

THE HISTORY OF THE WORKING CLASSES IN SCOTLAND

BY
THOMAS JOHNSTON

FORWARD PUBLISHING COY., LTD.,
164 HOWARD STREET,
GLASGOW.

1929

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their freedom in the courts, it followed, as a general rule, that the slave was only liberated by death. The result of all these restrictions was that coal-mining remained unpopular and the mine-owners in Scotland were still forced to pay higher wages for labour than were their English confreres. And so the liberating Act of 1799, which finally abolished slavery in the coal mines and salt-pans of Scotland, was urged upon Parliament by the more far-seeing coal-owners themselves. There was no public excitement, no public agitation, and Lord Cockburn tells us* the matter was not "even mentioned in the *Scots Magazine*; people cared nothing about colliers on their own account, and the taste for improving the lower orders had not then begun." There appears, however, to have been an anxiety on the part of the miners to ensure that the new Act would not be burdened by vicious and restrictive clauses, for some 500 of them in Lanarkshire banded together, subscribed two shillings per head, invited the co-operation of all other colliers in Scotland, and sent a Glasgow lawyer to "lobby" the House of Commons during the passage of the Bill. The treasurer of the miners thus associating was Hugh Dunbar of Westmuir, and the clauses particularly objected to were those fixing wages by Justices of the Peace, compulsion of miners to work six days a week, and illegality of combinations.

The miners were now free—freed in the cause of low wages—but the immediate effect was not, as the coalmasters hoped, a rush of labour to the now-dignified calling of winning coal, and a consequent lowering of wages: it was a rush from the mines, a rush away from the old servile associations, away from the old miseries and the old degradations. Robert Bald, writing in 1808,† declares: "Many of the colliers have of late, particularly within these eight years past, betaken themselves to the work of common labourers at half their original wages"; and farther, that men of other trades would do all kinds of dangerous work connected with a mine, but if they were asked to do the work of a collier "they would spurn the idea, even with double wages." Dr. Robert Chambers relates an anecdote which vividly presents to us the slavery we have just been considering and its comparative proximity to our own times: In the year 1820 Mr. Robert Bald, visiting the Clyde iron-works, came across an old servant there, called "Moss Nook." The then proprietor of the Clyde iron-works was Mr. Colin Dunlop, whose father had taken a fancy to "Moss Nook," who had been the property of a coalowner, Mr. M'Nair of the Green. Mr. M'Nair swopped or "niffered" his slave "Moss Nook" for a donkey owned by Mr. Dunlop senior!‡

*Works, ii., p. 6.

†General View of the Coal Trade in Scotland, p. 78.

‡Dom. Annals, iii., p. 250.

CHAPTER V.

THE DEMOCRATIC THEOCRACY.

"The Solemn League and Covenant
Whiles brings a sigh and whiles a tear;
But Sacred Freedom, too, was there,
If thou'rt a slave, indulge thy sneer."

—Burns:

"But, Robin, your mither was auld and puir,
And the seasons cauld and keen,
The white, white snaw was on her hair,
The frost film ower her een.
She leaved on a handfu' o' barley meal,
A drink frae the spring sae cauld—
O Robin, Robin, a heart o' steel
Might bleed for the weak and auld!
O Robin, Robin, I kenna hoo
The lee was faither'd first,
But (whisper again, lest they ken, lest they ken!)
They thought the puir body accurst!
They thought the spell had been wrought in Hell,
To kill and curse and blight;
They thought she flew, when naebody knew,
To a Sabbath of fiends, ilk night.
Then ane whose corn had wither'd ae morn
And ane whose kye sicken'd doon,
Crept, scared and pale, wi' the leein' tale
To the meenisters, up the toon.
They bade her tell she had wrought the spell
That made the tempest blaw,
They strippit her bare as a naked bairn
They tried her wi' pincers and heated airn
Till she shriek'd and swoon'd awa'!
O. Robin, Robin, . . . they doomed her to burn,
Doon yonner upon the quay . . .
This night was the night . . . see the light! see the light!
How it burns by the side o' the sea!

—Robert Buchanan.

WHILST it is no part of the proper business of this volume to discuss the theological divisions, controversies and troubles which play so large a part in our national records, it is vitally necessary for the student of working class history, to understand and to appreciate in its proper relationship the real meaning and significance of the Covenanted struggles which convulsed Scotland from the downfall of Roman Catholicism in the sixteenth

century, to the triumph of a modified and somewhat chastened Presbytery in 1688, at least in so far as these struggles impinged upon the lives of the common people. True, no period of our national history has been more frequently or more copiously written: a babel of warring partisan voices still canvasses vehemently the virtues of the covenanting hill-folk; and laborious volumes expound the aims and objects of Recusants, Remonstrants, Solemn Leaguers, Protestors, and Malignants; but the whole period is still to us something of a bottomless blank: something of an inscrutable mystery. Be that, however, as it may, the Kirk of the seventeenth century is ever with us, in our language, our habits, our traditions, our lives; it penetrates everywhere, prescribing for us the decorum in which we must perforce spend one-seventh part of our days, enveloping us at baptism, at marriage, at death, and playing no mean or unimportant part in the education of our children and the making of our laws.

The present day popular notion that the Scottish Reformation was a vast democratic upheaval, is, as we have already proved, a mere travesty of the facts. Hatred towards the financial exactions of the old Church was undoubtedly strong among the commons; but the real motive force behind the Reformation was the aristocracy, which had cast covetous eyes on the Church estates. The fomenters of the religious revolution in Scotland, says Dr. King Hewison, were not "the illiterate cobblers, tanners and abject persons:" the evangelical party were "mostly nobles, owners of small estates, persons of means, and men of patriotic spirit"*; but when the Reformation over, and the Church estates added to the rent rolls of these worthy evangelicals, Knox and his friends suffered speedy disillusionment. There was to be nothing for the kirk; those who had expected otherwise being haughtily informed that they suffered from "ane fond imagination"; there was to be nothing for the poor and nothing for education out of the revenues of the Church estates; so far as the nobles were concerned the Reformation had gone far enough. The ministers were in dire straits for lack of stipends; the Rev. David Fergusson of Dunfermline "had to borrow money to feed his family"; some ministers "eked out a precarious livelihood from the voluntary offerings of their poor flocks, or from the scanty produce of a few acres of Church land, which no one had been sacrilegious enough to seize; some kept inns, others served as tapsters of wine and ale; still others speculated in grain, lent out money to usury, or became servitors to the nobility and gentry." In 1590 the Rev. Mr. Bell of Cadder had no manse, and lived in his

*"The Covenanters."—J. King Hewison (1908), vol. i., pp. 4, 10, 162. See also Robertson's "Hist. of Scot.," iii., p. 116, *A Diurnal of Occurrents*, p. 269, and Calderwood's *History of the Kirk of Scotland*, ii., p. 42.

people. Beath "had no church, and the indwellers having forgotten there was a Sabbath, used that day for work and sports." Many ministers did not obtain glebes until 73 years after the Reformation, and the acquisition was not obtained without local vexation, strife, and even bloodshed. The clergy carried arms for self-defence against the rich "evangelical" heritors,* and some of them were imprisoned for their pulpit strictures upon the robbers. At Edinburgh, in front of Lord Lennox's lodging, a mob "with bear heads and loud voices sang to the praise of God and the testifeing of grait joy and consolation, the 124th psalm, 'Now Israel may say, and that trewlie' etc., till heavin and erthe resondit.†" The old slavish subservience to the nobility was being undermined by the preachers, who dared even to inform the king that he was after all but "God's sillie vassal"; and the Presbyterian form of Church Government, with its semi-democratic organisation and its perpetual insistence that Christ was its head and not King James, was daily sapping the foundations of feudalism.‡ This fact both king and nobles recognised. King James VI. advanced his claims to "divine right," and demanded an episcopal government in the Church which would, by giving him power to select the bishops, keep the whole Church organisation under his control. No bishop, he thought, would ultimately mean no king. But the nobles had not the faintest desire to see the bishops firmly established again; that might involve the return of the stolen Church lands; and rather than suffer such a calamity they would tolerate within certain limits the unbridled tongues of the ministers and the galling discipline of the presbyteries and the kirk sessions. And galling indeed to them must that discipline have been. Knox and his friends might not be able to secure for the Reformed Church the patrimony that was expected; but they could at least subject the morals of professing Protestants to a disciplinary rigour and a public examination that sent many an aristocratic delinquent half mad with rage and vexation. Thus in 1563 Knox forced Lord Lauderdale to do public penance before the congregation at Largo, for an illicit amour, and in 1567 the Countess of Argyll had to appear in sackcloth during worship at Stirling§. Well might Froude say that "something of the storm about to break over Scotland may be traced to an absence of wordly wisdom in the new born Church."||

*"The Covenanters," pp. 155-159. The Regent indeed said there would be no peace in Scotland until some of the ministers were hanged.

†*The Psalms in Human Life*—Prothero, p. 240.

‡In 1584, Melville rebuked the Privy Council for presuming to "judge the doctrine and control the ambassadors and messengers of a King and Council greater nor they and far above them."

§*Politics and Religion in Scotland*—W. Law Mathieson, i., 104.

||*History*, viii., p. 303.

On the one hand, then, we have the king struggling for feudal episcopacy as a barrier to the democratic, anarchical, republican notions which Presbytery fostered; on the other hand we have the ministers sternly insisting that they would have no spiritual master but Christ, and claiming for themselves and their sessions large disciplinary powers over the moral conduct of peer and peasant; and between the two we have the nobles, fearful of episcopacy lest it should result in their being compelled to return stolen Church lands, but hating furiously the new-born impertinences of the merchant folk and the ministers, who, sitting in kirk session, presumed to hector and lecture them without so much as "by your leave!" Naturally the tension on the ties which bound the ministers to the Crown grew with every fresh episcopal inroad made by the Crown into the "Reformation principles," as these were understood by the anti-Erastian clergy; but when, in October, 1626, King Charles I. revoked the land grants made to the Scottish nobles by his father after the Reformation, the aristocracy began to swallow its hatred of Presbytery, and in 1638, in order to preserve itself from farther royal encroachments, not only joined the ministers, but actually led them in the signing of the famous National League and Covenant, whereby the signatories banded themselves to resist popery and prelacy to the death. This, then, was the real meaning of the Covenant of 1638, signed first, by the way, not in Greyfriars Churchyard, but in Greyfriars Church, by the Earl of Sutherland—a desire to safeguard the landed properties of the nobles. "His (Charles I.'s) contumelious and impolitic treatment of the aristocracy," says Dodds, "was the groundwork of all the mischief that followed after, both to the king's government and family."* Had Charles I. stuck simply to his Act of Revocation it is likely enough that the ministers would have supported him, and the nobles would have been forced to disgorge; but his continual harping on his "divine right," and his scornful declaration that the Presbyterian was not a religion for a gentleman, and his impolitic action in attempting to force his Liturgy upon the Scottish Kirk, drove the ministers into the arms of the aristocrats, and finally cost him his crown and his head.

Opinions may vary as to the share even the ministers had in the struggles, the anti-monarchical, anti-prelatic struggles of the period, but it is morally certain that the labouring classes took little or no active interest in what was for them but a game in high politics. The Covenant of 1638 was a nobles' movement, and the editor of "The Diary of Sir Thomas Hope (Lord Advocate)"† points out

*Dodds' *The Scottish Covenanters*, p. 27, quoting Balfour's *Annals*, ii., 128.

See also *Politics and Religion in Scotland*, Mathieson, vol. i., p. 383, and Macintosh: *Hist. Civil. Scot.*, vol. iii., pp. 43-4.

†Mr. James Colville. See *Scot. Hist. Review*, 1905-6, p. 427.

that "the clergy, even the leaders, get no prominence in the Diary, strengthening the general impression one must form that the momentous rising of 1638 was essentially a movement of the barons, deeply roused by the king's threatened resumption of the Crown lands in the hands of the lay patrons." Wherever the clergy were unwilling to sign the Covenant, the local nobles "overcame their scruples;" at General Assemblies the barons turned up with their armed retainers; Sir William Dick, the great banker, financed the movement, and a farther step in open rebellion was taken when the Solemn League and Covenant was signed in joint agreement with the English Parliament for the extirpation of Popery, Prelacy and whatsoever should be found contrary to sound doctrine and the power of godliness! The Covenanters had triumphed; but, the Montroses, Leslies, Moncks and Cromwells drenched Scotland red with blood in the few succeeding years which elapsed, ere again a Stuart king sat on the throne and episcopacy was by law established.

Nor can it be said that the Covenanting leaders and armies were more humane, more generously disposed, or more civilized than the leaders and armies of the Stuart kings. After the battle of Alford in 1645, when the Duke of Montrose gave the Covenanting army the slip, "the baffled Covenanters," we are told on high covenanting authority:*

"had a miserable revenge in murdering in cold blood the female camp-followers—women and babes—left behind in this precipitate movement, an illustration of inhumanity equalled by the model army under Fairfax and Cromwell, who, at Naseby, butchered the Irish in terms of the Ordinance of 24th October, 1644, and imitated by Leslie† more than once, notably at Philiphaugh, when he dispatched the women and captives, and at Dunaverty, where he extinguished the garrison after its surrender on quarter given."

This Philiphaugh butchery was done with the connivance and concurrence of the Covenanting nobles, Argyll and Buccleugh. On another occasion Leslie had 80 women and children drowned at Linlithgow without sentence or the least formality of law, an action which probably met with the hearty approval of the ministers who were clamouring for the blood of Royalist captives and assuring the uninitiated that "the Lord was angry at the law's delay."‡ It is well that we should have no illusions about these Covenanting clergy; brave undaunted fellows, many of them, as became men who were firmly convinced that they were the specially favoured and anointed deputies of the Most High, and who had in their veins proud aristocrat blood, but they were narrow, bigoted, cruel, stupid

**The Covenanters*—J. King Hewison, i., 423.

†General Leslie, the little crooked-back soldier, was the leader of the Covenanting Army.

‡Hewison—*Ibid.*, p. 430.

and barbarously bloodthirsty; and as we shall see in a moment, they carried on, each in his own parish, a species of white terror which has left its mark on the labouring classes to this very day.

The Covenanting leaders, being who they were, "barons or gentlemen of good note," says Baillie, were instinctively Royalist; they submitted to and supported a Presbyterian form of church government, because a national reversion to Popery or Episcopacy meant a return of the Church lands which they had secured after the Reformation; but they stood nevertheless for a monarchical form of State government, since their own feudal rights and privileges were bound up with monarchy. Their ideal was a Covenanted king—a king who would covenant himself to the support of the new Church arrangements, but who in other matters of State would preserve the feudal *status quo*. This naturally did not suit Cromwell and the English republicans, and Cromwell came north at the head of an army to crush any latent or active support which the Stuart kings hoped to secure from the Scottish barons. At Dunbar, in 1650, his (Cromwell's) soldiers report that the Scots were picking "our horses' beans, eating our soldiers' leavings; they are much enslaved to their Lords";* and again, "the meaner sort . . . under their own great Lords . . . work for living no better than the peasants of France."† The attention paid to the economic condition of the working classes by the Cromwellian officers does not, however, seem to have been relished by the parties most concerned, for, we read, the whole country went aflame after the Cromwellian General, Monck, had sold 500 Scots prisoners captured at Dunbar to servitude in the Barbadoes at so much per head;‡ and it is not likely that, when Cromwell made what he called "a weat beginning" by killing a great many Covenanters at Musselburgh, he would endear himself to the class which would suffer the bloodshed.§ But he certainly did his best in other directions to weaken the power of the Covenanting barons; he abolished Church patronage, to the great disgust of the Lord Buccleugh, who protested against this curtailment of the "just rights" of the nobility and gentry: || he tore from the Church walls the machines and engines of ecclesiastical punishment: he prohibited religious persecution, to the great rage of the ministers who, in the Assembly of 1648, had declared against a "wicked toleration" of creeds, and he razed baronial fortresses to the ground.

In the hey-day of the Covenanters none but themselves were allowed to hold public office, and the Church Assemblies were care-

*Cromwell's Letters and Speeches—Carlyle, ii., 189.

†Ibid, ii., pp. 638-9.

‡Scotland and the Protectorate—Firth (Scot. Hist. Socy.), pp. 82, xxx.

§Kingcraft in Scotland—Ross, p. 84.

||Annals of Scot., iii., p. 391.

fully packed by the ruling class. At the Glasgow Assembly in 1638, for example, there were present as elders no fewer than 17 peers, 0 knights and 25 landed proprietors with titles from their lands. But pack the Assemblies and the public offices as they might, they could not suppress altogether the detestable Presbyterian clergy, one of whom, Naysmyth, at the Assembly of 1649, went so far as to propose that all tiends should be given up to the Church. Argyll, Cassilis, and other "evangelical" brethren hotly repudiated this "confiscatory" doctrine, and declared tiends to be only *jure humano*! "It is not good to awalkin sleeping dogs," quoth the sapient Duke of Argyll.* Then came the death of Cromwell and the restoration of the Monarchy in the person of Charles II., whom the nobility of Scotland hastened to palm off upon the Presbyterian clergy* as a real Covenanted king. The aristocrats simply tumbled over one another in their haste to do homage to the new monarch. "They had never," says Macintosh, "been scrupulous about the means of attaining their ends . . . In past struggles many of them had joined with the people" (i.e., the clergy) "against the Crown and the Government, but recently that line of action had been a losing and ruinous one, and there was no prospect of any personal advantage to be gained by it . . . Sentiments and convictions were thrown to the winds with scorn and contempt, religious convictions, covenants, equity and justice might all go to the wall."† To the uninitiated outsider it was a marvellous swing of the pendulum, and the Turkish Emperor said "that if he were to change his religion he would do it for the king of Britain's God, who had done such wonderful things for him."‡

But scarcely had Charles II. become firmly seated upon the throne, than he, by an Act Recissory, abrogated all the legislation of the Covenanting period; he re-introduced Episcopacy, made proposals for the sustenance of the Bishops, restored patronage, and declared private worship to be a nursery of sedition; ministers who preached without licence from a bishop, and parishioners who absented themselves from Church on Sundays, were declared guilty of sedition and liable to heavy fines and imprisonments; non-attending burgesses were to lose one-fourth of their goods and their burgess-ship, and in addition to suffer corporal punishment. Lairds were to be responsible for their tenantry, and informers were to get half of the fines. Parliament was carefully closed for 6 years against any possible suspicion of democracy by decrees which ordered the bishops to elect 8 nobles, the nobles to elect 8 bishops, and the 16 so elected to

*Balfour's Annals, iii., 418.

†Hist. Civ. Scot., iii., 120.

‡Chronological Notes of Scottish Affairs from 1680 till 1701—Lord Fountainhall, p. 46.

elect 8 county members, and these 24 in turn to select 8 commissioners from the burghs. These 32 individuals were to be Lords of the Articles and to govern Scotland under the king's commissioner, Lauderdale, who had never forgotten or forgiven the affront to which Presbytery had subjected him in Largo Kirk. But the tyranny bred spirited resistance. Four hundred ministers left their charges and their manse, many of them taking to preaching in the fields. Soldiers drafted to the west and south-west of Scotland only embittered the peasantry and led to armed conventicles; and the perpetual and persistent fining and robbery of the people and the remaining Presbyterian lairds was, as Woodrow shews clearly, the sole motive which led the aristocrats to support episcopacy and the sole cause of these desperate struggles at Drumclog, Pentland, and Bothwell Brig. In one year (1666) £50,000 in fines were raised in the South-west of Scotland.* If a landlord did not attend Church, his tenantry were compelled to pay his fine, even if the tenants themselves were regular worshippers. Coats and women's plaids were taken in fines, soldiers were quartered upon the poor; "religious prisoners" were handed over to Mr. George Hutcheson, merchant, Edinburgh, for sale to the slave plantations at Barbadoes; and so robbed were the commons of Galloway that when the soldiers met a beggar by the wayside they would ask him in jest "if he were fined." And yet, so great was the theological intolerance of the period, that Woodrow finds time amidst all his chronicle of suffering to assure us that "about this time the Council came to some good resolutions against Quakers and Papists," the adjective "good" meaning, of course, exceptionally severe.

Spies and informers on conventicles or field preachings were to get the fines levied on everyone under the rank of landed proprietor, fines from whom were reserved for the aristocrats. In a few brief years the fines in the County of Renfrew alone totalled £90,000 in money sterling. The Marquis of Atholl, who had the gift of certain fines from Duke Lauderdale, made £5000 in one year. Tenant conventiclers forfeited all their property to their lairds. Death was decreed as the fate of the field-preachers. The Bishop's Court of High Commission was kept busy fining, branding, imprisoning, exiling, and was aptly compared to the lion's den, into which led many tracks, but from which none returned.

This rapacity and tyranny could have but one ending—rebellion; and rebellion there was. Suddenly, in 1666, from the bleak bogs of Galloway, guant, desperate peasants and preachers seized muskets, disarmed the soldiers of General Turner, whom the peasants called "bloody-byte-the-sheep," and marched, 2000 strong, through

*History of the Sufferings of the Church of Scotland—Rev. Robt. Woodrow (1721), vol. i., p. 237. See also Hewison: *The Covenanters*, ii., p. 73.

Ayrshire and Lanarkshire on Edinburgh; but they had no organisation, and were easily routed on the Pentland Hills by the king's troops under General Dalziel. Those who survived the slaughter suffered torture from the boot and the thumbscrew; some were hanged at the insistent instigation of the bishops, despite the fact that they had been given quarter by the soldiers on the battlefield. The peasantry of the east country shewed no mercy to any stray fugitive whom they happened to come across; bitter memories of the cruelties and absurdities of Covenanting rule, the "jougs," the branks, the stools of public repentance, perhaps accounting for the popular antagonism to the preacher fugitives, just as it probably accounted for the Edinburgh mob which met the Bothwell Brig prisoners some years later at Corstorphine with the mocking cry: "Where's your God? Where's your God?" After this affair on the Pentlands, additional facilities were offered for the enrichment of the nobles at the expense of the poor, under the plea of "pacifying the disturbed districts." An army was quartered upon the people of Galloway; conventiclers were to be hanged and their goods confiscated—half of the fine going to the miserable informer; cottars were fined £20 for failing to get their children properly (that is, episcopally) baptised; servants, for a similar omission, were mulcted in half a year's fee; fines and transportations to slave plantations were the order of the day. "It was better," said Lord Lauderdale, "that the West bore nothing but windlestraws and laverocks than that it should bear rebels to the King," and accordingly in 1678, an Army 10,000 strong (6000 of them Highland clansmen) were sent south to annihilate the conventiclers and spoil such part of their gear as had escaped previous plunderings. Clean, clean was that harvest, and when the clansmen returned spoil laden to their mountains, they left behind them burgesses, cottars, and small bonnet lairds, ruined and homeless, lurking about in the caves and the moss-hags with a shabble in one hand and a Bible in the other, ready for any enterprise which promised revenge upon their enemies. The events of 1679 are familiar to every Scotsman: Archbishop Sharpe stabbed to death in face of his daughter; Drumclog, with Captain Claverhouse defeated; Loudon Hill; Hamilton Moor; the thousand prisoners tied two by two in Greyfriars kirkyaird, and kept there in the open for several weeks; the hangings; the sellings into slavery in the plantations at Barbadoes; fines and forfeitures galore; Sir John Dalrymple, the old Protestant rebel, prosecuting people for "resetting" (i.e., harbouring and even speaking to) fugitive Bothwell Brig-ers, a crime not seldom punished by death; the Earl of Atholl turning wild Highlanders on to the massacre of conventiclers, whereby "some were killed, some plundered, others barbarously stripped naked, and weemen forced and many taken

prisoners; so that where the Sanctuary was thought strongest, the assault was most fierce, toward the town of St. Johnston.* But the Duke of Argyll was the "star turn" of the period. His father, a cowardly old ruffian, had gone to the block under circumstances which have enabled a certain school of romancers to pass him off as a "Martyr for the Covenant"; but the son objected to be called a Presbyterian; he suggested tortures for the ministers implicated in the rebellion. Ever with a keen eye to the main chance, he bought up the Earl of Huntly's debts and mortgages and juggled the other creditors out of their share; he was a notorious oppressor of his tenantry; and in 1680, having secured the Island of Mull from the Chiefs of the Clan M'Lean, who had been ejected for non-payment of an alleged debt, he was engaged in a vigorous rack-renting of the tenantry. This Mull-debt business was his undoing. It seems that he had originally lent £10,000 to the M'Leans, but by decreets and forfeitures and interest-mongering decisions, given in his own Courts against the M'Leans, this sum rapidly rose to £200,000, and the M'Leans being unable to pay, he got a commission of fire and sword against them. On being ejected, the M'Leans sought revenge; they organised Huntly's creditors with Cameron of Lochiel and others, who were afraid Argyll meant to attack them next, and on a quibble about a religious test they forced him to flee the country, thereby earning for him in the story-books an imperishable name as a Protestant martyr, though he cared as much or as little for Protestantism as did Sir John Dalrymple who, in the South country, was suborning false witnesses against Lord Bargany's theological integrity with a view to securing his estates.† Indeed, a vast amount of the persecution of conventiclers under Episcopacy was only superficially theological: at bottom it was estate-grabbing. In 1683 the Government emptied its gaols of sodomists, adulterers, murderers and thieves in order to accommodate those against whom theological charges could be made, likely to result in heavy fines. From 26 heritors in Roxburghshire no less a sum than £274,737 (Scots) was taken as penalty for non-churchgoing, though by the Cess Act of 1681, heritors were to be relieved by their tenants, tradesmen, cottars and servants.‡ The Sheriff-depute of Renfrewshire was indicted for "oppressive acts" done "in order to get money to himself,§ as also were Pringle of Rig, Sheriff-depute of the Merse,

*St. Johnston, ancient name of Perth city. Matthew M'Kail's description in *State Papers. Dom. Chas. ii.*, 407.

†Sir John, by the way, afterwards became a zealous adherent of King William and his "glorious Revolution," when Presbytery again triumphed in 1688.

‡Four years later, in 1685, the heritors were still farther relieved by the "Poll Money Act."—*Acta Parl. Scot.*, viii., 483.

§Fountainhall's *Chronological Notes*, pp. 79, 88, 107.

and others; and the numerous sentences of transportation to Carolina and other slave ports can safely be ascribed to the inducements held out to the judges by Robert Barclay, Robert Malloch, and other prosperous slave-shipping agents.* These oppressions naturally fanned the fanaticism of what Lord Rothes called "the sects of the dunghill"; and "the Society People"—Cargill, Cameron, Renwick, and the other preachers in the moss-hags, declared open war on the Government; they disowned the tyrant Charles II.; they denounced Episcopacy and all its works; they refused to pay taxes; they issued proclamations declaring that while detesting and abhorring "that hellish principle of killing all who differ in judgment and in persuasion from us" yet those "informers who raise the hue and cry against us and the soldiers and judges" would be dealt with "as ye deal with us." But for them it was the killing-times: one by one they were picked off, each meeting death unflinchingly as became men who had fought the good fight. Round the Wild Whigs, Wanderers, Faithful Remnants, Hillmen, Cameronians, and Macmillanties, tradition has woven a story which one would not willingly let die. James Rumbold, the maltster, admitting in court that "his rooted opinion was for a Republick against Monarchie, to pull down which he thought was a duty and no sin; and on the scaffold began to pray for that party, but was interrupted, and said, if every hair on his head were a man, he would venture them all in that quarrell"—no miserable, half-hearted opinion trimming there! And what a despicable revenge the judges had upon him; he was partially hanged, his breast ripped up, his heart pulled out and thrown into a fire, his head struck off, and parts of his body sent as a warning message to the market crosses of Glasgow, Dumfries, New Galloway and Jedburgh. Some were so tortured by the rack, the boot, and the thumbscrews in the Courts, that even the Duke of Hamilton protested that any sort of crime could be proven by such despicable methods; some—"the common prisoners"—were despatched at a profit to the slave plantations; some had "a piece of their lugg cutt off"; some women were drowned, some burned on the shoulders with red hot irons; some men had their ears torn out by the roots, their fingers wrenched asunder, and the bones of their legs shattered; some women, stripped almost naked, were whipped publicly through the streets; † uniformed aristocrats stole openly from poor travelling packmen, justices fleeced the defenceless, officials tampered with and corrupted the coinage, soldiers were defrauded of their wages by their officers ‡; and despite an ever-simmering pot of rebellion, we are told that "the reign of Charles II. closed on the 6th of Febru-

*Fountainhall's *Chronological Notes*, pp. 96, 115, 140.

†*The Rise and Influence of Rationalism in Europe*—Lecky, ii., p. 41.

‡Hewison's *The Covenanters*, ii., 123.

ary, 1835, amidst a scene of oppression, suffering, and corruption unmatched in the worst times of the nation's history.*

But the Episcopalian and Aristocratic tyranny had over-shot itself; its excesses and extravagancies had driven the merchant class and the financiers *holus-bolus* into a determined party intent upon driving out the Stewart kings and their bishops, once and for all. Not, of course, that the merchants had the slightest sympathy with the Cargillites and the Cameronians, who had rejected all monarchies and hereditary principles, but, simply, they wanted sober, settled, steady and responsible government. Upon William Prince of Orange they fixed their choice, and at his landing as Protestant king the reigning Stewart fled and the glorious Revolution of 1688 was *un fait accompli*, the Scottish nobles, as one would expect, being heavily bribed to acquiesce in the intrigues of the period† and receiving liberal compensation for such patronage and other rights as they were induced to surrender.

It was now the turn of the other side to exhibit a tyrannical intolerance—an intolerance perhaps scarcely to be wondered at when one thinks of the men from the hidie holes, the men with one ear, the women with the branded cheek and the seared shoulder, soldiers whose tongues had been bored with red-hot irons for “blaspheming their officers,” and the survivors from the malarial fever colonies, re-entering society. The curates of the old *regime* were ruthlessly chased out with their wives and families to beggary. The Rev. Wm. Law, the first Presbyterian minister after the Revolution, at Crimond, was deposed by the Presbytery of Aberdeen for daring to assert in a sermon “that virtue was more natural to the human mind than vice.”‡ In Galloway the Presbytery refused to allow “Papists” to marry, refused even to allow a male Protestant to marry a “Papist” woman, refused to baptise the children of “Papist” parents unless the parents gave a pledge that the child would be educated in the Protestant faith and produced a Protestant sponsor; Catholic servants were not allowed to have Catholic masters nor Catholic masters Catholic servants; Catholic widows had their children taken from them and alimnt for their upkeep extracted forcibly from the mother's estate; in business matters and in court cases, the oath of a Catholic was outside the law and had no weight; although Catholic marriages were refused, if two Catholics dared to live together they were liable to excommunication—a fearful sentence, involving complete social ostracism, no one being allowed to sell the excommunicated persons food or to let them a house; and although Parliament, in 1690, had abolished the

*M'Intosh—*Hist. Civ. Scot.*, iii., 163.

†*Leven and Melville Papers*, 417.

‡*Law's Memorials*.—Ed. by C. K. Sharpe (1818), p. x.

civil penalties of excommunication, the Presbyteries clamoured for their re-imposition.* Nor did the bounds of religious freedom widen without such bitter opposition from the sectaries that one is justified in coming to the conclusion that theological toleration is a contradiction in terms. In 1778 all the Synods, except that of Aberdeen, protested against the repeal of penal laws against Catholics, and Principal Robertson of Glasgow, who had advocated repeal, was denounced as a “pensioner of the Pope.” In 1780 a Catholic Chapel was burned by an Edinburgh mob; in 1833 the General Assembly of the Church of Scotland was passing resolutions against the education, at State expense, of Catholic children; in 1837 the Assembly indicted Dr. Cleland, the famous statist, for declaring in his contribution to the Statistical Account of Scotland that a certain Catholic sermon he had heard was “powerful,” one member of the Assembly characterising the statement as so “disgraceful” that he “could not restrain his indignation.” The publisher of the Statistical Account (Blackwood) was forced to apologise, and to declare that he “would sooner have put his hand in the fire than sanction anything of the kind” (*i.e.*, the printing of Dr. Cleland's laudation of a Catholic sermon). In 1839 we find the Synod of Glasgow and Ayr pleading, with only two dissentients, for the repeal of the Catholic Emancipation Act. When the great secession from the Established Church took place and the Free Church was formed—450 ministers and 200 probationers voluntarily leaving manses, emoluments, and social status for conscience sake—some lairds who adhered to the old kirk refused the new congregations ground for holding meetings, forbade them even to obstruct the highways, and forced them to worship on the seashore betwixt high and low tide-marks. The great Guthrie himself preached in the open at Canonbie with blue-bonneted elders clearing away the snow from the collection plates. Kirk Sessions and Heritors refused adherents of the Free Church a place on the poor's roll, deposed dissenting schoolmasters, dismissed dissenting servants, and ejected dissenting tenants. But the Free Church, in turn, was not one whit more tolerant than its great antagonist. In 1845 the “Frees” demanded the abolition of University tests so far as they themselves were concerned, but they desired them strictly enforced against such “atheist” cattle as Jews and Unitarians. Catholic Professors, they said, should be dismissed. Priestley, the Unitarian, should be forbidden to teach chemistry: Herschell, the Jew, should be forbidden to teach astronomy. Orating at Symington Green, one of the seceders thus prayed for and referred to the soul of the parish minister, John Wilson: “Thou knowest that the silly, snivelling body is not worthy even to keep a

*“Some Incidents in Troqueer Parish.”—Shirley. *Dumfries and Galloway Arch. Socy. Proc.*, 1910. pp. 156-161.

door in Thy house. Cut him down as a cumberer of the ground; tear him up—root and branch, and cast the wild rotten stump out of Thy vineyard. Thresh him, O Lord, and dinna spare! O thresh him lightly with the flail of Thy wrath, and make a strae wisp of him to stap the mouth of hell!"* Well might Lord Cockburn lament that, "the Quakers alone excepted, no sect has the remotest idea of what toleration means."†

So far, then, a brief outline of the Theological struggles in post-Reformation times; but ere we consider the relationship which the various Theocracies—democratic and otherwise—bore to the working-class, it is essential to dispel the current illusion that the Covenanting leaders, even the leaders of the hillmen and the hunted heroes of the moss-hags, were poor men. They were not. Prophet Peden was a bonnet laird; Johnston of Warriston, Erskine of Dun, and Bruce of Kinnaird were aristocrats; "no fewer than eighty per cent. of the ministers during the whole Covenanting period were graduates of universities †"; John Welsh was a grandson of John Knox and son of a minister; Donald Cargill, who had been called to the Barony Parish of Glasgow, was the son of a lawyer; Richard Cameron's father was a merchant; John Balfour ("Burly") was a portioner in Kinloch; Richard Hackston was laird of Rathillet; he had bought some confiscated land from Primate Sharp for £1000, and the bargain not being implemented, Sharp threw Hackston into gaol. On his release Hackston swore: "God damn him if ever he went to church so long as there was a bishop in Scotland!" James Renwick, alone of all the martyr leaders, seems to have had a working-class origin, he being the son of a Nithsdale weaver. Gibb, the Bo'ness sailor, who founded the sect of Gibbites or Sweet Singers, and who seems to have possessed something of a magnetic power in drawing women away from their husbands,§ may have been "working-class," as also may Moon-clothed Mother Buchan, who led her vagabond flock into the far wilds of Galloway in search of the Mount of Ascension; but the revolutionary theological tradition and the evangelistic fervour which has come down to us is distinctly of mercantile and bourgeois origin. Towards the end of the "killing times" Cargill's followers may have been thinned out of all but labourers and mechanics, who carried knives with the inscription: "This is to cut the throat of tyrants"; but none of the religious up-

**Fasti Ecclesie Scoticae*, i., 231.

†Cockburn's *Journal*, i., 45, 83, 226; vol. ii., 32, 48, 113, 115. The Quakers in Scotland have always been roughly treated, and more particularly so in the seventeenth century, when the least they could look forward to was imprisonment and exile.

‡*The Covenanters*—Hewison, i., 162, 273.

§Gibb, by the way, was transported to America, and seems to have gained some notoriety among the Red Indians.

heavals were of peasant origin; and for long after the Presbyterian triumph in 1688, it was the custom for the minister to bow from the pulpit to the principal heritors according to their right of precedence, and sometimes there were violent disputes among the gentry as to who was entitled to the first bow.* And not only from the Reformation in the sixteenth century downwards have the ministers been middle-class in origin and in social sympathy, but the kirk sessions and the presbyteries have been carefully manned by representatives of the landed gentry, the tradesmen, the merchants, and the large farmers, to the exclusion of the poor. This fact must be borne in mind when we are considering the disciplinary rigour with which the moral codes and the parish social legislations were weighted against the peasant, whether under the curates of Episcopacy or under the ministers of Presbytery. Beneath the dramatic struggle of the systems and the sects, under the rule of each and of both, the poor were branked, and stocked, and gouged, and imprisoned, and publicly admonished with a harshness and a cruelty which has left its mark in the cringing submissive spirit in which the Scots rural peasant regards, even to-day, his be-collared "betters."

The kirk sessions regarded themselves "as watchmen ower Christ's flock"—watchmen with special instructions against sparing the rod. They put down the old system of hand-fast marriages whereby men and women contracted themselves on trial to each other for a year and a day before going to the priest for official ratification of the marriage; † they undertook the reconciliation of quarrelsome couples; they gave or withheld Church lines or testimonials without possessing which a servant might have his wages arrested; ‡ they specialised in sexual inquisitions, ferreting out with great ingenuity and punishing with a savage ferocity every little lapse and side slip from the narrow way. Life under these theocratic zealots was a dreary round of fastings and toil. The village bell awakened the workers at 4 a.m., even in winter, and it did not ring cessation from toil until 8 p.m.,§ and marriage feasts being the happy blinks in the grey lives of the people, it behoved the sessions to decree that none but four persons beyond the blood relations of the bride and bridegroom should be present. At Ashkirk, in 1638, Adam Moffat, piper, for his offence, clearly proved, of piping at bridal, was ordered to stand at the kirk door every Sunday during the pleasure of the session "barefoot and barelegged." Pro-

*"Clerical Customs in the Olden Time."—Rev. D. Hogg, Kirkmahoe, in *Dumfriess and Galloway Antiq. Socy. Proc.*, 1863-4, p. 50.

†See *Scott's Monastery*, chap. xxv.

‡This, too, as late as 1710. See Dr. Cramond's *The Records of Elgin* (New Spalding Club), ii., 328.

§*Records of the Baron Court of Stitchill*, p. xxxiii.

miscuous dancing was banned by the Assemblies. At Perth, after the Reformation, ante-nuptial intercourse rendered the participants liable in a fine of £40 Scots, or imprisonment for 8 days, before being taken to the market place and forced to sit for two hours in the stocks. A repetition of the offence was punished by the parties having their heads shaved.* As the ministers refused to marry people ignorant of the Lord's Prayer, the Creed, and the Commandments, illicit "carnal dealings" increased with alarming rapidity, and, as at St. Andrews, kept the spiritual policemen busy.† There first offenders, after undergoing searching cross-examination by the session, were imprisoned in the kirk steeple, and ordered to sit on the penitent stool and wear a sackcloth gown in front of the congregation at the Sabbath services;‡ when the minister proceeded to administer public reproof the penitents stood up bareheaded amidst a congregation which sat wearing hats and bonnets. At the expiry of the imprisonment in the steeple, offenders had to pay the kirk beadle two shillings ere being released. In 1567 the penalty for a first offence was a fine of £40, imprisonment for 8 days on "breid and small drink," and exposure, bareheaded, and fastened to the market cross for two hours; for a second offence, the fine was 100 merks, the imprisonment doubled, and "baith the heides of the man and the woman to be schavin"; for the third "fault," the fine was increased to £100, the imprisonment tripled, and the parties taken to "the deepest and foulest pule, or watter of the towne or parochin, thair to be thryse dowkit and thairefter baneist the said towne . . . for ever."§ At St. Andrews some kind-hearted relatives who had sheltered a young woman who had a "misfortune," were fined 40s., and ordered to make public humiliation for not giving information to the session. Single women were regarded as ticket-of-leave criminals, and had to undergo regular examination and cross-questioning as to behaviour. Female delinquents in the Canongate parish of Edinburgh were compelled to wear, for six hours at the cross, an iron mask with prongs for entering the mouth, called the branks; afterwards the women were to be houseless, since no one was to let a convicted fornicatrix a house under the penalty of 40s.

*At Perth such offences must have been of frequent occurrence, for the Session appointed a barber for the purpose.—*Perth Kirk Session Records*, p. 230.

†*St. Andrews Kirk Session Register*—Ed. by Dr. Hay Fleming. The labels "Adultereris" and "Fornicatoris" mark the vast majority of the "sins." People were refused marriage for inability to recite the Lord's Prayer, the Creed, and the Commandments, and were also fined 40s. for their ignorance.

‡The Penitent or Repentance Stool is still exhibited to visitors at Holy Trinity Church, St. Andrews.

§*Acta Parl. Scot.*, iii., p. 25, 26.

At Elgin, in 1656, John Anderson and Agnes Gillanders were whipped out of the town on suspicion of fornication in the kirk steeple. Corporal punishment, of course, was solely at the discretion of the civil magistracy, but since the magistrates' bench and the kirk session were frequently composed of the same individuals, the recommendations of the ecclesiastical court to the civil court seldom, if ever, went unheeded. In 1559 the authorities at Dundee decided that fornicators convicted of a second offence should "stand 3 hours in the gyves (fettors) and be thrice doukit in the sea." In 1562 the sin had grown so common, it was decided that "baith the man and the woman be skurgeit at the cairt erters and baneist the town." In 1564 impure women were taken to the market cross and had their hair cut off.* These brutal punishments naturally were reserved for the poor; nor does it appear that the moral police went to the bedside of any of the wealthier delinquents "and in her extremity examine her anent the father of her child."† The rich might be called upon to suffer public humiliation on the Stools of Repentance, but the delinquents were so many that the ordeal, probably by reason of its very familiarity, ceased to be anything more than a slight discomfort. Adultery was punished more severely, sometimes indeed the dread sentence of death being meted out;‡ sometimes the offender was carted through the town on market day and ere being "dowkit ower the heid" in some foul pool, was peppered by the school children and others with "rotten eggs, filth and glar"; he then had to stand, Sunday after Sunday, till the session was satisfied, bare-headed and barefooted, and finally he was banished.§ At Aberdeen, in 1568, adulterers stood in sack-cloth, bareheaded and barefooted, with the particulars of the offence written on a paper fastened round their heads, while the minister lectured them before the whole congregation.|| In 1596 the Kirk Session of Glasgow had a pulley attached to Glasgow Bridge for the public ducking of breakers of the Seventh Commandment. As late as 1792 fines were still being levied on immorality in a parish at the gates of Aberdeen, and in the year 1809 public penance had not been abolished at Mauchline in Ayrshire.^b

Something might have been said for the continuance of these ferocities and savageries had experience shewn the theologians that

**History of Old Dundee*—Alex. Maxwell (1884).

†*Dumfries and Galloway Arch. Socy. Pubns.*, 1910, p. 154.

‡*Scotland: Social and Domestic*—Rogers, ii., 241.

§*St. Andrews Register*, ii., p. 793.

||*Wcc. Records of Aberdeen* (Spalding Club). In Dumfriesshire poor offenders had their heads "torkit" or punctured at the Cross on market day.—

Dumfries Antiq. Socy. Trans., 1900-5, p. 96.

Stat. Eccl. Scot., ii., 286.

^b*Old Church Life in Scotland*—Edgar, i., 301.

their penal regulations wrought some good amendment in the habits of their parishioners, but when experience had shewn the severities to be not only useless, but actually productive of grosser "sins" than the ones they were intended to crush, it is difficult to imagine why, generation after generation, the kirk sessions acted as they did. The savage punishment of illicit motherhood became a fruitful cause of infanticide; and yet, despite it all, at Perth, in the year 1580, out of 211 baptisms, no fewer than 85 were of children born out of wedlock; and in 1574, no fewer than 27 per cent. of the births in Aberdeen were illegitimate. The frequency of the public humiliations killed modesty, and the Duke of York was probably accurate enough when he said that they "rather made scandals than buried them." The crime of Sodomy was unknown before the Reformation, but it grew to large proportions afterwards.*

Woman being, according to the clergy, the channel through which sin had entered the world, was subject to exceptional "discipline." In Roman Catholic times female users of profane language were "weighed and considered according to their blood, and estate of the parties that they are coupled with," but under the Democratic Theocracy woman was not so much a slave chattel as a temptation to sin. The Kirk Session of Perth would not allow an unmarried woman to live alone, or two sisters to keep house, together, "for fear of scandal." The Kirk Session of Canongate ordered one, Marjore Brison, whose crime had such extenuating circumstances attached to it that the magistrates had pardoned her, to appear in Church for three successive Sundays "bairfit and bairlegit," and wearing a colourless petticoat. In 1606 the Kirk Session of Ayr made Janet Hunter "stand in her lynnings at the cross on market days and at the Kirk door seven days, and in the public place of repentance," for scolding her husband. In 1643 the Kirk Session of Monifieth provided their officer, Robert Scott, "with ane pynt of tar to put upon the women that held plaids about their heads" in church. In 1671, for the alleged crime of "drinking the good health of the devil," Marion M'Call of Mauchline was taken to Edinburgh and "scourgit" from the cross to Netherbow, then had her tongue bored and her cheek burned, and warned not to return to Ayrshire under pain of death.† In the St. Andrews records, a case is recorded where a woman for "mis-saying and disobedient to her husband is bound over in £10 and to sit in the joiggis xxiii. howris," and a man who mis-called his wife was forced to go on his knees before the congregation and, holding his tongue by his fingers, shout "Fals tung, thou leid." As late as 1790 the magistrates of Stirling were actually taking counsel's opinion as to whether they should publicly

**Politics and Religion in Scotland*—W. Law Mathieson, i., 187.

†*Old Church Life in Scotland*—Edgar, i., 261.

whip a woman who had returned from banishment in a state of pregnancy.*

Under the zealots there was great expansion of the Decalogue; and the calendar of "sins" and "scandals" for which poor offenders must "stand the session" and make public humiliation and repentance, grew to such a length that it covered almost every human activity except praying, fasting, and toiling for the lairds and the merchants. Absence from Kirk was a sin; playing golf on fast days; running through the town "under silence of nycht;" drinking; drinking during times of sermon; all varieties of Sabbath breaking, from carrying a load to the laying-out of skins to dry; "flyting"; ungodly speaking; "extraordinary drinking"; "drinking ontymouslie"; suspicious company keeping; mis-spending gear; "dancing"; tulzeing, and ongodlie behaviour; wrestling; kissing a maid "on the causeway"; giving trouble to neighbours; playing cards and dice; † watering kail and "playing bogill about the stacks" on the Sabbath; taking snuff in Church; sleeping in Church; ‡ being a "naughty person" (banishment for this enormity!) §; describing one of the elders as "a mansworn slaverie loon"||; mocking at piety; being "sensibly drunk"; teaching children to say papa and mama instead of father and mother was one of the causes of God's wrath.α Sabbath-breaking came under the heading of "vice and enormities," and the elders who had each command of a certain district, made regular domiciliary visits on the search for non-church goers. During such visits they were accompanied by church officers armed with halberts, and they had summary powers of fining all "swearers" who committed a lapsus in their hearing, in the sum of eightpence. At St. Andrews two cadgers are haled before the session for travelling on the Sunday, and although their excuse, that they had stayed too long in Dundee on Saturday owing to "storme of wether," is accepted, they are bound over not to commit the like enormity again. The Kirk protested not only against Sunday markets, but against Monday markets, because the thoughts of tradesmen strayed on Sundays to the mercantile possibilities of the morrow, and matters commercial must have got somewhat complicated during fast weeks, when, as in 1653, the Wednesday was given over to eight hours' preaching, the Saturday to two

**Social Life in Scot.*—Rogers, ii., 36.

†*Records of the Kirk Session of St. Andrews*, i., lxx.-lxxii.

‡*Politics and Religion in Scotland*—Mathieson, ii., 217.

§*The Records of Elgin*—Cramond, ii., 343.

||*Old Church Life in Scotland*—Edgar, i., 238. In 1650 a man was fined for not taking off his cap to a Linlithgow bailie.—*Scot. : Social and Domestic.* Rogers, i., 66.

α*Walker's Biographia Presbyteriana*, i., p. 140.

or three sermons, and the Sunday to twelve hours' attendance in Kirk, and four thanksgiving sermons were delivered on the Monday. The preacher who could hold out for a five hours' exhortation was reckoned of great power.* The Kirk protested against trade with Spain and Portugal, for these were papist countries, and contamination was dreaded; merchants were compelled to close their booths two forenoons each week for the preachings; in 1653 a man was summoned before the Kirk Session of Stow for daring to visit his sick mother on the Sabbath; in 1732 the Kirk Session of Elgin issues frequent fulminations against those who draw water from the wells on the Lord's Day, and sends offenders before the magistrates for civil punishment; before the same session in 1762, "Elizabeth Frigg, servatrix, Barnhill," is "dismissed with a sessional rebuke for carrying home some things in her lap on Sabbath night which her master had bought at the market on Saturday. She came not home till the Sabbath night, for which her master was angry with her." In Lumphanan parish, in 1785, a man was solemnly excommunicated "for going to see his mother on a Sabbath day and taking a stone of meal to her"; at St. Andrews children found romping on the streets on Sabbath day were flogged, and the theological fanatics of that same city surely reached the limits of absurdity when they proposed that "No husband shall kiss his wife, and no mother shall kiss her child on the Sabbath day;"† on the Moray coast it was a sin to rescue drowning fishermen on Sunday.‡ At Dunfermline, in 1685, apprentices were whipped before the Session for Sabbath-breaking; everywhere the vocations of "minstrel" and "piper" were proscribed; poetry was a profane and unprofitable offence; merrymaking was condemned.§ Anyone convicted of a third breach of Sabbath day regulations forfeited all his goods and estate. At Elgin, in 1659, the Rev. Murdo M'Kenzie scoured the town at Christmas-time to prevent the popish observance of eating geese;|| indeed, Christmas itself was abolished by Act of Parliament and was not re-legalised until after the Union of the Legislatures a; at Dunfermline, in 1641, a man was fined for putting a roast to his fire on the Sunday; the Kirk Session of Glasgow had an elaborate set of branks and juggs for the public punishment of "flyting women"; sometimes absentees from the Sunday preachings were condemned

*Buckle's *History of Civilisation in England*, iii., 204-206.

†Rev. Mr. Lyon's *History of St. Andrews*, i., p. 458, quoted in Buckle's *History of Civilisation in England*, iii., 253.

‡*Letters from a Gentleman in the North of Scotland*, i., p. 173.

§*Scotland: Social and Domestic*—Rogers, p. 28.

||Scott—*Fasti*, v., 151. In the late 18th century shaving on Sunday was considered by the Seceders to be a serious profanation of the Lord's Day.

aBy the Act of 1712.

to sit on the Gowk's stool during so many sermons; usually, however, the master of a family had to pay a fine of 3s. 4d. sterling for every member of his family who, being in good health on the Saturday night, did not put in an appearance at Sunday worship;* married men and women were subjected to the most outrageous cross-examination on intimate sexual affairs;† to the Kirk Session of Saltoun, in October, 1640, the parish baillie reported that, pursuant to their decree, he had pointed from refractory and contumacious people, viz.:—"from Jeane Reid, ane pan; from Margaret Fluker, ane coat; from Agnes Litster, ane yron pot; from Helen Allen, ane coat," etc.‡ Honest doubters of scriptural dogma were sharply sentenced to public humiliations in sackcloth, as Dougald Roddan of Troqueer parish discovered after he had avowed his belief that "there were but bitts of the Bible the word of God" and that "women had no souls"; the poor the aged and the infirm were relieved out of church collections, the richer heritors escaping poor's tax, so long as they could dodge attendance at kirk, but the alms could scarcely have been regarded as unadulterated blessings by the recipients, for it was accompanied by a necessary attendance at kirk and a regular catechising and theological examination; unlicensed beggars were put in the thieves' hole or the kirk vault; at Aberdeen, in 1608, the swarm of able-bodied beggars who thronged the kirkyaird during sermon and refused to come in to the hearing of the word, were threatened with imprisonment; by Act of Parliament in 1581, swearers convicted of a third offence were either to be imprisoned for a year and a day, or banished, but in the south country the sessions improved upon this by barring from the Communion table "all those who used any kind of minced oaths such as heth, teth, fegs, losh, gosh or lovenanty;" at Gask, in 1679, we find the session appointing a man to instruct a poor orphan boy how to beg and "quhair to goe" as his boarding-out was over-great a financial burden upon the kirk funds, which perhaps is not altogether to be marvelled at when we read, on December 18th, 1732, that the Kirk plate had collected from the canny country-folk no less than "fifteen pounds of ill hapenyces"§—an excellent illustration this of the truth of Gresham's Law that, bad money drives good money out of circulation; among the recipients of session alms at Gask we find, in 1772, one "Solomon, an Arabian Christian, recommended by the Patriarch of Jerusalem"; the enterprising Solomon got six shillings, every coin of it, doubtless, in "ill hapenyces."

**Dumfries-shire and Galloway Ant. Socy. Proc.*, 1863-4, p. 61; *Ecc. Records of Aberdeen* (Spalding Club), p. xxx.

†*Ibid* (Aberdeen Records), p. 59.

‡*Dumfries and Galloway Arch. Socy. Proc.*, 1910, p. 158.

§*Scot. Hist. Review*, 1904-5, p. 32.

It is difficult to understand why the Scots people should have "cowered with such a willing submission" under all this white terrorism; true, here and there, as at St. Andrews, there were rebelliously-inclined individuals who kicked against the pricks; the "ill hapenyes" just referred to do not indicate an overwhelming reverence for the sessions. When General Monck shipped away the ecclesiastical leaders of Dundee to English prisons, the people, we are told, thought "the loons were weel away" and refused to pay a reek tax to secure their liberty; * but the real reason, we expect, for the tame submission to the tyranny lies partly in the fact that the common people were still semi-serfs with the slave blood sluggish in their viens, and partly in the terrible consequences which followed the dread sentence of excommunication. The form of ex-communication ran thus:

"Havyng God only befor owr ees [so and so] be excommunicat, seperated, and cuttit of from the congregacion and mysticall body of Christ Jesus, and all benefittis of his trew kyrk (the hearyng of Goddis word only except); delivering hym oneto Sathan for the distruccon of the flesche, that the spirit may be saved in the daye of the Lord; and at nane of the faythfull fearyng God, fra this hour furth, accompany wyth hym in comonyng, talkyng, byng, selling, eating, drynkn, or other way quhatsoever, except thai be appoynted of the kyrk for his amendment."

A similar social ostracism was placed upon any individual discovered disobeying the edict by having converse or dealing with the denounced one; and Parliament assisted the Kirk by declaring that such excommunicated persons as failed to reconcile themselves to the Kirk within 40 days were to be outlawed as rebels and their goods and chattels forfeited.† And not only Parliament, but each feudal baron in his domain and each burgh magistrate on his bench assisted the Church in, and used the Church for, this "discipline" of the poor. At Stitchill the Baron assisted in the ecclesiastical punishments, and delinquents chained in the stocks or the joughs at the Kirk door suffered during the pleasure of the laird. At Lasswade the Baron Court prohibited farmers from employing servants who had not their testimonials *vised* by the kirk session, and in the same barony, in 1696, all "tenants' wives, colliers, servants, and children were ordered to go to the grieve's house on Sabbath days and march with him to the parish church"; also, it was ordained that "all children who shall meett together in clusters on the Lord's day to play together (as ordinarily they do) their parents be advertised thereof and commanded to belt them privately for the first and second fault," but for the third offence they are

*Hewison's *The Covenanters*, ii, p. 39. See also *Perth Kirk Session Records*, p. 231.

†*Acta Parl. Scot.*, iii., 76.

"to be belted publicly on the coale-hill by there parents . . . on Munday morning thereafter." Absentees from kirk service were ordered to stay indoors all Sabbath under a penalty of, for a man and wife, 2s. Scots, for a servant, 1s. Scots, and for every child over 6 years of age 6d. Scots.* In Aberdeen the penalties imposed by the magistrates for non-attendance at Sunday sermon were for a burghess and his wife, 13s. 4d., and for a craftsman 6s. 8d; for non-attendance at week-day sermon the burghess was mulcted in 2s. and the craftsman in 1s; and the clergy were diligent in spreading horrible stories of the evil things that befell rebellious people who did not reverence and obey their spiritual advisers. Men who put out their tongues at ministers had the misfortune to have their tongues stick out for ever; and traders who refused to finance kirk projects had their progeny turned imbecile for three generations.

But the records of these little village popes of Presbytery are not all black with class tyranny and cruelty and superstitious folly, as the struggles to create and preserve a system of compulsory education bear witness. True, long before the Reformation there were grammar schools for the teaching of Latin, and lecture schools for teaching in the vernacular tongue; † teachers were licensed, if not greatly encouraged, by the old church; and the sons of barons and free-holders were compelled to attend until at least they "had perfect Latin"; but John Knox and the Reformation enthusiasts gave to the Reformed Kirk a wider, a more complete, and a vastly more effective educational system. On paper the new system was splendid: it provided for the compulsory education of all children, if necessary right up to the Universities, but it did not provide the cash, and the heritors and wealthy parishioners generally saw no reason why they should pay for the education of the progeny of the "rascal multitude." From 1560 to 1633 literally nothing was done beyond the creation of spasmodic and half-starved curricula of reading and writing which the kirk sessions offered the children of such parishioners as were able to contribute to the cost; though in some places the children of the poor were taught *gratis*. But the Knoxian tradition still persisted, and in 1633 the bishops were given powers by Parliament to tax the heritors and the parishioners for education, if they could secure a local majority in favour.‡ In 1646 such a tax or stent was made compulsory, local majority or no; and fifty years later the heritors were ordered by Parliament to provide commodious schoolhouses and find a yearly salary of from 100 merks (£5 11s. 1d. sterling) to 200 merks (£11 2s. 2d. sterling)

*"The Barony of Lasswade."—James Steuart in *Chambers' Journal*, August, 1912.

†M'Crie's *Life of Melville*, p. 361.

‡*Education: Scotland*.—First Report of Commissioners (1865), xxvii.

for every schoolmaster, having relief from the tenants for half the cost. But, alas for the importunities of the Kirk and the good intent of Parliament, in many districts the heritors stubbornly refused to yield the funds, and as late as 1706 there was no school at Girvan; by 1711 neither school nor schoolmaster at Dailly; * by 1715, in Fife, only one man in three and one woman in twelve could write; by 1720 few, if any, of the common people of Galloway could read, and the schoolmaster, who could not eke out an existence from the birds slain at the cockfighting contests on Fastern's eve, the occasional basket of eggs, bundles of peat divots and so on brought him by his scholars, ran every chance of dying from sheer hunger; he was simply tolerated by the rich class as a sort of ornamental parasite, and if he had the hardihood to beg that his nominal salary—less, considerably less, than the wages paid to the artisan—should not be nominal, but real, he was informed that his pupils would be withdrawn from his school.† In 1735 the parishioners of Dalgain, Riccarton, Kirkoswald, Craigie, New Cumnock, Dailly, Bar, Muirkirk, Auchinleck, Symington, Stair, and Monkton were induced, probably by their ministers, to take legal action against the heritors for non-provision of schools and teachers' salaries. In 1752 there was neither school nor schoolmaster at Auchinleck, and in 1758 a similar state of things existed at New Cumnock. Even in the schoolmasters' charter of 1802, Parliament fixed the maximum annual salary at £22 4s. 6d. In the larger burghs, where the Kirk influence was more potent, matters were not so bad.‡ As early as 1675, for example, Rutherglen had a common school for the compulsory instruction of all young persons between the ages of 6 and 12, and some consistent effort was made by the Sessions right down to 1873, when the State took control of education out of Church hands altogether to guarantee the masses a knowledge of the three R's. Not that the poor children were always carefully enrolled—far from it; did not Dr. Guthrie estimate, in 1863, that there were some 2000 ragged children in Edinburgh who were outside the educational polities of the city? Still the Church must be given credit for having insisted, despite three centuries of discouragement, upon the inalienable right of every child born in the realm to a full and a free drilling in the rudiments of reading, writing, and arithmetic.§

But no proper or adequate conception of the theological tyranny of the times we are considering can be formed unless due prominence

**Old Church Life in Scotland*—Edgar, ii., 74.

†*Graham's Social Life in Scotland in the Eighteenth Century*, ii., 161.

‡*See History of the Burgh and Parish Schools of Scotland*—Grant.

§It is also worthy of passing note that in May, 1847, the United Presbyterians resolved "in favour of secular, without religious, education by the State."

—Lord Cockburn's *Journal*, ii., p. 179.

is given to the revolting tortures and murders of thousands upon thousands of poor old Scotswomen which took place as a result of the great witchcraft superstition. At every mercat cross and on every gallows hill, throughout the length and breadth of the land, the innocent victims of clerical delusion and magisterial greed were burned to the death; professional witchfinders over-ran the country; ignorant clergymen and still more ignorant kirk officials sought dilligently for women who might be on terms of intimacy with the devil, and woe be to they upon whom the least breath of the malevolent suspicion fell! Interrogation before the Session, upon "evidence" elicited from poor distracted and hysterical victims by savage tortures unknown even in the hellish annals of African heathendom, verdicts of guilty, and sentences of roasting alive were pronounced; and for a century and a half every burgh and parish in Scotland seems to have offered to Heaven its regular incense of a stench of burning flesh—human flesh, the flesh of the mothers and grandmothers of the labouring poor. We shall never perhaps know the number of the victims, but we can at least here adduce evidence, shocking though it be and gruesome, to prove that such polite historians as have merely in a depreciatory and minimising way deigned to notice the subject at all, equally with the historians who write for class hire and deliberately obliterate everything calculated to enlighten the working people on the real and vital happenings of the past, are merely useless fictionists and class servers, their alleged history but a conglomeration of half truths and whole lies. Professor Hume Brown cautiously estimates the number of witches burned in Scotland at four thousand; * the writer of the preface to the published records of the Baron Court of Stitchill puts the number at eight thousand,†—an enormous number in the vastly smaller populations of the sixteenth, seventeenth, and eighteenth centuries.

The witchcraft delusion, of course, was not peculiar to Scotland; there were witch-burnings in England, and as early as the year 1515, we read, 500 witches were executed at Geneva during three months, and during twelve months at Como no fewer than 1000 convicted women were destroyed; but in Scotland the mania grew to dimensions and raged with a ferocity elsewhere unequalled. Here, in this country, from 1563 on to 1722, did a cow sicken, or a harvest fail, or a storm menace shipping, or a rich man or a clergyman die suddenly, then nothing so certain as that there was a coven or gang of witches at work! The minister, accompanied by two of his elders, made "a subtle and privy inquisition" of the parishioners.‡ Boxes were put up in Church where anonymous accusations could be

**Scotland Before 1700*, p. 207.

†*Nat. Hist. Socy.*, vol. 50, p. xxxvii.

‡*Dalyell's Darker Superstitions of Scotland*, p. 624.

dropped. Did some poor old dame meander in her talk, did her clasy old tongue annoy an elder with gossip, then the minister named her publicly from the pulpit and the startled congregation was enjoined to supply evidence against her. Meanwhile she was completely ostracised. Suspicions accumulated. Finally she was haled before the Session for examination, an examination conducted, says Lecky, "eagerly, passionately, with a thirst for blood that knew no mercy, with a zeal that never tired.*" Did she deny her intimacy with the devil, then a professional witchfinder might be employed, or torture might be immediately resorted to. If the specialist were employed, he commenced his researches by first blindfolding the suspected woman, stripping her naked, binding her to a chair, and making a keen scrutiny of her body for any devil's mark. If a brown mole-ish mark was anywhere discoverable, particularly among hair roots, the witch-finder rammed a witch-finding needle three inches long into the flesh at the marked spot. The woman was then asked to point to the exact spot at which the needle had entered her flesh, and if she failed (as she usually did)† she was, of course, guilty,‡ for it was indisputable that whatever part of one's body the devil might mark, would thereafter be insensible to touch. Guilt having been thus proved, the victim was cross-questioned as to her accomplices, since the devil usually kept his followers in each parish organised in separate covens or gangs of thirteen members. If the poor woman was "obdurate," and refused to invent the names of other twelve women as devil's servants, she was put to the torture. A witch's bridle was put over her head,§ four prongs being inserted in her mouth, one each to the tongue and the palate and one to each cheek; she was then chained to a ring in a cell and kept without sleep by skilful "wakers," who took turn about at the vigil.|| Food and drink were refused her; at intervals she was hung up by her thumbs, which were tied together behind her back; she was whipped; lighted candles were applied to the soles of her feet, between her toes, and into her mouth. If she still refused to invent the names of her accomplices she might be clad in a hair-shirt soaked in vinegar to draw off her skin. From these tortures four out of six accused women at one trial are said to have died.¶ Sometimes

**Rise and Influence of Rationalism in Europe*, i., 128.

†The spots may sometimes have really been anaesthetics.

‡Pitcairn's *Ancient Criminal Trials in Scotland*, vol. iii., p. 601.

§Minutely described by Pitcairn in *Crim. Trials* (Bannatyne Edn.), vol. i., part ii., p. 50.

||In Dunfermline every citizen had to take his turn as "waker of witches." One woman complained to the Privy Council that she had been kept awake for 20 days, and naked, but for a sackcloth over her.—Mathieson's *Politics and Religion in Scotland*, ii., 190.

¶*Byways of History*—Colville, p. 240. Chambers' *Dom. Ann. of Scot.*, ii., 61, 154, 219.

their legs were crushed with wedges in the "boot," their heads "thrown" with a rope, their fingers twisted in the thumbscrews, and their nails turn off with pincers. Once we come across the case of a poor woman in Kirkwall, one Alison Balfour, who, after bearing her own torture without finching, finally swore everything her tormentors put into her mouth, through seeing her husband, her son and her daughter (a child of seven years) tortured before her eyes; and ere she was burned at the stake she made a recantation of her bogus "confession" and asked the pardon of God for even yielding to the making of it, but pled with a pathos that no words can describe how, though she had suffered her own bodily pains unflinchingly, she had yielded when she heard the cries of her little daughter in the agony of the thumbscrews, for she was "sair vexed"***

When a woman ceased to be obdurate, and yielded up the names of her "associates," each "associate" was, of course, arrested, and a similar course of examination and torture arranged, the parish ministers having thus little difficulty in keeping themselves busily employed against the army of Satan. If, by any mischance, a scarcity of victims should occur in a district, the Presbytery might appoint a solemn fast for "the discoverie of the gryt empyre of the deivill in this countrey be witchecraft"; in some districts the fast was supplemented by the employment of a pardoned witch as a sort of witch detective. At Glasgow, in 1597, for example, one, Margaret Aitken, had her life spared on condition that she would make a general discovery of witches whom she professed to be able to recognise by a certain secret mark on the eye; through her activities "divers innocent women . . . were condemned and put to death."

Perhaps we could best convey to the reader an impression of the real nature of some of these gloomy barbarities by abbreviating and bowdlerising (for there is great plenitude of sexual grossness) one of the trials recorded by Pitcairn.† In the year 1590, one, David Seaton, a baron's depute-bailie in Tranent, had a maid-servant, Geillis Duncan, whom he suspected of being in league with the devil for some nefarious purpose or other. He therefore privately "examined" her by means of thumbscrews and by throwing her head with a rope. Yet would she confess nothing. Latterly he discovered the devil's mark upon her throat, whereupon she, in terror, confessed that she was a devil's servant [she may have spoken truer than she knew], and implicated "innumerable" others, including, Dr. Fian, a schoolmaster. As a result, many of the

**Ancient Crim. Trails*, vol. i., part ii., pp. 215-222.

†Pitcairn's *Ancient Crim. Trials*, i., part ii., 376-7. Thomas Palpa, another Kirkwall victim, was in the thumbscrews for 11 days and 11 nights, then put in the boots, "he being naiket in the meane tyme and skairgeit with towis in sic sort that thay left nather flesch nor hyde upon him."

"innumerable" host were executed, all of them except two being "reputed for as civil, honest women as anie that dwelled within the cittle of Edenbrough before they were apprehended." King James, who professed himself to be an authority on Demonology, examined one of the implicated women, Agnes Simpson, himself, but she stoutly denied any acquaintance with the devil, and was therefore ordered to prison for torture and examination for the devil's mark which "he puts upon his own with his tongue in some privie part of their bodie, usually under hair for the sake of concealment." The poor woman had her head thrwn with ropes, "according to the custome . . . being a payne most grevous," and had all the hair upon her body shaven off, whereupon the devil's mark was discovered. She then confessed that she had sailed away in the air in a riddle with other 200 witches, and that she had met the devil in North Berwick Kirk at dead of night, where he had compelled the observance of certain indecent rites. The King, incredulous, said she was an "extreame lyar," but Agnes whispered to him certain secret conversations he had had with his Queen, and he then no longer doubted the mad nonsense which she confessed about cats which could raise tempests, about the curative powers of toads' venom, and about carnal dealings with the devil (vividly described). Dr Fian was then put to the torture, and "confessed" the most outrageous sexual nonsense, evidently with a view to escaping farther mangling in the "boots." He escaped from prison, was re-captured, had his finger nails torn off with smith's pincers, and through his fingers were thrust needles "up to the heads": still he denied he was a warlock; then his legs were smashed in the "boots," being "crushit and beaten togrther as small as might bee, and the bones and flesh so brused that the bloud and marrow spouted forth in great abundance"; finally, still denying guilt and recanting his original "confession," he was burned on the Castle Hill of Edinburgh in January, 1591.

Once an accusation was made there was small chance of escape. For some little time after the Reformation the civil magistrates refused to carry out the witchcraft sentences, but this roused the General Assembly of the Kirk, which in 1597 complained that the magistrates set convicted witches at liberty, and declared its intention of excommunicating any magistrate who, in time to come, would not apply the death penalty after conviction.* Farther, the magistrates were encouraged to assist the Kirk by being granted the property belonging to executed witches; † and when the great chirurgeon (surgeon) craft found its trade attacked in every parish

**Proc. Soc. Ant. (Scot.)*, 1887-8, p. 245.

†*Memorials (1638-1684)*—Rev. Robt. Law (Sharpe's Edn.), lxix.

by one or more female folk herbalists,* there was added another economic interest to the anti-witch campaigns; certainly the mere charming away of warts and toothaches by incantations and herb brews was not legally punishable by death, but the medical profession did its utmost to stamp out the blackleg competition, and encouraged the clergy in their cruel and nefarious work. † One case is on record where the Presbytery of Lanark, finding that a poor old woman had been adjudged by the Commissary of Lanark to be guilty of charming only, "continued to labour more earnestly, until on 5th November (1640) they consider they have sufficient materials for bringing her to trial, quherupon the Presbytery thinks themselves bound not to suffer a witch to live." ‡ It has been said that final acquittal on a charge of witchcraft was so rare that only three instances of it have been recorded in the judicial records, and in one of the three cases (that of Agnes Simpson, in 1591, referred to *ante*) the majority of the jury, who acquitted, were proceeded against for "wilful error." § When the cases, after coming before the sessions an the presbyteries, were referred for sentence not to the judicial authorities of the towns but to the assize courts in the country districts, acquittal does not appear to have been much more common, Sir George Mackenzie observing that "scarce ever any" escaped. And when the sessions failed, even after diligent search, to gather evidence, however flimsy it might be, against a woman, they salved what they called their consciences by ordering her to "make sackcloth repentance for being suspected of witchcraft." || The ministers and their sessions based the justification for their hatred of witchcraft upon such Biblical texts as the last verse of the 20th Chapter of Leviticus, the 18th verse of the 22nd chapter of Exodus, and on the 18th chapter of Deuteronomy, and their delusions assumed sometimes fearful proportions. The Rev. Robert Kirk of Aberfoyle, in his *Secret Commonwealth*, thus describes the witches' mark: "a spot that I have seen, as a small mole, horny and brown coloured: throw which when a large brass pin was thrust . . . till it bowed and became crooked, the witches, both men and women, nather felt pain nor did bleed, nor knew the precise time when this was doing to them, their eyes only being covered." King James VI., another specialist, in his *Daemonologie*, explains that the reason why women are more

**Perth Kirk Session Records*, p. 232.

†Some landowners, like Chisholm of Comer, in 1662, got rid of undesirable or wealthy tenants through accusing them of witchcraft.—*Lang's Sir George Mackenzie*, p. 41.

‡"The Confessions of the Forfar Witches."—Joseph Anderson, LL.D., in *Proc. Soc. Ant (Scot.)*, 1887-8, p. 243.

§*Scot. Hist. Review*, 1904-5, p. 244.

||*Dalyell's Darker Superstitions of Scotland*, p. 665.

addicted to witchcraft than are men is because "that sex is frailer than man is, so it is easier to be entrapped in these grosse snares of the divell, as was over-well proved to be trow, by the serpent's deceiving of Eve at the beginning which makes him the homelier with that sex sensine." Captain Burt relates how a minister told him seriously that "one man succeeded in cutting off the leg of a cat who attacked him, that the leg immediately turned into that of an old woman and that four ministers signed a certificate attesting the fact" * ; and one of the "counts" upon which the Rev. Donald Cargill excommunicated "Bluidy Mackenzie," the Lord Advocate, was that he (Mackenzie) had interfered in favour of a tortured "witch." † Even the pious Woodrow is constrained to report that the ministers were "indiscreet in their zeal," and when finally in 1735 Parliament repealed the statutes against witchcraft, and made the convicted witch a mere cheat and condemned her not to the stake but to the pillory, the only protests came from the clergy. ‡

It is difficult for a later age to reconstruct the psychology of these clerical witch-finders. That they believed they were doing vigorous battle with the devil, we may agree; that they were impelled and assisted in their savageries by powerful economic interests, the medical profession, the magistrates' bench, and the lairds, we have seen; but it is not clear why men and women, who merely consulted the witches for herb cures, should be put to death, nor is it clear why the tortures should have been so fiendishly savage, nor why, so often, the victims should have been burned alive. Mr. Andrew Lang says that what went on in the name of witchcraft was a web of fraud, folk medicine, fairy tale, hysteria, and hypnotic suggestion, including physical and psychological phenomena still unclassified. § But that does not cover the whole ground. Why, for example, should Satan, when he came to Scotland, so frequently devote his energies to women, and why should all, or nearly all, of the witchcraft trials retail gross and realistic evidence bearing upon sexual relationships alleged to have been between the accused women and his Satanic Majesty? Mr. Burns Begg, ingeniously hazards the guess that there were a large number of discharged soldiers on tramp who to credulous women represented themselves as the devil, and by so doing gained an extraordinary ascendancy over their minds. This may have been the case where the "witches" confessed later on before the Session that the devil originally appeared to them as a

*One of the most credulous of the witchcraft experts in his day was Professor Sinclair, who held the Chair of Moral Philosophy at Glasgow University, and who was the author of "Satan's Invisible World Discovered."

†*Sir George Mackenzie: His Life and Times.*—Andrew Lang, p. 46.

‡*Scotland: Social and Domestic*—Rogers, p. 30.

§*Hist. o Scot.*, ii, p. 432.

strong able-bodied man; but what are we to make of the mental condition of the poor unfortunates who alleged that the Devil came to them in the guise of a bee or as a pretty boy in green clothes? And what are we to make of the witches' song which the devil asked his victims to sing:

"Commer goe ye before, commer goe ye,
Gif ye will not goe before, commer let me?"

Certainly the accused women seem always to have been of the labouring class. Once, indeed, a professional witch-pricker called John Kincaid, whose reputation among the clergy seems to have been chiefly based upon the fact that he operated with six and eight inch needles—being some three to five inches longer than those used by his competitors—made the mistake of accusing "a noble lady" of witchcraft. But this was more democracy than his Age could stand, and John was despatched as a common felon to the prison at Kinross. In the rural districts lairds who might be in trouble with Presbytery upon their own accounts might seek to appease their spiritual advisers, as did the Marquis of Douglas in 1649, when he arrested 11 women on a charge of sorcery, and sent them to Presbytery for examination, with just such an *insouciance* as he might have displayed if he had appeased the owner of a menagerie by sending him a catch of rabbits.* The juries were composed of "landowners and other responsible residents." † and that the common people were quite alive to the class nature of the inquisitions is evident from the fact that the executioner or other official in charge of the witch-burnings was sometimes pelted with stones. ‡ Little need we wonder. Sometimes the poor victims were "wirreit at ane staik" (i.e., strangled) before being "brint in assis," but usually the sentence simply reads "*convicta et combusta*" (i.e., convicted and burned), and the Earl of Mar told the Privy Council, in 1608, how, with a piercing yell, some women once broke, half-burnt, from the slow fire that consumed them, struggled for a few moments with despairing energy among the spectators, but soon, with shrieks of blasphemy

**Scot. : Soc. and Domestic*—Rogers, ii., 188.

†Trials for Witchcraft at Crook of Devon, Kinross-shire (1662)—*Proc. Soc. Ant.*, 1887-8, p. 215. In 1598 the Laird of Lathocker took a suspected witch, Geillis Gray, from the minister at Crail, and so tortured her that she was unable thereafter to work for her living.—*St. Andrew's Register*, f. n., p. 882.

‡*Dumfriesshire Antiq. Socy. Trans.* (1900-5), p. 103.

and wild protestations of innocence, sank writhing in agony among the flames.*

Now let us endeavour to form some idea of the extent of these witchcraft persecutions. Pitcairn says the first case in Scotland occurred in 1563, when Agnes Mullikane of Dunfermline was "banist and exilt." In 1569 William Stewart and a Frenchman called Paris were burned at St. Andrews for "witchcraft, ingromancye and utheris crymes," and in 1572, at the same place, a woman was burned, John Knox himself being the officiating prosecutor.† In 1575 a woman was summoned for sorcery before the Session of St. Andrews, but fled with her husband, who declared that "his wyffe feared and thairfoir they durst not byde."‡ In 1579, thirty persons, in Ross and Ardmanach, we are informed, came under the spiritual shadow which attended the Reformation of religion, and were "delated" for sorcery and incantation.§ In 1588, Alison Pearson, of Byre-hills, Fifeshire, was, after most extravagant confessions, convicted of sorcery.|| Between 1544 and 1660 the witchcraft cases coming before the Privy Council are so numerous that the index in the published register fills three columns.^a In the year 1590, a woman called Bessie Roy is thus charged; "Thou are indicted for a common away-taker of women's milk in the whole country, and detaining the same at thy pleasure, as the whole country will testify"; in the same year 200 witches and warlocks were "bagged" at North Berwick. Seven years later "many wer execute" at St. Andrews, including a detachment forwarded by the minister of Pittenweem; at Aberdeen "a sweet beginning" was made with 23 women who were burned living.^b Between 1619 and 1622 no fewer than 7 commissions to try witchcraft in Inverkeithing were issued by the Privy Council, and as each trial usually involved a large number of women and as the evidence given in one trial was held as evidence even against women who were not themselves upon trial, blanks being left in the charge sheets for such fresh names as

*Sum wemen wer tane in Broichtoun (Broughton, now part of Edinburgh) as witches, and being put to ane Assize and conviot, albeit they perseverit constant in their denyell to the end, yet thay wer Burnit Quick efter sic ane crewell maner, that sum of thame deit in despair, renuonceand (renouncing their baptism), and blasphemeland; and utheris half brunt, brak out of the fyre and wes cast in quick in it agane, quhill thay wer brunt to the deid."—*Haddington MSS.*, Advocates Lib. Edin., 422.

†*St. Andrews Kirk Session Register*, part i., p. 7. See also *A Historie of James the Sext.*

‡*St. Andrews Kirk Session Register*, p. 7.

§*Exchequer Rolls*, vol. xx., Pref. lxiv.

||*Border Minstreley*, ii., p. 213.

^a*Reg. Privy Council*, vol. 8, 2nd and 3rd series.

^b*Proc. Soc. Ant. in Scot.*, 1887-8, p. 245.

might be discovered during the trial, each commission meant a holocaust of victims.* During the years 1622 to 1625 some fifty guilty persons were delated for sentence to the Privy Council, and nearly half of them were from Inverkeithing and Culross; † women were burned in Corstorphine, Eastwood, Auchterarder, Niddrie, Eyemouth, Anstruther, Dysart, St. Andrews, Edinburgh, Fossoquhy, Leith, and other places. One woman at Carmunnock, Margaret Wallace by name, was accused by the minister, the Rev Archibald Glen, of "killing Robert Muir, his good-brother, by witchcraft." The charge failed, and some six years afterwards the Rev. Archibald died, whereupon the Session and the Presbytery promptly accused the woman of encompassing his death in revenge. She was charged with laying upon him "ane uncouth sickness, whereof the said Mr. Archibald, sweating, died." In vain did the poor accused woman plead that "in truth the said Mr. Archibald died of a consumption of his lights." She was burned.‡ In 1623 Thomas Grieve, at Edinburgh, was executed after a process instigated by the Surgeon's Guild for curing of Wm. Cousine's wife by causing her husband to heat the coulter of his plough, cooling the said coulter in water from the holy well, and then giving her the water to drink. In 1626-7 nine search commissions were issued for Dysart, nine for other towns in Fife, and thirty-two for the County of Aberdeen. § The details of the cases dealt with between 1629 and 1631 by the Privy Council would fill volumes. Isobel Young, spouse to an Eastbarns portioner, is first strangled and then burned on the Castle Hill of Edinburgh, and a similar fate befalls Agnes Finnie of the "Poteraw of Edinburgh;" "several" are burned in Orkney; Kate Oswald, spouse to Robert Achison in Niddrey, charged with being habit and repute a witch, having carnal dealings with the devil, and bewitching John Nisbet's cow so that it gave blood instead of milk is worried at a stake ere being burned; Alexander Hamilton, a beggar who was refused an alms by Lady Ormestoune, called upon his friend the devil to assist him in revenge; so the Lady died, and Alexander was burnt as a reparation; Alison Nisbet in Hilltoun is burned; and Eliza Pae, the maltman's wife in Eyemouth, just secures ac-

*Hume *On Punishment for Crimes*, ii., 559. King James latterly saw that many of these commissions of justiciary were being used and abused against innocent persons (*Chambers' Dom. Ann. Scot.*, i., 292), though he himself had sold many of them to barons and burgh magistrates. Commissions entitled their holders to search for, torture, and execute witches. —Macintosh—*Hist. Civ. Scot.*, ii., 274.

†Mathieson—*Politics and Religion in Scotland*, ii., 157.

‡*Memorials on The Memorable Things that fell out within this Island of Britain from 1638 to 1684*—Rev. Robt. Law (Sharpe's Edn.), Preface lvi.

§*Reg. Privy Council*, 2nd series, vol. i., pp. xii, xiii.

quittal on a charge of sinking ships and conversing with Satan.* In 1637 Isabel Malcolm is convicted by the Presbytery of Strathbogie of "charming," but her case is continued "in the hope that she should be found yet more guilty"; and another poor creature admits that she had received 6d. from the devil, who had informed her "that God bade him give her that and ask her how the minister was and other questions."†

The General Assembly of the Kirk which met in 1640 required ministers all over the country, "carefully to take notice of charmers, witches, and all such abusers of the people, and to urge the Acts for Parliament to be execute against them," as if every clergyman of the previous three-quarters of a century had not been zealous and diligent in purging the land of Satan's accomplices! Three years later there is another outbreak of savagery; in Fifeshire alone during a few brief weeks over 30 women are burned; Janet Barker and Margaret Lauder, two Edinburgh servant women, are "detected" by one James Scobie. The women are burned, and Scobie leaps into fame and is in great demand. The Church Assembly asks Parliament for a standing Commission to try cases. In July, 1646, the Kirk Session of Auchterhouse appoints a public fast "because of the scandal of witches and charmers in the district," and also because the neighbouring congregations "have long been starved by dry-breasted ministers." In 1649 there is a savage epidemic of women-burning all over Fife, Perth, Stirling, Linlithgow, Edinburgh, Haddington, Berwick, Peebles and Lanark, and in a single afternoon Sir James Balfour witnessed the issuing of no fewer than twenty-seven commissions;‡ in one little village 14 or 16 women are said to have been burned,§ at Torryburn, a village four miles from Dunfermline, one out of every three old women was prosecuted for witchcraft.|| In England, however, by this time, so far from encouraging torturings and inquisitions, the authorities were actively stamping them out; in the *Mercurius Politicus* for October 23rd, 1652, there is a case reported where the English judges ordered the minister, sheriff, and tormentors to be found out and to have an account taken of the ground of their cruelty; but in Scotland, let the Government be as it may—Covenanting, Episcopalian or Cromwellian—the tortures and the burnings went on steadily. In 1656 John M'William Sclater was burned for being the devil's cloak-bearer; in 1658 Margaret Anderson of Haddington confessed herself guilty of witchcraft, but afterwards retracted, saying she was "distracted" when

*Spottiswoode Socy. *Miscellany*, part ii., 47-72.

†Macintosh—*Hist. Civ. Scot.*, iii., 261-3.

‡*Annals*, iii., 436-7.

§Mathieson—*Politics and Religion in Scot.*, ii., 160.

||*Dunfermline Kirk Session Records*, 14, note.

she made the confession; the minister, however, was not thus to be baulked of his prey, and signed a deposition that his victim "was quite sound in her mind when she made the confession." She was burned along with a warlock called John Carse. In 1658 Margaret Taylor, Janet Black, Katherine Rany, and Bessie Paton were burned; in 1659 five women, called the Stentoun witches, were burned; in 1659 eight women and one man were burned at Tranent after some extraordinary confessions of *coitus cum diabolo*; in the same year nine victims were roasted at Dumfries. Of the Alloa witches dealt with by the Presbytery of Stirling on 11th May, 1658, three were burned and one died in prison, one of the victims in this case admitting that she had been in the devil's service for 20 years; she had first met the devil "in Isabell Jamesone's little house where she dwelt herself all alone, and who came in to me in the said house in the likeness of a man with broune cloathes and ane little blak hatt, who asked her, what aileth you? She ansorit, I am ane poor bodie and cannot gett wheron to live. He said, Ye sall not want if you will doe my bidding, and he gave me five shilling and bade me goe buy ane peck of meill with it, and I went to the tron and bought ane peck of piess meill with it, and it wes gude money"; he then sent her for "ane Chopine of aill" and they ate and drank together; he spent the night with her; she said she would be his servant, to which he replied "Ye must quyte God and your baptisme," which she did, "and he gave me his mark on my eyebrie by ane kiss"; she was to call him, she said, "by name Johne and I sall nevir leave you, but do anything to you that ye bid me. Thereafter in the groof of the morning I convoyed him doune the bowrig, where he vanished from me." That is certainly the kind of story explained by Mr. Begg's theory of the tramp soldier, and it is fairly typical of the sad muck which, by the gloomy superstitions of an ignorant clergy, was construed into demoniacal revelation.

In 1660, under the reign of the Merry Monarch, a regular epidemic of women-burning swept the Church.* As one writer puts it: "Whatever satisfaction the return of King Charles the Second might afford to the younger females in his domains, it certainly brought nothing, save torture and destruction, to the unfortunate old women or witches of Scotland." Innumerable warrants were issued, and "for some years the Castlehill of Edinburgh and the heights in the vicinity blazed with the dry carases of the miserable victims." In the North country ignorant justices and foolish clergymen condemned almost every old woman upon whom their malevolent suspicions fell to the torture and the stake.† In 1661 commissions were issued galore; three justice-deputes were kept busy once a week

*See *Acta Parl. Scot.*, vii., App. 31; *Records of the Judiciary Court*, vol. i.

†Sharpe's Pref. to *Law's Memorials*, cit. op., lxviii.

at Dalkeith and Musselburgh in trying witches; in August of that year, John Rae, the traveller, asserts 120 women were burned; Janet Watson, at her trial, admitted that the devil came to her "in the likeness of ane prettie boy in green clothes, gave her his mark, and left in the likeness of ane blak doug"; when next he re-appeared he came as "a great bee and stung her shoulder" and called her "Weill Dancing Jenot."† Poor Isabel Gowdie, at Auldearn, was bullied into declaring: "I deserve to be reivin upon iron harrows and worse if it culd be devysit." One woman at Nairn implicated 37 others. At Margaret Hutchison's trial in Edinburgh, "the young laird of Duddingstone, deponed that a witch who had lately suffered for sorcery had mentioned that Hutchinson was as great a witch as herself and had attended several of the devil's select parties. Upon this she was found guilty, strangled, and burnt." No conception of the sifting of evidence, no mercy, no sense, only a dull, blind, and cruel fanaticism! Strangled and burned! In 1662, commissions are still being poured forth, but the authorities in Edinburgh forbid the ministers to use torture.* And one infamous wretch is whipped through the streets of Edinburgh for making false accusations against women.† But the new humanism is a long way from the hearts of the clergy, and the tortures and the inquisitions proceed apace! At the Crook of Devon, twelve women and one man are tried; all are poor, the man cannot buy "himself a pair of shoon"; one woman, Margaret Hoggan, is 79 years of age and "may have died from excitement and terror in the course of her trial"; of the 13 accused only one, Margaret Pittendreich, escapes, and that temporarily because of her pregnancy—she is to come up for sentence afterwards; two married women, whose names had been used during the trial, were seized, strangled, and burned.‡ Dalzell gives 150 as the number of victims in 1662.§ In 1664 nine women were burned together at Leith; in 1673, Janet M'Nicol, condemned by the Earl of Argyll, Sir Colin Campbell, and Ninian Bannatyne, was strangled at the Gallows Craig; in 1697, Thomas Aitkenhead was hanged for attributing a post-exilian date to the pentateuch;|| in the same year, two men and four women (the Renfrewshire witches, as they were called) were burned on the Gallows Green at Paisley, one poor warlock escaping the torture by committing suicide on the previous evening. In Renfrewshire under the curates of Episcopacy there had been no burnings, and even with Presbytery in the ascendant,

†Pitcairn's *Ancient Crim. Trials*, iii., 601.

*Chambers' *Dom. Ann. Scot.*, ii., 220, 277, 278, 285.

†*Spottiswoode Socy. Miscellany*, ii., 71.

‡*Proceedings Socy. Antiq. Scot.*, 1887-8, pp. 212-218.

§*Darker Superstitions of Scot.*, 669.

||Story told in Lang's *History of Scotland*.

the Commissioners at first refused to act; but the clergy were eager and ferocious for blood, and during the great trial in 1697 a minister, Henderson, preached a savage sermon to the Commissioners from the text, "Thou shalt not suffer a witch to live."* At Kirkcudbright, in 1698, a poor old woman from Dalry, called Elspeth M'Ewan, was burned; and from the Burgh Treasurer's accounts we can gather some idea of the ceremony. Her burning cost £5 (Scots of course) for peats, sixteen shillings for coals, four shillings for ropes wherewith to bind her securely as she was being roasted; the tar barrel cost £5 4s., the carter's account was 6s., and two shillings was allowed the executioner for "ane pint of aill qn she was burning" (it would be thirsty work!), eight shillings to the drummer who officiated, and £5 5s. drink-money to the executioner, the drink being specifically stated as being consumed "at several times."

Silently, the nightmare rose from Scotland; by the year 1702 we can only find one witch being hanged in Edinburgh †; and the last burning seems to have taken place at Dornoch, in 1722, where, on a bitterly cold day, a poor old grandmother was brought out to the faggots; the arrangements were scarcely complete, and, as a special favour, the poor old body was allowed to sit beside the fire which was to consume her while the other instruments of her death were being prepared.‡ In 1734 the Presbytery of Elgin dismissed a charge against a "reputed charmer" on her promise not "to do the like again," and although there were inhuman monsters still at large in the pulpits—men like the Rev. Thomas Boston of Ettrick, who likened unbaptised infants to "toads and serpents which men kill at first sight, before they have done any hurt"—and although, even as late as 1743, the Synod of the Secession Church was protesting against the repeal of the laws against witchcraft, the days of the women-burning were over. The Church had great internal struggles at her hand to keep her busy. Science was slowly bringing men a wider outlook and a more reasonable explanation of the phenomena of life.

*Metcalf's *History of Renfrewshire*. References given to the "witch-findings" at Greenock, Inverkip, Paisley, Kilmacollm, etc.

†*Scot. : Social and Domestic*—Rogers, i. p. 29.

‡*Justiciary Records* (Scot. Hist. Socy), Preface by Sheriff Scott Moncrieff, xxvii.