

**THE STIRLING PRESBYTERY, 1604-1612:
and the re-imposition of an erastian episcopacy**

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By looking at the example of the Stirling presbytery, this paper considers the re-imposition in early 17th century Scotland of crastian (state) episcopacy in matters related to - presbytery structure and meetings, expectants, moderators, visitations, excommunication; also finance/ministers' stipends, Catholic recusancy, and archaic beliefs and practices.

Stirling presbytery, founded in August 1581, was one of the first 13 presbyteries established "to be exemplars to the rest" (1). The presbytery was intended to be the final link in a hierarchy of church courts comprising the kirk session, presbytery, synod and general assembly; and its creation was the Scottish Reformed Church's response to state and magnate interference in ecclesiastical affairs throughout the 1570s.

From its inception in 1560, the Reformed Church had adopted and advanced the Calvinist doctrines of autonomous ecclesiastical jurisdiction and parity of ministers. Thus the Church met without warrant from the secular authorities and devised policies which subordinated the powers of individual ecclesiastical office holders to the authority of the church courts. Although, in an effort to halt the secularisation of church property, the reformers had been compelled into a series of compromises such as the pseudo-episcopacy at Leith in January 1572 (1a), the Church made it abundantly clear that it regarded the arrangement as an 'interim measure' only. In reality, however, the new bishops, with the encouragement of the State and individual noblemen, were soon asserting their personal authority and defying the ordinances of the General Assembly, the Church's highest juridical authority. By the end of the 1570s the possibility of slipping back to the pre-1560 situation, when episcopal nominations reflected the diplomatic, financial and dynastic interests of the controlling faction of the State, was seen as a very real danger. The restating and redefining of earlier ideals in the *Second Book of Discipline* and the subsequent establishment of the presbytery in 1581 were a reaction to this danger. The presbytery, with its key functions of examination, ordination, admission and deposition of ministers, visitations and ultimate ecclesiastical censure ("the fearful sentence of excommunication") was designed to counter the power and authority of the bishops of old, making them effectively superfluous. Except between May 1584 and June 1586 when presbyteries were proscribed under the terms of the Black Acts, the civil authorities tacitly acknowledged the authority of the presbyteries, though it was not until 1592 that parliament finally and publicly ratified presbyterianism. No sooner had this been accomplished, however, than attempts began to re-establish an erastian episcopacy in the

presbyterian Church of Scotland. The attempts were led by King James VI (1566-1625) who believed it was his divine right to rule over both Church and State, and in the case of the Church, through the episcopate. [ames was assured that an erastian episcopacy would function as a bulwark to the crown and provide him with control over a Church which while autonomous had not hesitated in chastising the sovereign and his government over their behaviour and handling of matters affecting the spiritual and moral wellbeing of Church and nation. It would also give the king greater control over Parliament and other key institutions through the representation of pliant and sycophantic bishops. Finally, the management by bishops of the nationwide network of church courts would enable the crown to strengthen and extend its influence in the localities.

From the early 1580s [arnes had envisaged an episcopate directly answerable to his person and dependent on him for its standing and authority. He fully approved of the views of archbishop Patrick Adamson who argued in 1581 "that a Christian King should be the chief governor of the Kirk and behovit to have bishops under him, to hold all in order" (2). Furthermore, the precocious [arnes wholeheartedly backed parliamentary ratification of the Black Acts in May 1584 which established episcopacy and confirmed "the royall power and authoritie over all statis, alsweil spirituall as temporall" (3). However, both internal and external political developments militated against the consolidation and perpetuation of James' episcopate and contributed to its eclipse when the presbyterians regained the initiative in ecclesiastical affairs shortly after the collapse of the regime led by James Stewart, Earl of Arran, in November 1585. The presbyterians largely retained their ascendancy in the Church until December 1596 when the King regained the initiative after the suppression of an anti-Catholic riot in Edinburgh on the 17th of that month. Over the following ten year period [arnes successfully employed various methods to stifle, suppress or by-pass opposition to his programme. By 1606, the General Assembly acknowledged and accepted the royal supremacy and the estate of bishops. By 1610 an erastian episcopacy had been fully restored and received statutory ratification by parliament two years later. While some structural features of presbyterianism remained, the fundamental constitutional and doctrinal characteristics of an autonomous ecclesiastical jurisdiction and parity of ministers were replaced by the royal supremacy and the new hierarchy. Nevertheless like many of their English puritan counter-parts the Scottish presbyterians were not prepared to countenance a break- away from the national church, and were accordingly content to work for its reformation from within.

PRESBYTERY STRUCTURE AND MEETINGS

At its foundation Stirling presbytery comprised 14 churches from the diocese of Dunblane, nine churches from St. Andrews and two detached parishes from the diocese of Dunkeld (Table 1). Between 1581 and the early seventeenth century, a further three churches appear raising the number of parishes within the bounds of the presbytery from 25 to 28. The General

Assembly recognised and addressed the problems facing ministers expected to travel long distances to attend presbyterial meetings when it stipulated in 1598

"that every Presbyterie shall assemble themselves ane orderly ilk week in their full number, at leist so many of them as has thair residence within aught myles to the place of the ordinarie convention of the Presbyterie" (4).

However, with the exception of George McCallum, the incumbent of Balquhider from 1608, whose attendance does not occur in the presbytery records, the distance of parishes from Stirling does not appear to have affected attendances at the meetings. On average between 1604 and 1612, ministers registered present or absent varies from 17 to 19 of the possible 30 for the 23 charges (Table 1). There was however a regular turnover and inquisition was taken of consistent absentees, injunctions imposed and fines threatened, which would seemingly confirm that distance from Stirling was not accepted as a justifiable reason for non-attendance.

TABLE 1

PARISH KIRKS	MINISTERS
Airth	Henry Laing
Alloa & Tullibody	James Duncanson
Alva & Tillicoultry	James Gillespie
Bothkennar	James Caldwell
Clackmannan	Richard Wright
Denny	Thomas Ambrose 30/5/03-1/4/07
	James Saitton 3/12/07-6/2/10
	David Forrester 4/4/10
Dollar	Alexander Grieve
Larbert & Dunipace	James Caldwell served these parishes and drew stipend 1607 to 1616
St Ninians	Henry Livingston
Stirling	Patrick Simson
Stirling West/2nd charge	Robert Muir from 29/7/07
Aberfoyle	William Stirling
Balquhider	George McCallum
Callander, Kilmahog & Leny	Robert Young 9/9 to 1/9/11
	John Mushet from 16/12/12
Dunblane and Kilbride	Andrew Young
	assistant Ninian Drummond
Kilmadock	Malcolm Henrison
Kincardine-In-Menteith	John Aisson
Kippen	William Name 12/04 onwards
Lecropt	Duncan Nevein to 8/07
	John Dickson 11/08 onwards
Logie	Alexander Hume to 12/9
	James Saittone 2/10 onwards
Port of Menteith	William Stirling
Tulliallan	Henry Forrester
Falkirk (excluded from "Fasti")	Adam Bellenden

While the overall size of the jurisdictional area covered by the presbytery was not a hindrance to its effectiveness, the inclusion of the northern parishes within the diocese of Dunblane did present the presbytery (and the wider Church) with a problem which King James' Highland policy and Lowland attitudes in general compounded. As James Kirk has stated, Dunblane was situated on frontier territory with its northern hinterland in the Gaelic Highlands (5), and while the Reformed Church was continually consolidating and extending its influence in the Highlands, there was clearly a shortage of Gaelic speaking ministers. In August 1611 the Stirling presbytery granted licence to Robert Young to transport himself from the kirk at Callander "because the maist part of the saidis prochunnaris speikis onelie the erish language quhilk he undirstandis not. Nather zit do thay undirstand his language" (6). While the statutes of Iona of 1609 provided for the extension of the Church in the Highlands, government/Lowland contempt for and problems with Gaelic language and culture impeded the Church's mission to the populace in the North. It is significant that while John Carswell's Gaelic translation of the *Book of Common Order* in 1567 greatly aided the dissemination of reformed doctrine and practice throughout the Highlands, a Gaelic translation of the New Testament does not appear until 1767, while it is 1801 before the complete Bible is available in Gaelic.

Of the 26 ministers who took an active part in the proceedings of the Stirling presbytery between 1604 and 1612,¹⁹ were known university graduates. In the 12 cases where the name of the university is stated (see Table 2), seven graduated from St. Andrews, three from Glasgow and two from Edinburgh. While there is a need for caution in extrapolating from the above figures, it would appear that a majority of graduate ministers in the

TABLE 2

Minister	University	Awaed	Date of	Ordained
James Duncanson	Glasgow	MA	1585	1589
John Gillespie		MA		1603
James Caldwell		MA		1603
James Saittone		MA		1607
David Forrester		MA		1610
Alexander Grieve		MA		1603
Henry Livingston	St Andrews	MA	1583	1587
Patrick Simson	St Andrews	MA	1574	1577
Robert Muir		MA		1607
John Mushet	St Andrews	MA	1603	1612
Andrew Young	St Andrews	MA	1574	1578
Malcolm Henrison	St Andrews	MA	1581	
John Aison	Edinburgh	MA	1592	1599
William Name		MA		1604
John Dickson	St Andrews	MA	1595	1608
Alexander Hume	St Andrews	BA	1574	1597
William Stirling	Glasgow	MA	1585	1597
Henry Forrester	Edinburgh	MA	1590	1597
Ninian Drummond	Glasgow	MA	1582	

Stirling presbytery passed through St. Andrews university where the influence of Andrew Melville, prior to 1606, helped ensure a continuum of ministers imbued with presbyterian doctrine and principles. Although, this in itself is not enough to explain the Stirling presbytery's apparent hostility to the imposition of an erastian episcopacy, it would, nevertheless, appear to be a contributory factor. While it is evident from contemporaneous sources that Patrick Simson, Henry Livingstone, Alexander Hume, Adam Bellenden and Ninian Drummond were hostile to and critical (initially at least) of the re-establishment of episcopacy, there would appear to be no evidence extant which could provide an insight into the attitudes of the other ministers of the presbytery except that which can be deduced from the collective decisions and actions of the presbytery itself.

EXPECTANTS

Also present at presbytery meetings were expectants, who were assigned to make exercises on prescribed passages of scripture. Twelve candidates presented themselves to the presbytery between August 1604 and December 1612, "to give ane tryell of his giftis" (7) (See Table 3). Each having given "ane tryell of his giftis in privie exerceis" (8) of the presbytery on three or four occasions, proceeded to the public exercise and common place if they were found to have "sound and halsum doctrein" (9), where, after further assessment, they were ordained. Expectants provided a necessary function as preachers in vacant parishes. For example, on 27 April 1608, two parishioners of Lekrop appeared before the presbytery with a supplication subscribed to by the lairds of Keir and Knockhill.

"bearand in effect that they ar destitut of ane pastor threw the deceis of umquhille Mr Duncan Nevein and seeing thay electit Mr Johnne Dikson quhome in yair judgement thay think meit to bear yat office desirus ye brethrein to admit him to yame aftur thay have taine tryell of his qualifications." (10)

The presbytery consented to the request and continued to chart and assess Dikson's progress: he was finally ordained and admitted to the charge of Lekrop in November. Having met the canonical requirements of the

TABLE 3

Expectants	Offers Himself	Ordained
William Castellaw	27/03/05	
George Mushet	05/06/05	—
Robert Muir	18/12/05	29/07/07
John Dickson	05/08/07	10/11/08
Robert Young	18/11/07	06/09/09
James Simson	28/09/08	—
Thomas Bruce	31/11/08	—
John Pook	05/04/09	—
David Forrester	17/05/09	03/04/10
John Mushet	12/11	16/12/12
John Cunningham	04/11/07	—
Patrick Ramsay	12/11	—

presbytery it was customary for the expectant to have an edict served at the parish to which he was presented informing the parishioners of his appointment and providing them with an opportunity to raise objections. If the placement met with no objection, the presbytery nominated members to carry out the ordination on a prescribed day.

From June 1610, while candidates continued to be examined by the presbytery, they had first of all to present themselves to the bishop, who also had conferred on him the sole rights of ordination. Although there is no episcopal ordination reported in the presbytery records prior to December 1612, there is mention of a letter to the bishop of Dunblane in December 1612 informing him that the presbytery had examined John Mushet, in both private and public exercise as well as in the common place, and found him to have "gude beginnings". In addition, the presbytery went on to advise the bishop that Mushet had as yet not met their full requirements for admission to the ministry. However, the bishop chose to ignore their advice and ordained him four days later.

Unlike the period transcribed by Kirk (11), there are no recorded instances of elders attending Stirling presbytery meetings from 1604 to 1612. However, the absence of elders at Stirling during this period is in accord with the findings of W. R. Foster, who discovered that no elders were listed as either absent or present between 1600 and 1638 in the extensive range of presbytery records which he examined (12). And although the *Second Book of Discipline* stipulated that elders were "to hauld assembleis with the pastouris and doctouris" (13), that document had not originally differentiated the presbytery as a distinct ecclesiastical court. The absence of elders is most likely attributable to the frequency with which the presbytery met. After all, with the presbytery meeting weekly, it would seem impractical to expect elders to attend presbytery meetings in addition to weekly kirk sessions. Whatever the reason, their absence seems to have had no noticeable effect on the court's authority and efficaciousness. Indeed, from the Church's perspective, it was more important that elders, being more often than not local magistrates and landlords, fully supported and helped implement presbyterial ordinances and enactments. Thus, only ministers and expectants enjoyed membership of the Stirling presbytery in the early 17th century. Throughout this period from 1604 to 1612, the presbytery clerk was James Duncanson, minister for Alloa and Tullibody.

MODERATORS

The refusal by the Stirling presbytery to put into effect the decree of the 1606 General Assembly, that each presbytery should accept and implement its nomination of a constant moderator, would appear to show the Stirling presbytery's opposition to the ecclesiastical changes enacted throughout this period. The established method of electing moderators had been to elect a new moderator twice annually. It was common procedure for three nominations "to be given up in lit ... quhairof the moderator to be chosen off

quhome be the haill voices" (14). This is in accord with the Calvinist / Presbyterian concept of parity of ministers which the acceptance of a constant moderator would have clearly undermined. Six months after the General Assembly's edict, Sir William Livingstone of Kilsyth and John Murray of Touchadam "commissionaris of his Majestais counsell" appeared before the presbytery and insisted that the brethren-

"conforme thameselfis to ye conclusiones of ye last meriting in Linythgow and in speciall according to ane act yairof to receive and authoreis Mr Patrick Simsone as thair constant moderator as lykewise requirit ye said Mr Patrick Simsone to accept the said office" (15). The presbytery retorted that Simson had been unable to discharge his customary pastoral functions "through seikness thir three monethis byg.iur Meikilles is he habill to dischaarge himself as appertainis of the office ol ,inr constant moderator" (16). Subsequently, the commissioners lacked the authority to enforce the election of an alternative constant moderator. Thus, the presbytery's commitment to the doctrine and procedures formulated in the *Second Book of Discipline* "that ane moderator sould be chosine be commoun consent of the haill brethrene conveynit", made it antagonistic towards, and unwilling to implement the General Assembly's injunction. It is worth noting, that while Foster has stated that Jedburgh presbytery was an extreme example in being one of the last presbyteries to yield under threats from the higher ecclesiastical and secular authorities to accept a constant moderator in 1608, Stirling was still nominating moderators bi-annually in 1612. The reason why the General Assembly and government tolerated this dissent is unclear. However, this retention of presbyterian practice turned out to be a pyrrhic victory since its freedom of independent action and thus its authority were emasculated by the loss of its rights of presentation and ordination, also of visitation and, most importantly, excommunication.

VISITATIONS

Visitation of the parishes within the bounds of the presbytery was essentially the sole responsibility of the presbytery until 1610, when the Glasgow Assembly decreed that "the visitatione of ilk diocese is to be done be I lie bischop himselfe", and although, the act went on to stipulate that the bishop could nominate "worthy men ... in his place", the act was a direct repudiation of established practice. Prior to this date it had been customary for I he presbytery to send forth five ministers to conduct visitations. Thus, from 1604 to December 1610, Stirling hospital, Logie, Bothkennar, Lekrop, Alloa, Airth, Falkirk and Dollar parishes were visited and the findings "set down in ye buik of visitatione". While no books of visitation are known to be extant, visitations followed a similar pattern: the ecclesiastical office holders were examined in turn followed by the general state of the parish and finally difficult disciplinary cases would be scrutinized. From 1610 to 1612 only one proposed visitation is recorded in the presbytery records. On 3 July 1611, a letter from the bishop of St. Andrews was received instructing the presbytery that "he is myndit godwilling to visit the Kirk of Falkirk upone ye

fyft day of July" (17) and requesting ministerial assistance. Although there is no account in the presbytery records of the visitation taking place, there is no reason to suppose it did not. However, the fact that presbyteries could no longer initiate and conduct visitations without the bishop's consent and/or presence curtailed their power. Furthermore, since bishops had a number of civil as well as ecclesiastical functions to perform, visitations were conducted less frequently after 1610.

EXCOMMUNICATION

The most distinctive feature of presbyterial discipline and the principal reason for the presbytery's potency was its right to initiate, supervise and pronounce the sentence of excommunication. Four individuals were excommunicated between August 1604 and December 1612. The process followed a set procedure and accordingly the example of Robert Fairlie will suffice as a standard case. On 15 February 1609, Robert Fairlie of Arnbeg in the parish of Kippen was summoned before the presbytery to answer "for slandering of ye kirk be the cruell slauchter of umquhille Andro Carrik in Arnmoir committed upone ye 111 day of Januar last bypast...." (18). Having been called on more than one occasion prior to this, and again having failed to comply, he was summoned "pro secundo ... under ye paine of excommunicatione" (19). By 22 February he had still not appeared or acknowledged the presbytery's injunction and was summoned "pro tertio to heir and see himself decernyt to be excommunicat for his malitius contempt and disobedience to ye voice of ye kirk...." (20). Finally, on 26 April, William Name, minister of Kippen, reported that he had admonished Fairlie on four consecutive sabbaths to submit to the discipline of the Kirk, and having failed to comply had excommunicated him on 16 April. Thus, with three summonses followed by four public admonitions plus the sentence itself, the process took a minimum of eight weeks. However, it was common for the process to be stayed if there was any hope of conformity from the impenitent.

Excommunication had serious repercussions for the individual excommunicated, for the ecclesiastical censure could be reinforced by civil penalties. Earlier acts of parliament were strengthened in 1609 when parliament decreed that no excommunicated person "salbe sufferit ... [to] enjoy the possession of thair landis rentis and revenewis, but that the same salbe mellit with, intrometit with and uplift to his majesties use" (21). Therefore, the excommunicated were not simply ostracized from society but also financially ruined. As a result, the overwhelming majority of individuals succumbed to the Kirk's discipline. However, even those who were excommunicated were given the opportunity to repent and have the sentence annulled. On 17 January 1610, the presbytery received a supplication from Robert Fairlie explaining that-

"he haid pulcitic repentence ... in sundrie kirkis many and sundrie dayes according to ye brethreinis ordinance and wald glaidlie proceid in his publict repentence according to ye ordur of ye kirk in all pointis war not he is fairlie informit that his adversar pairtie is haid for him to have his

lyf be the way and yairfor desyris to be absolvit from ye sentence of excommunicatione and receavit in ye kirk...." (22)

The presbytery accepted the sincerity of his repentance and instructed William Name to absolve him from the said sentence.

The Glasgow Assembly of 1610 seriously curtailed the power and effectiveness of presbyteries when it declared that no sentence of excommunication or absolution be pronounced against or for any individual without first informing the appropriate bishop and gaining his approval. Thus, although the Stirling presbytery could still, technically speaking, initiate and supervise the process of excommunication, it could not pronounce the sentence without firstly obtaining the permission of the bishop of Dunblane or St. Andrews. Furthermore, since the sentence of excommunication could have wide ranging political repercussions, King James (who had insisted in 1605 that no nobleman was to be excommunicated without the consent of the privy council) and his bishops tended to place a higher premium on political expediency rather than canonical authority, and thus excommunication became a rarity after 1610 in all localities.

MINISTERS' STIPENDS

An effective parish ministry throughout the country and within the Stirling presbytery in particular, depended to a large extent upon the provision of a regular and sufficient stipend. To this end, King James' action in 1606 of granting the erection of numerous abbey lands into temporal lordships indirectly benefited the clergy. For in exchange for his statutory recognition of their lands, the lords were asked to provide an adequate stipend to the ministers whose churches had formerly belonged to monastic houses (See Table 4 for churches affected by the enactment). Thus, in 1606 a commission of bishops, ministers and noblemen was established "to set down and conclude nne sufficient and reasonable stipend for the minister of ilk kirk that salbe contained in any of the creations" (23).

TABLE 4 - CHURCHES BELONGING TO FORMER MONASTIC HOUSES

Kirk	Monastic House
Airth	Holyroodhouse Abbey
Alloa & Tullibody	Cambuskenneth Abbey
Alva	Cambuskenneth Abbey
Bolhkennar	Cambuskenneth Abbey
Dollar	Inchcolm Abbey
L.arbert & Dunipace	Cambuskenneth Abbey
St Ninians	Cambuskenneth Abbey
Leny	Inchmahone Priory
Kilmadok	Inchmahone Priory
Kincardine-In-Menteith	Cambuskenneth Abbey
Kippen	Cambuskenneth Abbey
Lecropt	Cambuskenneth Abbey
Logie	North Berwick Priory
Port of Menteith	Inchmahone Priory

Subsequently, this commission met annually and from 1607 until 1611 the Stirling presbytery appointed representatives to appear before the "lordis modifearis of stipendis" (24). However, while many ministers benefited from the above development, others experienced little improvement in their financial status because parliament had omitted to stipulate what an adequate stipend amounted to. Furthermore, no measures were taken to ensure that ministers received the full stipend assigned to them.

Between August 1604 and December 1612 four ministers of the Stirling presbytery are reported as having "na resonabill provisione" (25). Of these four, three were temporal lordships and Thomas Ambrose of Denny, John Gillespie of Alva and Tillicoultry, and Alexander Grieve of Dollar were granted licence to move to alternative charges because their parishioners proved unwilling or unable to provide an adequate stipend. Alexander Grieve complained that his stipend had been appropriated by the titular of the teinds, and although the presbytery elicited a guarantee from the parishioners in August 1608 that each would provide him with "ane boll of victual for his stipend this year allanerlie and sail contribut to mak expensis to sut ane stipend to him in tymes cummin" (26), by 24 January 1610 Grieve reported that the parishioners had reneged on their assurance and gained presbyterial licence to transport himself. The fourth minister, Henry Laing of Airth, first complained in March 1608 that he lacked adequate provision. Nevertheless, a further two years lapsed before he was presented to the parsonage and vicarage of Airth by letters of presentation from both Sir John Bruce of Airth and Alexander, fifth Lord Elphinstone, titular of Holyroodhouse, who each enjoyed the rights of patronage in different areas of the parish. However, this action failed to alleviate Laing's pecuniary problems since he reported on 18 April 1610 that "said parsonage is all set in lang takis. Ane pairt yairof to wit the teindis of Elphinstone to My Lord Elphinstone and ye remanent of ye said to ye laird of Airth all for l[a]p li[b] of yeirlie devotie allanerlie quhilk is na sufficient provisione to ane minister to serve the kirk". (27) Although Laing remained in his charge at Airth there is no indication that he secured additional provision from the above patrons. His failure to gain full possession of the manse and glebe of Airth which was occupied by Cathrine Hamilton, "relict of umquhille Captane James Bruce" (28) despite disbursing £102 Scots on repairs to the said property in April 1608 no doubt compounded his difficulties.

CATHOLIC RECUSANCY

As well as the financial wellbeing of the Church and ministry, the other perennial issue to receive heightened attention during this period was the question of Roman Catholic recusancy. With the excommunication of the Roman Catholic marquis of Huntly and the earls of Errol and Angus in 1608, and the priority given by the Linlithgow assemblies of 1606 and 1608 to combating and eradicating Roman Catholic recusancy, it is worth gauging the extent of Catholic support in the Stirling locality, identifying the forms it took and determining the effectiveness of the presbytery in extirpating it.

The most notorious and persistent recusants in the Stirling locality were the Chisholms of Cromlix. All the bishops of Dunblane between 1487 and 1573 came from this illustrious family, members of which continued to serve the Roman Catholic Church on the continent. Between 1604 and 1612 members of this family and its household servants were called before the Stirling presbytery suspected of papistrie on over 20 different occasions. Other notable recusants called to compear before the presbytery for frequenting neither Word nor Sacrament during this period include James Blackadder, Laird of Tulliallan, Sir Henry Lindsay of Carrestown, and Sir William Menteith of Kerse and his wife Dame Isabel Hamilton. Since it was vitally important that the presbytery received the co-operation and active support of those exercising secular jurisdictions to enhance and enforce its injunctions, the presbytery made strenuous efforts to impose conformity on these local landowners and magistrates.

In the case of James Chisholm, on 23 March 1605 the presbytery "undirstanding that James Chisholme of Cromlikis and Sir Johnne Chisholme fatheris brother ar leatlie returnit" (29), summoned them to compear and give confession of their faith, subscribe to the anti-Roman Catholic *King's Confession* of 1581, receive Holy Communion and submit to the discipline of the Kirk. By the end of May, James Chisholm agreed to frequent "to ye preaching of God His Word" (30) until his imminent departure for the continent. Nevertheless, although James Chisholm, who had been formally excommunicated and subsequently absolved by the Montrose Assembly of 1595, gave an assurance that he would adhere to the Reformed Faith and strictures of the presbytery, he was back in the presbytery's spotlight in August 1608 when Andrew Young, the minister of Dunblane, informed the brethren that he had failed to communicate since 1605. The presbytery demanded that he immediately take Communion in one of the kirks of Kippen, Bothkennar or Tillicoultry, which he complied with by partaking in the Lord's Supper at Tillicoultry on the 14th of August. However, this resulted in controversy when John Gillespie, minister of Tillicoultry, reported on 13 September that "albeit ye said James Chisholme has presented himself to ye Lordis tabill zit he communicat not bot dissembilit yairat" (31). On 28 September he appeared before the presbytery and offered the tenuous excuse that "he nevir communicate off befor and yairfore he knew not weill the fassone" (32). The revelation that he had not taken Communion in the reformed manner is clearly indicative of the presbytery's difficulty in dealing with prominent and influential individuals within their own localities. The following April, Chisholme took Communion at Stirling with "all reverence and sinciertie" (33) and thus appeased the presbytery. But by August 1610 he was once again reported as absent from the Sacrament, this time with his sisters, Jane and Anna Chisholm.

ARCHAIC BELIEFS AND PRACTICES

In addition to the above conventional form of Roman Catholic recusancy, there were also the superstitions of popular piety. While these were less

overtly Catholic, they were nevertheless associated with older beliefs and traditional practices tolerated and even encouraged by the Cambusbarron Chapel or Christ's Well and a belief in the efficaciousness of charms and charmers; on 3 June 1607, 11 individuals were summoned by Stirling presbytery to answer for their idolatrous and superstitious behaviour "and using of diveris superstitius ritis yairat" (34). On 1 July the accused appeared and confessed they "war at Christis Well to gait thair heall of thair disaisis and tak sum of the waitter and left sum thing behind everie ane of yame at the well" (35). In response, the presbytery ordered each individual to make public repentance in their respective parish kirks of Airth and Bothkennar. In 1610, a further three persons were admonished and ordered to make public repentance for the same offence. On 11 June 1610, "Mories Scobie in Bahaldie within ye prochun of Dunblane (36) compeared and admitted charming (see appendix for charm used by Scobie) -

'sum seik folkis that sendis for him as Jacobe Zair ane bairne of ye laird of Lundeis callit Collein Campbell ane bairne of Mr James Nevein. Quhilk charme he lernit of Sir Andro Hudson and preist in Glendoven" (37).

While not conclusive in itself, mention of the laird of Lundy would apparently indicate that these archaic beliefs and practices were not simply confined to a largely uneducated peasantry, but appear to have been adhered to right across the social spectrum. In July 1612, presbytery concluded that "charming is varie frequentlie usit in thir boundis" (38) and instructed each eldership to "tak inquisition quair any sic thing is committed and as they find to tak ordur yairwith as appertanis and to dischaarge ye samin publictlye in pulpet" (39). While the retention and perpetuation of these quasi-pagan traditions is a clear indictment of Stirling presbytery's (and wider Scottish Church's) failure to purge their hold over the popular consciousness, it is worth noting that this failure was not peculiar to the Scottish Church, since as Euen Cameron has shown, these traditions were extensively adhered to across Europe and were being observed and complained of in England well into the industrial era (40).

CONCLUSION

To judge from the example of the Stirling presbytery, the effect of the re-imposition of an erastian episcopacy on the power and responsibilities of the presbytery was mixed. In some respects it made little difference. Throughout the period the main functions of the presbytery remained the supervision of the morals and religious convictions of both clergy and laity and most of its work was concerned with cases involving sexual offences and matrimonial disputes. This probably explains why, in contrast to the liturgical innovations of 1617, the imposition of an erastian episcopacy had little impact on the laity of the community and provoked little popular dissent. In other respects however, notably in the changes that were made to the initiation and conduct of visitations and to its powers of excommunication, the adoption of an erastian episcopacy clearly weakened presbytery authority and left the presbytery less effective and authoritative after 1610 than it had been before.

ACKNOWLEDGEMENTS

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NOTES AND REFERENCES/SOURCES

1. A Peterkin, *The Booke of the Universal! Kirk.* (1839), p 214, and J. Row, *History of the Kirk of Scotland 1558-1639* (1842). p 109.
- 1a. A chapter of ministers has authority to reject an episcopal vacancy candidate appointed by the Crown, who being at least 30 years of age must swear allegiance to the General Assembly in spiritual matters, and exercise no authority in the Church.
2. J. Melville, *Autobiography and Diary of Mr James Melvil.* (ed) R. Pitcairn (1842), p120.
3. A. Peterkin, BUK p 369.
4. *Ibid.*, BUK p 475.
5. J. Kirk, *Patterns of Reform, Continuity and Change in the Reformation Kirk.* (1989), p 452.
- 6-10. *Stirling presbytery records, CH2/722/4.*
11. *Stirling presbytery records, SHS, Fourth Series, 17* (1982), introduction by J. Kirk, p89.
12. W. R. Foster, *The Church before the Covenants, The Church of Scotland 1596- 1638.* (1975), p 89.
13. *Second Book of Discipline, BUK, p 546.*
- 14-20. *Stirling presbytery records, Ibid., CH2/722/4.*
21. *Acts of Parliament of Scotland,* (ed) T. Thomson, Vol. IV (1816), p 407.
22. *Stirling presbytery records, Ibid., CH2/722/4.*
23. *APS, Vol IV* (1816), pp 299-300.
- 24-39. *Stirling presbytery records, CH2/722/4*
40. E. Cameron, *The European Reformation.* (1991), pp 408-409.

Tables 1-4 have been compiled from the *Fasti Ecclesiae Scoticae.* (ed) H. Scott (1920).

APPENDIX

CHARM USED BY MORRIS SCOBIE

The Lord is blessed that heirin is baith mirrie in hairt and hand
 The lord is blessed that heirin is he salbe thy warrand
 God of his gudeness that he can call and he sendis hestallie
 The fusone of middilyird God send it hame to the

The Lord he can, the Lord he zid, he zid syne hestallie
 Quha hes bein heir, this nyght he sayes, quha hes bein heir this day
 The Elriche King hes bein heir this nyght, and rest fra me away
 The pouar of woman and mankynd, and bayth sone grant thow me

The fusone of mirrie middilyird he hes tane fra me away
Grant me the gift sone againe that I granted to the
Or ellis thow sail have hell to thy dwelling and damisday at zo'dur
The father the sone and holy gaist and him
I laive with thee.

Sir Andro Hudson, priest in Glendevon
(CH2/722/4)

BOOK REVIEWS (Historical)

Buchlyvie: a village in Stirlingshire. J. R. Bureau. Stirling Library Services. 64pp. ISBN 1.870.542.33.9. £3.95.

Temporarily presented in a two colour generous format, well illustrated with photos, drawings, and maps of 1817, 1850, 1890s and 1914. Stirling Libraries have given us another commendable contribution to the history of the area, including an innovative four page list of local people and their role through the ages e.g. John Campbell, 'Red Black' Colporteur c.1920. Useful further references are given and acknowledgements to local people who have contributed much additional to the usual sources. From pre-history, through the beginnings 1500-1800, the 19C and the last 100 years, people, places, events are succinctly told and illustrated, including the confrontations with Rob Roy and the MacGregor cattle reivers. George Dixon briefly contributes the 'founding' of the village by a Charles II charter of 1672, having the 'shape' of a Carolingian planned settlement - typical of pre-Georgian types.

Menstrie, a People's History. John Anderson, Clackmannan Libraries. 64pp. £4.

Generously spaced A4 format with some illustrations, this is a fact-full, readable presentation of the origins, people, industry, social conditions, church and events, characters, customs - admirable and desirable local history.