earl of Panmure to the charge of Ruthven before December 19, 1665, on which date the Presbytery of Meigle, at the request of the Bishop of Dunkeld, entered him on trials. His trials were sustained on April 17, 1666, and an Edict towards his admission was appointed to be served at Ruthven, objectors being cited to appear at the kirk of Dunkeld on the 24th. On May 5, 1666, "Report was made by the brethren of the Diocie of Dunkell who had beene at the late Provinciale, that Mr Johne Fyf's Edict for being minister at Ruthene was returned to the Bishope duly served, and the said Mr Johne had received Ordinatione from the Bishope at Dunkell, and was recommended to be admitted by the Presbetrie." Fyff was admitted to Ruthven on May 31, 1666, after sermon by Mr Andrew Bruce, minister at Newtyle, and in presence of Messrs John Rattray, Moderator, John Lyon, and Silvester Lambie. From October 20, 1668, till March 30, 1669, from October 14, 1673, till April 21, 1674, from May 13, 1679, till September 2, 1679, and from November 6, 1683, till April 1, 1684, he officiated as Clerk to the Presbytery of Meigle. The minutes from June 5, 1683, till September 25, 1683, were engrossed by him. He was chosen Clerk to the Presbytery of Cowpar Angus. In 1674, a dispute arose between him and the laird of Ruthven concerning the stipend. At a visitation of the parish, to which there is no further reference in the *Register of the Presbytery*, Mr John Lyon, minister at Airlie, had been authorised "to deall with the laird of Ruthvens for ane agreement of some differences betwixt him and his minister anent the payment of his stipend." Lyon reported to the Presbytery, on June 23, that the laird expressed his willingness to discuss the points of difference, and that a meeting had been held for the purpose, but fruitlessly. The Presbytery, anxious for harmony, appointed the minister to endeavour to obtain privately the settlement of the differences between him and the laird, but, if unsuccessful, to take legal steps for the redress of his grievances. On July 14, the Presbytery had the satisfaction of learning that the dispute had been amicably settled. On October 7, 1679, there was no Exercise, "in regard the minister of Ruthen had been so much taken up by attendance on his wife being dangerously sick, and other

<sup>1</sup> MS. *Register of the Presbytery of Meigle*, December 19, 1665.

unavoidable avocations occasioned by her distemper, that he had no leisure to have his thoughts theranent."

Their Registers shew that he had monetary transactions with the Kirk-Sessions of Alyth and Cowpar-Angus.

He was probably dead on November 7, 1691.<sup>1</sup> He had a son Henry.<sup>2</sup>

#### ST MARTINS

Thomas Strachan, 1682-1689.

A son of Mr Thomas Strachan, minister at St Martins, and Margaret Weymes, his second wife,<sup>3</sup> he matriculated at the University of St Andrews on February 9, 1672, as a student in the semi-bachelor class, and graduated Master of Arts on July 23, 1674.

On June 22, 1675, he was presented by the Presbytery of Perth to the bursary at the New College of the churches in the Presbytery within the Diocese of St Andrews, for a period of four years from Martinmas 1675; and on September 1, 1675, he produced to the same Presbytery a presentation in his favour, signed by the Bishop of Dunkeld, at Meigle, on August 28, 1675, to the bursary of the five churches of the Presbytery within the Diocese of Dunkeld for the same period. His theological course, accordingly, was passed at the New College, St Andrews.

At the diet of Privy Censure of the Presbytery of Perth on September

<sup>1</sup> *Dunkeld Com. Deeds*, October 4, 1697.

<sup>2</sup> Henry Fife matriculated at St Salvator's College, St Andrews, on February 25, 1685, as a student of the second year, and graduated Master of Arts on July 24, 1686, "ante statutum tempus."

He was presented to the bursary of the Presbytery on March 2, 1686, as from the following Martinmas, and, on the dissolution of the Presbytery of Meigle, became bursar of that of Cowpar-Angus. The Kirk-Session of Rattray paid him £4, as their proportion of the bursary for 1690, on May 4 of that year.

He is designated preacher at the Church of Ruthvens on November 7, 1691, when he signed at Alyth a bond for 50 merks in favour of John Gibsone of Easter Craig (*Dunkeld Com. Deeds*, October 4, 1697), and minister of and at Ruthens, in bonds (1) signed at the Thorn of Rattray, March 24, 1696, in favour of Thomas Stewart in Thorn of Rattray (*Ibid.*, March 20, 1697), and (2) signed at Alyth, June 29, 1697, in favour of David Crightoune at the Milne of Craigies (*Ibid.*, October 14, 1697). *v. p.* 473 *n. supra*.

On November 3, 1698, the Presbyteries in the Province of Angus and Mearns, and a Committee appointed by the General Assembly to visit the North, ordered Ruthven to be declared vacant on November 6. That ordinance was duly obeyed by Mr James Hadow. He reported on November 8, that he "found free access to the said church, had a full auditory, and . . . called at the manse in order to have demanded the keys of the kirk from Mr Henry Fife, intruder there, but could not have access thereto." The Presbyteries, on January 12, 1699, instructed their Commissioners to the General Assembly to report that Fife kept a meeting house at Ruthven.

Fife afterwards left Ruthven: on January 17, 1700, the Presbyteries appointed the Moderator to write to the laird of Ruthven to deliver up the keys of the church, he, as patron, being supposed to have them in his possession.

<sup>3</sup> *MS. Records of Perth City*, June 19 (9?); 1682; *Reg. of Services, Acts of Curatory, etc.* (Sheriff Court), March 26, 1672.

25, 1678, he, designated student of Divinity, was approven in life and conversation; and on May 14, 1679, as an expectant within the bounds of the Presbytery of Perth, he was again approven and was appointed to have the Addition at the next meeting. He was approven at the diets of Privy Censure of the same Presbytery on September 22, 1680, and March 30, 1681.

He was minister of St Martins on December 4, 1682.<sup>1</sup> A visitation of the parish was held in 1685, and again in 1688.<sup>2</sup>

On September 17, 1689, a petition for his deprivation presented by Lawrence Mecer [Mercer] of Melginch, James Drumond of Gairdrum, William Chalmer, writer in Kirkhouse, Androw Couper and Androw Blair, portioners in Auchnigive, for themselves, and in name of the rest of the parishioners, was considered by the Privy Council. It bore that Strachan had neither read the Proclamation of the Estates dated April 13, nor had prayed for their majesties in terms thereof; that, in contempt of the Proclamation for a public Thanksgiving, he had ordered his servants to work on the very hour appointed for public worship, and had prevented others from obeying the Proclamation; and that, instead of reading a Proclamation for a contribution for the French and Irish Protestants, he "most barbarously, unchristianly, and uncharitably" hindered the reading of it, and neither made, nor permitted to be made, any contribution, either at the church door, or by the elders throughout the parish. It further stated that he prayed daily for King James, for his happy restoration, and for the confusion of his enemies. Strachan was present at the meeting of the Council in obedience to a citation. In his examination, it appeared that he had read the Proclamation of the Estates, and had prayed for their Majesties as King and Queen, but only on the Sunday after receiving his citation. The Council deprived him of his benefice, forbade him to exercise the ministerial office in the parish, and ordered him to remove from the manse and glebe at Martinmas.

A petition by him was heard by the Privy Council on January 5, 1692. It represented that he had served the cure of St Martins till Michaelmas 1689, giving actual obedience to the Government by reading the Proclamation and praying for their Majesties; that on his deprivation the Lords had been pleased to dispose of the stipend of the parish; and he had been assured of the Protection of the Government and that it had been their custom to grant to ministers in similar circumstances the stipend of other parishes when that of their former charges ceased to be available. He stated that the church of Kinloch was vacant by the death of the late minister, and that the stipend for 1691 was at their disposal. He,

<sup>1</sup> *Perthshire Deeds*, vol. 1684-8, p. 235.

<sup>2</sup> *MS. Register of the Presbytery of Cowpar-Angus*, July 17, 1688.

therefore, asked the Council to vote him that stipend. The Lords granted his crave.

Strachan married, after December 31, 1684, Margaret, daughter of Sir Alexander Blair of Balthayock.<sup>1</sup> They had a son.

Strachan was alive in 1715. The *Register of the Kirk-Session of Kettins*, under date May 23, 1715, runs:—"Given to Mr Thomas Strachan, sometime minister of St Martins, for his son who was reduced to straits . . . £6."

1. *References in the Register of Sasines for Perthshire.*

Mr Thomas Strachan, minister at St Martins, witnessed, March 3, 1683, an instrument of sasine of the lands of Kirkland, the milne and milne lands thereof, and the lands of Pitskellie, in the parish of St Martins, in favour of Patrick Hay, Provost of Perth, proceeding on a disposition by John Grahame of Balgowan and his son.

Registered March 6, 1683.

Mr Thomas Strachan had sasine, June 14, 1686, of one eighth and one sixteenth part of the lands of Craigmakirrane, within the Lordship of Scone, proceeding on a precept from Chancery, dated at Edinburgh, April 10, 1686.

Registered June 15, 1686.

Margaret Blair, daughter of Sir Alexander Blair and spouse of Mr Thomas Strachan, minister of St Martins and portioner of Craigmakirrane, had sasine in liferent, June 21, 1686, with consent of Mr Mungo Strachan, writer in Edinburgh, brother of the said Mr Thomas, of the said lands of Craigmakirrane, proceeding on a marriage contract dated 23, 24, and 31 December 1684.

Registered June 22, 1686.

2. *References in the Register of Deeds of Perthshire Sheriff Court.*

Mr Thomas Strachan, student of Divinity, witnessed at Perth, May 23, 1677, a bond by Margaret Weymes, widow of Mr Thomas Strachan, minister at St Martins, for £50 Scots, in favour of Andrew Grant in Kamealland.

Registered March 11, 1681.

Mr Thomas Strachane, minister at St Mairtines, granted at Perth, September 1, 1696, a bond, for £36 Scots, etc., in favour of John William-son of Barnehill, Sheriff clerk of Perth.

Registered February 8, 1698.

<sup>1</sup> *Perthshire Sasines*, June 22, 1686.

## TEALING

John Lyon, 1684-1702.

He matriculated at the University of St Andrews, as a student of St Leonard's College, on February 4, 1653, and graduated Master of Arts on July 28, 1656.

On June 30, 1663, a letter from the Archbishop of St Andrews was laid before the Presbytery of Meigle, bearing that Mr Johne Lyone, designated expectant in Forfar, had been presented to the church of Airlie by Lord Kinghorne, and requesting the Presbytery to take him upon trials. The Presbytery, accordingly, did so, and, on September 23, 1663, sustained his trials, and instructed that a certificate of their approbation should be sent to the Archbishop that he might receive Ordination. The Presbytery received a letter from the Archbishop on October 6, stating that his Grace had ordained him, and desiring them to proceed to his admission. Lyon was admitted to the cure of Airlie on October 14, 1663, after sermon by Mr Robert Crichtone, minister at Essie, and in presence of Messrs John Ratray, elder and younger. They had been "desyred to use the ordinarie forme in the lyk case, and to performe all as they will be answerable."

The Presbytery, at his request, registered in their minutes, on April 26, 1664, that he had paid £900 to Mr John Robertson, the former minister, for the manse of Airlie. They instructed him to take the necessary steps to obtain repayment from the heritors according to the late Act of Parliament.

He was Clerk to the Presbytery of Meigle from May 12 till September 15, 1668. By order of the Archbishop, the Presbytery appointed a visitation of the parish of Airlie, for the purpose of providing for the maintenance of a schoolmaster, and designing grass for the minister. The visitation was held on May 24, 1670. The minute is as follows:— "The Moderator enquired at Mr John Lyon, minister of the place, whether he had made intimation of this present meiting according to the last day's appointment, in ansuer wherto he returned the Presbitrie's edict execute lawfully, and indorsed before witnesses. Then the heritors and others concerned wer called at the church door thrie severall tymes by the kirk officer, wherupon compeired George Lyon of Wester Ogle, commissioned by the Earle of Kinghorne, James Ogilvie in Kenny, commissioned by the Earle of Airlie, John Ogilvie of Balfoure, and the remanent heritors for themselves. Then it was inquired at the minister, whether he was provided with grasse according to the lawes of the land, and, if not, what was the reason heirof: who ansuered he had no grasse designed for him, nor any provision from the parish in liew therof according

to Acts of Parliament ; that he had frequently dealt with the heritors to have been accomodated in a peaceable way, but to no effect. Wherupon it was inquired at the heritors and ther representatives, whether it was so, and what was the cause heirof ; who all ansuered and acknowledged he had none, and that they wer willing he sould be sufficientlie accomodated, but could not fall upon a convenient way among themselves for settling that matter. Wherupon the Moderator did shew the heritors that by Acts of Parliament and laws of the Land ministers are to have land, wher it can be conveniently had, designed to them, sufficient to beare grasse for the pasturage of tuo kyn and ther followers, and ane horse, or if ther be no kirkland lying ewest for the minister, in that case he sall have tuentie pounds payed by the heritors *pro rato*, wherwith he sall provyde himself of grasse ; and that, therfor, the Presbitrie desyres that the heritors, in order to ane amicable agreement and settlement of this matter, might choose either of these tuo. Heirto the heritors replied that ther was kirkland fitt for pasturage lying most ewest for the church, which, if the Presbitrie pleased, and wer empowered for that end, they wer content asmuch of it as the law provyded might be designed, provyding this designation might inferre no private heritor's prejudice but as accords of law.

“The Presbitrie having considered seriouslie the matter, the heritors and ther commissioners being removed, resolved to goe about the designation of a parcell of that kirkland lying nearest to the church, and to cause mett and march the samen, and did signifie so much to the heritors, who consented to it. Then the Presbitrie went to the place with the heritors and ther commissioners, and having called for a publik metter of land, compeired one John Richard, who, being required, did judiciale depone that, according to his conscience and knowledge, he sould mett and measure with rood and rope, as use is, tuo aikers of land as the Presbitrie ordained him, for grasse to the minister, which, accordinglie, he did, and measured thrie rood of land lyand southward from the gleib, and fyve rood of land lyand westward from the gleib, usually called Pet's aiker : whilk foresaid tuo aikers, part of the lands of the Grange, being mett and measured, the Moderator, in name of the Presbitrie, and by virtue of the power comitted to them, sett in march stones, and by deliverie to the minister of earth and stone, as use is, gave in feffment to him therin for the use and behoove of himselfe and his successors serving cure at the said kirk of Airlie : wherupon the minister took instruments in the hands of David Crichton, notar publik. The heritors, according to ther provision formerly mentioned in ther consent, did protest that this designation might be without every one of ther particular prejudices, took instrument in the hands of the said David Crichtone.

Compeired also Sir James Ramsay of Bamffe, pretending ane interest in the lands of the Grange of Airlie, of which the said aikers designed are a part, and protested that designation might be without his prejudice, especially in suiting repetition of the proportionall part of the aikers of land from the rest of the heritors *prout de jure*, and took instrument in the hands of James Sowtar, notar publik. The Presbitrie, having thus caused mett, designed, and given infestment to the minister of these aikers of land, appointed him to cause extract the foresaid Acts, to make report to my Lord St Andrews of the Presbitrie's diligence, as his Grace order bears, and having his approbation heirto, to pursue for possession therof, according to law."

He was translated to Glamis in 1681. The date of his admission has been given as December 21.<sup>1</sup> The minute of the Presbytery of Meigle on December 20 runs:—"Mr Frederik Lyon, expectant, was admitted to his trialls in order to the church of Airlie. . . ." He was translated to Tealing before July 27, 1684,<sup>2</sup> and became Archdeacon of Dunkeld. The manse was appraised to him at £920.<sup>3</sup> On April 27, 1687, Tealing was appointed to be one of the parishes of the Presbytery of Cowpar-Angus.<sup>4</sup>

On March 20, 1700, an Information against him was laid before the Presbyteries of Dundee, Meigle and Forfar by the laird of Clevage. The Moderator was instructed to summon him to the next meeting, and to transmit to him a copy of the Information, and the names of the witnesses, that he might then be prepared with his defence. Lyon duly appeared on April 17 and requested permission to examine the *Register of the Kirk-Session*, that he might scrutinise the alleged evidence in it,

<sup>1</sup> Scott's *Fasti*, vi. 771.

<sup>2</sup> On that date a minister was admitted to Glamis (*Ibid.*). Tealing was probably vacant on March 5, 1684, and certainly vacant on May 14. The Presbytery made no appointment for supply on July 2, from which it is concluded that the admission of a minister was imminent (*MS. Register of the Presbytery of Dundee*).

<sup>3</sup> *Ibid.*, July 1, 1685, March 22, 1705. In the *Register of the Presbytery of Dundee*, Lyon is not mentioned by name. The statement in the Text, with reference to his admission to Tealing in 1684, is founded, in addition to the statements in note 2, on the notices of the apprising of the manse in 1685 and 1705, and on the facts that, in April 1687, as minister of Tealing, he became a member of the Presbytery of Cowpar Angus, and that there is no hint that Tealing was vacant in 1687. If it be correct the following extract cannot refer to him.

Fountainhall (*Historical Notices*, ii. 789) writes:—"One Lyon a Minister being to be ordained, Hamilton Bischof of Dunkeld presented the new Oath to him, and he scrupling, his ordination was stopt; and the Archbishop consulted with the Chancellor, and he ordained, that by all means he should take it, and all intrants to office most take it; and so this Minister did so, and was the 1st in Scotland that took it."

<sup>4</sup> The minute of the Presbytery of Dundee on May 4, 1687, runs:—"Absent this day minister of Tellen, who is excused, the brethren being sufficientlie informed of his indisposition." By that date, however, he had ceased to be a member of the Presbytery.

on which articles in the Information were based. The Presbyteries appointed a committee to revise the book in presence of Lyon and Clevage, and permitted Lyon to delay his answer to the Information for a fortnight. Lyon duly gave in answers, but, before the case was finished, fell sick, and the Presbytery sisted procedure.<sup>1</sup> On August 14, the laird of Clevage represented to the Presbytery that for some Sundays there had been no sermon at Tealing, and requested them to supply the pulpit. The Presbyteries agreed to do so as often as convenient, and appointed the Moderator to inform Lyon of the first appointment, and to forbid him to obtain the services of a preacher either on that specified Sunday or thereafter. On October 16, a letter from the laird of Clevage, requesting them to proceed toward declaring Tealing vacant, and meanwhile to provide supply of preaching, was laid before the Presbyteries. The Presbyteries appointed "their brethren, Mr Samuel Johnston (if he can do it conveniently), Mr Thomas Ogilvy, Mr James Ramsay, and Mr William Lyon (if he think it proper for him, being a near relation), to discourse with Mr John Lyon, incumbent at Teling, his friends, and to represent to them that, since the said Mr John Lyon is now through bodily sickness and infirmity rendred incapable of discharging any ministerial duty in that parish, therefore the Presbytrie is under a necessity of taking some course to procure accesse for supplying and planting of it : so that if Mr Lyon's friends thinke fitt, they may deal with him to give in a dimission to the Presbytrie, upon his being secured of some part of the stipend of Teling for his maintainance during his lifetime. . . ."

The committee, however, were unable to meet with Mr Lyon's friends, and, as the laird of Clevage insisted that Teling should be declared vacant, the Presbytery, on November 6, referred the whole case to the Commission for their advice.

The Presbytery transmitted to the Commission the following "account of the present circumstances of the forsaid Mr Lyon and the parish of Teling":—

"Imprimis. That Mr John Lyon is a nonjurant, and hath not complied with the Government as now established.

"2do. That Mr Lyon was under processe before the Presbytrie of Dundie, a lybell being given in against him by a gentleman in the parish, wherin some grosse things are charged upon him ; but the said Mr Lyon falling sicke before the processe was concluded, the Presbytrie have desisted from prosecuting the same any further.

"3tio. This sicknesse of Mr Lyon's is a paralytick distemper, which hath altogether disabled him for preaching, both his memory and judge-

<sup>1</sup> There is a hiatus in the *Register of the United Presbyteries of Dundee, Meigle and Forfar* between April 17 and August 14, 1700.

ment being affected therewith: he hath preached none since June last, and there is no hopes he can recover of this distemper, considering his great age.

“4to. The members of the Presbytrie are so few, that they can not get the parish supplied with preaching, and thereby the people’s soules are like to be neglected.”<sup>1</sup>

The Commission were unable to consider the representation; but, as the Moderator of the Commission stated in a letter addressed to “the very reverend Mr John Dalgliesh, Moderator of the Presbytrie of Dundie,” it was “the opinion of some brethren who spoke privatly of it, that the best expedient would be that the old man should dimitt, and the half of the stipend be secured to him during his life, and the church planted with another minister.”<sup>2</sup> To that recommendation, the laird of Clevage objected. The Presbytery appointed Messrs John Dalgliesh and Thomas Ogilvy with the laird to confer with Lyon, on a specified day. The ministers duly met with Lyon, “who had several of his friends with him, and after all means were taken to prevail with the incumbent to demitt it was absolutly refused; and that all the length he and his friends would come was, that they were content that one approven by the Presbytrie should be called by the parish to be his helper, that the person called should have the manse, glieb, and stipend of Teling onely, upon condition that a locality for five chalders of victual should be payed to the incumbent yearly out of the said stipend during his lifetime.” The Presbytery intimated to Lyon that he must first demit his charge, and that then “what methods in other points is to be observed shall be signified to him afterward.” The Presbytery again referred the whole case to the Commission for advice.<sup>3</sup> It also came under the notice of the Synod. That court enacted that if Lyon and his friends were willing to sign an obligation that he would consent to the settlement of a Presbyterian minister in Teling, the Presbytery should secure to him a portion of the stipend.<sup>4</sup> As a result of negotiations, Lyon, with consent of Patrick Ogilvy of Balfour, Mr John Lammie of Dunkennie, and Mr Sylvester Lyon, minister of Kirremuir, signed, at the Manse of Tealing, September 1, 1701, in presence of Mr David Lyon, son of Mr Sylvester Lyon, minister of Kirremuir, and Mr George and Andrew Lyon, his (Mr John Lyon’s) sons, and James Forrest, his servant, an agreement (written by James Tailzeor, writer in Dundie), with the Presbytery, whereby he bound himself to cede possession of the manse, glebe, and church of Teling at Martinmas, and assigned the stipend in favour of the Presbyterian minister

<sup>1</sup> *MS. Register of the Presbytery of Dundee*, November 28, 1700.

<sup>2</sup> *Ibid.*, January 1, 1701.

<sup>3</sup> *Ibid.*, February 5, 1701.

<sup>4</sup> *Ibid.*, May 7, 1701.

to be legally settled there, on condition of being permitted to retain for his lifetime a yearly aliment of 5 chalders victual, the half of the victual stipend of the parish.<sup>1</sup>

On September 15, 1701, intimation of the agreement was made at Teling, and the Congregation were recommended to call a minister.

Lyon was married. His children were Mr John, Mr Patrick, Mr George, Charles, Andrew, Margaret, and Agnes.

He died in the parish of Kirremuir in June 1702. By his Will, signed at the Kirktoone of Tealing, June 19, 1700, in presence of Mr Silvester Lyone, minister of Kirremuir, Mr William Manie, preacher, and Patrick Luke, notary in Glames, writer of the deed, he disposed all his goods to Charles, Andrew, and Agnes, his three youngest children. His Testament and Inventory were given up by Mr David Lyon, merchant in Dundee, in name of the three youngest children, the executors nominated by their father, who were still minors.

The Testament and Inventory were confirmed on October 11, 1702, Mr Silvester Lyone being cautioner.<sup>2</sup>

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APPENDIX A (p. 144)

THE MINISTER'S REGIMENT, 1650<sup>3</sup>

Wee Ministers of the Presbitrie of Dunkell, and with ws Mr Francis Pearstone taking burden for his father, all wnderscryvand binds and obliesheis coniunctlie our airs executors and assignais to content pay and delyver to our brethren Mr Alexander Ireland, minister at Kinclaven, and Mr Robert Campbell, minister at Muline, our commissioners at this presentt assemblie, the sowme of ane thousand pundis monei Scotts, for advancing and reaching forth ane regement to this presentt leavie and expeditione for our awne proportiones of our awne kirks and of certaine vacand kirks within our presbitrie, at the feast and terme of Mertimesse next to come of this instant zeir of God j<sup>m</sup> vi<sup>c</sup> and fiftie, together with the ordinar annuallrent for ane quarter of a zeir, and so foorth zeirlie and term[lie] sa lang as the samine shalbe wnpayed, ilk ane of ws relievand other of our awne proportiones and pairts, and our saids commissioners takand burden with ws for the saids vacand kirks: Lykas wee bind and oblish ws and our forsaisds coniunctly and severallie to pay to our saids commissioners the sowme of ane hundreth pundis monei forsaid, as liquidat expenssis in caise of failzie and necessar registratiione of thir presentts, and to reiterat, doe and renew this presentt obligatiione to them as oft as need bees; and for [the] mair security, wee are content and consents that thir presentts be insert and registrat in the Buiks of Session and Counsell and Shireffs Buiks of Pearth, thaire to have the strength of ane decret iudiciall, that letters and executorialls of law may passe therupon of horning, poynding,

<sup>1</sup> *MS. Register of the Presbytery of Dundee*, September 3, 1701. Mr David Lyon was Mr John Lyon's nephew (*Ibid.*).

<sup>2</sup> *St Andrews Com. Testaments*.

<sup>3</sup> Registered in the *Register of Deeds* (vol. 573), December 1, 1652.

and warding, the ane butt preiudice of the other in forme as affiers, upon ane simple chaarge of six days allenerlie; and to that effect constituts . . . our procutoours coniunctlie and severallie *promitten de rato*. In Witnessing of the premisses, written be Mr Thomas Ireland, minister at Weym and clerk to the presbitrie forsaid, wee have subscrievd the samine with our hands at Dunkell the twentie fourth day of Julii and at the day of Julii ane thousand six hundreth and fifty zeirs, before thir witnesses respective, Mr Gilbert Menyeis, school-maister of Dunkell, Mr Jhone Anderson, son lawfull to Mr Alexander Anderson, minister at Ochtergaven, and Thomas Zoung, citizen of Dunkell. (Signed) Mr William Menzeis, Mr John Cunisone, Mr Thomas Glas, Mr Johne Ross, Mr T. Ireland, Mr F. Peirsonne, T. Lundie, Mr Alexr. Andersone, Mr Ja. Moray, Mr C<sup>c</sup>ampbell [Colin Campbell], Mr G. Menzeis, *Witnes*, J. Andersone, *Witness*.<sup>1</sup>

## APPENDIX B (p. 149)

## "INFORMATIONE FOR THE MINISTERS OF PERTH"

The Lords of Privie Counsell, in the letter end of August or beginning of September last, haveing suspended boath the ministers of Perth from their functione of their ministrie at the said Burgh, upon applicatione made to them be on James Dewar for himselfe, and in name of James Broune and John Dow, as thrie of the persones of the small number that frequents the meeting house wher Mr John Andersone, the Prisbiteriane, preaches, the Magistrats and Toune Counsell of the said Burgh perceaving themselves disappoynted of the benefite of the ministrie of their ministers, whom they and the generalitie of the inhabitants of the said Burgh and parichoners of the said paroch so inteirly loved, they caused offer to the saids Lords of Privie Counsell ane petitione in their behalfe in thir words, within some few dayes after the saids ministers was suspended, but durst neither present the same, nor could they procure any delyverance thereupon, and wherof the tenor followes:—

To the Right Honourable the Lords of ther Majesties' Privie Counsell, the  
Supplicatione of the Magistrats and Toune Counsell of Perth.

Humble Sheweth,

That whair it haveing pleased your Lordships to suspend Mr Adam Barcklay and Mr David Andersone from there functione of their ministrie att Perth,

<sup>1</sup> The regiment was raised in connection with the invasion of Scotland by Cromwell in 1650.

"The ministrie also in thair severall places wer not deficient to encourage the pepill, prommessing, in Godis name, a victorie over these erronyous and blasphemous pairteis in England, quha, aganes the Covenant and Solempne League, did unjustlie persew this Natioun; and farder, did freelie and franklie outreik ane regiment of hors, for defence of the same, upone thair awin charges and expensses, under the conduct of Colonell Strachane" (Nicoll's *Diary*, 19). v. *Selections from the Minutes of the Presbyteries of St Andrews and Cupar*, 57.

The Synod of Perth and Stirling in May 1651, on receipt of a letter from the Commission of the General Assembly requesting that the voluntary contribution for the Minister's regiment, yet unpaid, should be speedily delivered for the relief of Mr James Hamilton, who had become responsible for the cost of the regiment, ordained such as had not yet paid to make arrangements for doing so before they left the town of Perth. In June 1651, the Presbyteries of Dunkeld, Dunblane and Ochterarder informed the Synod that they had paid or had given bonds for payment to Mr James Hamilton, and that he was "satisfied."

for their not reading of the late proclamations and praying for their Majesties King William and Queen Marie as King and Queen of this realme (as they ought to have done, and which the Petitioners alwayes exhorted them to,) in maner more fullie mentioned and your Lordships' sentance pronounced thereanent; since the pronounciation of the which sentance, the saids petitioners and all, at least the generalitie and greatest number of the inhabitants of the said Burgh and parichoners of the said paroch, being loath to pairt with the saids Mr Adame Barcklay and Mr David Andersone as their minister(s) of the same, by reasone of their long experienced knowledge of their literatur, qualifcations, good and heavenlie endewments, lyfe and conversationes, hes presumed (upon expectatione of your Lordships' clemencie) to treat with, and take pains upon, them to behave sutable towards their Majesties, to pray most heartilie for them, and to doe all other dewtie incumbent upon ministers for the future, which, through the blissing of God and their pains, they are in great hopes to prevaille with them to yeild to their most just desyres; and the petitioners being loath that they themselves, inhabitants and parichoners of the said Burgh, should in the meantyme sterve for want of the benefite of the said Mr Adame Barcklay and Mr David Andersone, their ministrie at the said place, in this conjunctur when the Church government remains unsettled, till the downe sitting of the Parliement,

May it, therfor, please your Lordships to take the premisses to your considerationes in a matter of so great a concerne, and to allow the said Mr Adame Barcklay and Mr David Andersone, or ane or other or boath of them, to exearce the functione of the ministrie at the said church (till at leist the said Church government be settled at the downe sitting of the Parliement), they alwayes in the meantyme praying for their Majesties King William and Queen Marie, and giving all sutable obedience to their Government as becomes, and your petitioner(s) shall ever pray.

A little after the offering of this petitione and no answer being received thereto, it not being suffered to be read or given into the Counsell, the Earle of Ardgwyll, being cheiffe officer at Perth commanded (and commandant) for the tyme, sent upon Saturdayes night and Sundayes morning (September 22) ane or two of his officers to command the Provost of Perth to open the kirk doores and to ring the bells, for he was to place Mr John Andersone, the Prsbiteriane minister, to preach there; and, in order thereto, emitted orders for the whole forces there in towne to be in armes, for right or wrong he would have the kirk (was resolute to have the possession of the kirk; and) the Provost (on the other hand), for mantaining the libertyes and priviledges of the Burgh, refused to give obedience to My Lord Ardgwyll's desyres for thir reasones,<sup>1</sup> First, that he and the rest of the Magistrats, that as they hade hitherto supplied the vaccancie of their church since their ministers was suspended (were deprived) by regular ministers who did pray for King William and Queen Marie, they hade Mr William Pople, minister at Rinde, a most regular minister, readie in toun to preach, and so could not yield their church to any other, especiallie to such a minister as My Lord Ardgwyll was imposing on them, that few or none of the inhabitants and parichoners would hear him; 2d The kirk and bells and right of patronage of the said kirk being the Toun's proper right, never hitherto incroatched upon, My Lord Ardgwyll behooved to pardone the Provost's refuseall thereof, for he would not take upon him to doe anything that might prejudice the libertyes and priviledges of the Burgh whyle he was Provost; for without the rest of the Magistrats

<sup>1</sup> v. *An Account of the Present Persecution of the Church in Scotland*, 37.

and Counsell he would doe nothing, and desyred my Lord Ardgwyll's comissioners to report this to him, and that My Lord might not take the refusals in ill pairt ; but My Lord Ardgwyll taking this hott (to . . .), he and those of the Prisbiteriane persuasion in his reagement, and some few ons in the Burgh, misrepresented the Provost to the Counsell, and summerlie procured from them, without citatione or knowledge of the Toune, ane Act of Counsell in thir words, viz. :—Att Edinburgh, the twentie fourth day of September J<sup>m</sup> vi<sup>c</sup> fourscore nyne yeirs.

The Lords of His Majestie's Privie Counsell considering that the church of Perth is declaired vaccant, and seing that the same is not suplyed as yett be the Magistrats thereof, and that the meeting house within the said Burgh is not able to containe the ordinarie hearers, besydes a great number of forces that are quartered in the said place, therfor the saids Lords doe heirby grant order and warrant to Archibald, Earle of Ardgwyll, the commanding officer att Perth for the tyme, to imploy such Prisbiteriane ministers as he shall think fitt during the vaccancie, and untill the kirk be legalie supplied ; and ordaind the Magistrats to delyver up the kies thereof to him for that effect, as they will be answerable upon their hiest perrill. Extracted be me  
*Sic subscribitur, GILB. ELIOT, Cls. Sti. Consilij.*

Conforme to which Act, albeit the Magistrats hade provyded and had in toune Mr George Hay, minister att Cowpar, a most regular minister, readie to preach, yett My Lord Ardgwyll commanded the kies of the kirk, and putt in and placed Mr John Andersone, the Prisbiteriane minister, in the Kirk of Perth, where he remaines [“ to this houre ”—erased ; in margin, “ till about Whitsunday 1691 ”] contrar to the libertyes and priviledges of the Burgh and inclinatione of the generalitie of the people ; and that the same might have beine reameaded, the Magistrats and Toune Counsell of the said Burgh gave in a new suplicatione to the saids Lords of Privie Counsell so soone as they understood the foresaid Act, in thir words :—*SHEWING* that where be your Lordships' Act, daited the twentie fourth day of September, narretting that seing the church of Perth was declaired vaccant, and that the Magistrats did not suplie the vaccancie, and that the meeting house was not sufficient to containe the ordinary hearers besydes the quartered forces, therfor your Lordships did impure be the said Act the Earle of Ardgwyll to provyde ministers during the said vaccancie for preaching at the said church, and ordaind the petitioners as Magistrats to delyver up the kies to his Lordship for that effect, as is at more length specifeit in your Lordships' Act ; as to which your Lordships will be pleased to consider that this Act hes proceeded upon applicatione of a verie few of the inhabitants of this place who frequent the meeting house there, and which is more than sufficient to contain fye tymes their number. 2do. This Act proceeded upon application of the saids persones, without being heard or seen by the petitioners or other inhabitants of the Burgh, and wherein they have bein misrepresented to your Lordships, because since the vaccancie of the church, the same hes bein supplid by regular ministers, who are under the protectione of the Government and prayes for their present Majesties King William and Queen Marie. 3to. The petitioners being not only indoubted patrons of this church and the right of patronage not being as yet determined by law, but lykeways the greatest and most considerable part of the paroch frequenting the publict worship of God in the church and to which most of the standing forces there do resort, it is humblie conceived that, during the vaccancie, the petitioners as Magistrats, and who have taken the oath of alleadgence to their present Majesties, ought to be allowed to suplie the vaccancie in the meantyme by such ministers as have and

will give obedience to their present Majesties and your Lordships in what may concerne the interest of the Church,

May it, therefor, please your Lordships to take the premisses to your consideration in a matter of so great a concerne to the most of the inhabitants of the place, who hes indeavoured alwayes, under all Kings and Governments, to live regularlie and orderlie, and to allow the present Magistrats and Counsell as Patrons during the vaccancie to call such ministers to preach as are under your Lordships' protectione, and pray for their present Majesties, and most sutable to the inclinations of the generalitie of the people, and that notwithstanding of the forsaid Act, the sam having proceeded *parte inaudita* as afor-said, and the place being hitherto suplyed by a regular minister, as said is ; and if any farder aplicatione be made to your Lordships against your petitioners in relatione to the premisses, or what may concerne the intrest of the said Burgh, that the suplicants may be allowed to sie the same, and mak and answers thereto, and your petitioners shall ever pray.

This petitione was presented and read in face of Counsell about the letter end of September or beginning of November ; and, urge the Petitioners as they will, they can have no answer thereto, but still continues the Prisbiterian minister in the church, imposed by their authoritie on the people contrar to the liberties and priviledges of the Burgh and inclinatione of the people.

## APPENDIX C (p. 239)

## "AN EXTRAORDINARY MEETING OF BRETHREN"

*At Perth, 4th September 1645.*—Which day, it was declared by Mr Alexander Ireland that, upon Monday last bypast, the first of this instant, that he heard certain other brethren, viz. : Messrs Robert Murray and George Murray, David Drummond, Alexander Rollock, John Kinnisone, Robert Malcolm, John Hall, took occasion to communicate their minds, one with another, and did resolve, what were the best and most convenient course to be taken for giving advertisement of meeting to the rest of the brethren nearest adjacent, that, at their meeting together, every one might strengthen one another, that there might be no defection from the Covenant, nor points thereinto contained, whereunto they had all solemnly sworn ; for the obtaining of the which meeting, it was resolved that Mr Malcolm should advertise the brethren of Angus, Mr George Murray the brethren of Auchterarder, the brethren of Dunkeld, so many as can conveniently attend, personally present : the brethren of Perth were advertised upon Wednesday by the Moderator. The diligence of the foresaid brethren for advertisement given in. Mr Robert Murray chosen moderator. The brethren present appointed to be marked, viz. : Mr Robert Murray, John Hall, John Frebairne, George Marshall, George Hallyburton, elder, John and Thomas Strachan, Archibald Moncrieff, James Gillespy, George Moncrieff, John Govane, Alexander Balneavis, David Drummond, Robert Malcolm, John Cruikshank, John Kinisone, Alexander Ireland, William Row, George Murray, Alexander Rollock, Patrick Omay, William Bannatyne, William Hallyburtone, Edward Richardstone. The questions proponed and asked of the brethren every one, one by one. . . . First, If there be any doubt or scruple in the mind of any minister against the Covenant, or any particular point contained therein, (at this time of persecucion and trial) by reason of any objections

moved by the enemy to the contrary, more than at that time when they first swore the Covenant: whereunto it was answered without contradictory voice, that they have none, and shall all endeavour, by God's grace, never to decline from the same: Secondly, it was asked, if they thought themselves bound in conscience to suffer for the Covenant, if they should be called thereunto. It was answered one by one that they thought themselves bound, and should labour by prayer to seek grace from God that He may uphold them, in all trials that may be offered, against human frailty and infirmity.

## APPENDIX D (p. 286)

## FIARS OF THE SHIRE OF PERTH, 1660-90

YEAR		WHEAT			BEAR			OATS			PEASE			RYE			MALT			MEAL		
		£	S.	D.	£	S.	D.	£	S.	D.	£	S.	D.	£	S.	D.	£	S.	D.	£	S.	D.
1660	.. ..	9	0	0	6	13	4	6	13	4	..	..	..	..	..	..	6	13	4	..	..	..
1661	Lammas and Candlemas	10	0	0	7	0	0	5	6	8	6	13	4	..	..	..	5	6	8	..	..	..
1662	.. ..	8	0	0	6	0	0	4	13	4	5	0	0	4	0	0	7	0	0	4	13	4
1663	Candlemas Lammas	7	0	0	5	6	8	5	0	0	5	6	8	..	..	..	4	0	0	4	0	0
1664	.. ..	6	0	0	4	13	4	3	6	8	4	13	4	..	..	..	3	6	8	..	..	..
1665	.. ..	6	0	0	3	13	4	3	0	0	3	6	8	..	..	4	6	8	3	0	0	0
1666	Candlemas Lammas	6	0	0	4	0	0	3	6	8	4	0	0	3	6	8	4	13	4	3	6	8
1667	.. ..	4	13	4	4	6	8	3	6	8	4	13	4	3	6	8	5	0	0	4	0	0
1668	.. ..	4	13	4	4	6	8	3	13	4	4	13	4	3	6	8	5	6	8	4	0	0
1669	.. ..	5	6	8	4	13	4	3	6	8	4	13	4	..	..	5	6	8	4	0	0	0
1670	.. ..	5	0	0	4	13	4	3	13	4	4	0	0	..	..	5	6	8	4	0	0	0
1671	.. ..	6	0	0	5	0	0	5	0	0	5	0	0	4	13	4	5	13	4	5	0	0
1672	.. ..	8	0	0	5	13	4	4	6	8	5	6	8	..	..	..	5	0	0	5	0	0
1673	.. ..	5	6	8	4	13	4	3	6	8	5	6	8	..	..	..	4	0	0	4	0	0
1674	.. ..	5	6	8	4	13	4	3	13	4	5	0	0	..	..	..	4	0	0	4	0	0
1675	.. ..	10	0	0	8	0	0	6	13	4	8	0	0	..	..	..	6	13	4	6	13	4
1676	.. ..	10	0	0	10	0	0	6	0	0	10	0	0	..	..	..	6	13	4	6	13	4
1677	.. ..	6	13	4	4	13	4	3	6	8	4	13	4	..	..	..	3	6	8	..	..	..
1678	.. ..	6	0	0	4	13	4	3	0	0	3	13	4	..	..	..	3	0	0	3	0	0
1679	.. ..	5	6	8	4	3	4	3	0	0	3	6	8	..	..	..	3	0	0	3	0	0
1680	.. ..	6	13	4	4	3	4	3	0	0	4	0	0	..	..	..	3	6	8	..	..	..
1681	.. ..	5	0	0	4	0	0	3	6	8	4	0	0	..	..	..	3	13	4	3	13	4
1682	.. ..	6	0	0	5	0	0	5	0	0	6	0	0	..	..	..	5	6	8	5	6	8
1683	.. ..	6	0	0	6	13	4	4	10	0	6	0	0	..	..	..	4	13	4	4	13	4
1684	.. ..	6	0	0	4	13	4	3	13	4	4	0	0	..	..	..	4	0	0	4	0	0
1685	.. ..	6	13	4	4	6	8	3	13	4	4	0	0	..	..	..	3	13	4	3	13	4
1686	.. ..	5	6	8	4	6	8	3	6	8	4	0	0	3	6	8	..	3	6	8	..	..
1687	.. ..	5	6	8	5	0	0	3	13	4	4	6	8	3	13	4	..	3	13	4	..	..
1688	.. ..	5	0	0	4	6	8	3	13	4	4	6	8	3	6	8	..	4	0	0	4	0
1689	.. ..	4	13	4	4	10	0	4	0	0	5	0	0	4	0	0	..	4	0	0	4	0
1690	.. ..	7	6	8	5	13	4	5	6	8	6	0	0	5	6	8	..	5	6	8	..	..
1690	.. ..	9	0	0	8	0	0	6	13	4	8	0	0	6	14	4	..	6	13	4	..	..

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# Addenda et Corrigenda

## VOL. I.

- Page v, line 3, *for* Presbtyery, *read* Presbytery.
- „ 53, „ 19, *insert* note, His Provisio, which is dated 16 December 1661, is recorded in the *Register of the Privy Seal*, Latin, Vol. i. 283.
- „ 53, „ 23, *insert* note, His Provisio, which is dated 18 January 1662, is recorded in the *Register of the Privy Seal*, Latin, Vol. i. 351.
- „ 54, „ 6, *add* note, His Provisio, which is dated 22nd June 1672, is recorded in the *Register of the Privy Seal*, Latin, Vol. vii. 154.
- „ 54, „ 8, *insert* note, His Provisio, which is dated 22nd June 1672, is recorded in the *Register of the Privy Seal*, Latin, Vol. vii. 153.
- „ 54, „ 16, *add* note, His Provisio, which is dated 28 December 1676, is recorded in the *Register of the Privy Seal*, Latin, Vol. ix. 17.
- „ 54, „ 29, *insert* note, His Provisio, which is dated 11th February 1680, is recorded in the *Register of the Privy Seal*, Latin, Vol. xi. 37.
- „ 65, „ 24, *after* State *add* note, This is too sweeping. The *Sermons* of Henry Scougal and Alexander Lunan prove that in the diocese of Aberdeen, at any rate, the Perth Articles were regarded as binding, and “the Five Festivals” observed. [J. C.]
- „ 65, note 6, *add*, Individual bishops sanctioned steps in this direction ; thus at Aberdeen under Bishop Scougal set prayers were prepared for use in the Cathedral. They will be found in Orem’s *Old Aberdeen*, and in Hall’s series of Anglican Liturgies. [J. C.]
- „ 69, line 5 from foot, *for* Dunkeld, *read* Perth.
- „ 76, note 1, line 11, *for* son, *read* grandson.
- „ 76, „ 1, line 12, *for* grandson, *read* great-grandson.
- „ 78, line 7 from foot, *after* Haliburton, *insert* 1662-65.
- „ 110, note 1, lines 3-5, *for* July 21, 1666, *read* July 15, 1665, Licet ; and *delete* sentence within square brackets.
- „ 134, note 5, *for* § vii., *infra*, *read* p. 303 (note 3).
- „ 209, „ 5, line 10, *for* iv, *read* ii. part ii.
- „ 234, line 24, *for* 1689, *read* 1589.

- Page 243, note 2, Andrew Cant who was suspended by his Diocesan in 1674 and confined to Liberton is apparently not the "Mr Cant" who was pilloried along with Hamilton in *Ministerial Bon-Mots*. It is more probable that he was Hamilton's colleague, Andrew Cant, minister of the Second Charge of South Leith, 1671-81, and afterwards minister of Trinity Church, Edinburgh. The former was minister successively at Liberton, and at Trinity Church and the High Kirk, Edinburgh. [W. A.]
- „ 245, after line 24 *add*, On the deposition of Mr William Meldrum, minister of the Tolbooth Church, Edinburgh, he was on 23 November 1681 presented by the Town Council to that charge.
- „ 249, note 2, line 2, *for* iv., *read* ii. part ii.
- „ 260, line 19, *insert* note, *Ibid*.
- „ 261, „ 18, *for* James, *read* John.
- „ 302, note 3, last line, *add*, From copy *penes* Rev. Thomas R. Rutherford, M.A., minister of Dunkeld and Dowally.
- „ 322, note 3, line 6, *after* Tullineddies, *insert* (*Ibid.*, January 4, 1669); line 7, *for* 19, *read* 29.
- „ 340, line 29, *after* James, *insert* [? Thomas].
- „ 374, „ 9 *from* foot, *for* Erroll, *read* Rothes.
- „ 426, „ 8, *after* Carsie, *insert* comma.
- „ 500, „ 5 *from* foot, *after* Thomas, *insert* [? David].

## VOL. II

- „ 43, line 14, *for* Brown, *read* Bruce.
- „ 97, „ 3, *insert* note, *Perthshire Sasines*, November 6, 1662.
- „ 144, „ 17, *for* expedition, *read* expeditione.
- „ 168, „ 19, *for* wife, *read* mother.
- „ 179, „ 10, *for* to, *read* by.
- „ 193, „ 1, *for* 1, *read* 4.
- „ 204, „ 28, *for* Haggart, *read* Halket.
- „ 242, note 1, *for* 115-6, *read* 109.
- „ 273, line 19, *after* 1687, *insert* note, For his successor see p. 475 *infra*.
- „ 276, note 2, *for* *Ibid.*, *read*, *MS. Register of the Presbytery of Perth*.
- „ 287, lines 18-21, *delete*.
- „ 302, line 19, *for* He was alive on June 23, 1669, *read* He died in March 1670.
- „ 302, note 6, *delete*, and *read*, *Perthshire Decreets*, November 9, 1676. (Reference found in Methven Papers and communicated by Dr J. Maitland Thomson.)
- „ 312, line 3, *for* Presbytery of Perth, *read* Presbyteries of Perth and Dunkeld.
- „ 353, „ 21, *delete* Little.
- „ 362, „ 1, *after* 1687, *insert* note, For his successor see p. 479 *infra*.

- Page 380, line 7, *for* 1672, *read* 1673.
- „ 385, last line, *after* He, *insert* matriculated at the University of St Andrews as a student of St Leonard's College on January 20, 1652, and.
- „ 386, line 9, *after* servant, *add* to the laird of Glenorchie.
- „ 386, note 4, *after* first line, *insert*, He matriculated at the University of St Andrews, as a student of St Leonard's College, on March 2, 1682 (from third class) and graduated Master of Arts on July 21, 1683.
- „ 397, *after* line 19, *insert* He matriculated at the University of St Andrews, as a student of St Leonard's College, on February 16, 1670, and graduated Master of Arts on July 23, 1672.
- „ 398, line 3, *delete*, and *insert*, On March 1, 1682, he was appointed to intimate the continuation of the censure of.
- „ 411, line 7, *after* St Andrews, *insert* where he matriculated on February 12, 1672.
- „ 411, „ 8, *for* in 1674, *read* July 23, 1674.
- „ 419, „ 8, *for* M'Queine, *read* M'Querne.
- „ 446, „ 24, *after* 1656, *insert*, having matriculated as a student of St Salvator's College on January 31, 1653.









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