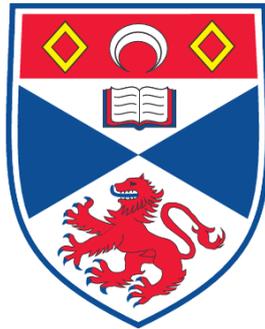


AUTHORITY AND DISCIPLINE IN ABERDEEN: 1650-1700

Gordon Russell DesBrisay

**A Thesis Submitted for the Degree of PhD
at the
University of St. Andrews**



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AUTHORITY AND DISCIPLINE IN ABERDEEN: 1650-1700

Ph.D. Thesis

March 1989

Gordon Russell DesBrisay
University of St. Andrews



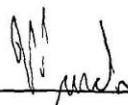
AUTHORITY AND DISCIPLINE IN ABERDEEN
1650-1700

Abstract

This study is concerned with aspects of urban society in the Scottish city of Aberdeen in the second half of the seventeenth century. The principal aim is to examine the multi-faceted nature and workings of civic government, of the interlocking hierarchies of people and institutions which together formed an invisible web of authority and discipline in the town. The burgh's three main administrative and judicial bodies - the town council, the kirk session, and the justice of the peace court - are examined in some detail. Other matters discussed include the 1640's legacy of civil war, plague, and severe economic dislocation; the impact of eight years of Cromwellian occupation; the demographic and socio-economic structures of the urban community; aspects of secular and ecclesiastical politics; the continuing challenge to the established kirk posed by Catholic recusancy, and the new challenge posed by the advent of Quakerism in the town; patterns of office-holding and the characteristics of the urban elite; and poor relief and social control. The fundamental structures of urban society underwent no sudden transformation in these years, but neither did they remain static: far from obscuring the true dynamics of urban society, civic institutions remained vital social, economic, and political forums around which the forces of critical change coalesced, whether to be adopted, adapted, repulsed, or neutralised, but always in such a way as to shape the very structure and character of life in the town.

I, Gordon DesBrisay, hereby certify that this thesis which is approximately 100,000 words in length has been written by me, that it is the record of work carried out by me and that it has not been submitted in any previous application for a higher degree.

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29  1989

Date

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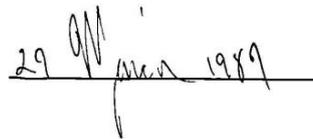
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Signature of Supervisor

_____ 15 March '89

Date

In Memory Of My Father

Ian Gordon DesBrisay
1930 - 1988

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Note on Currency

Unless otherwise stated, all sums of money are given in £ Scots, worth about 12:1 sterling; a merk was worth two-thirds of a £ Scots.

PREFACE

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PREFACE

This study is concerned with aspects of urban society in the Scottish city of Aberdeen in the second half of the seventeenth century. The principal aim is to examine the multi-faceted nature and workings of civic government, of the interlocking hierarchies of people and institutions which together formed an invisible web of authority and discipline in the town. The study is founded upon a detailed examination of a wide variety of manuscript and printed sources drawn primarily from the Aberdeen civic records, the finest and most comprehensive of their kind in Scotland. Much of the material presented here has been used for the first time. The focus of the records and of the analysis is decidedly local in nature, but at various points attempts have been made to relate developments in Aberdeen to those taking place in other communities in early modern Scotland, England, and Europe. This study makes no claims to offer a comprehensive history of Aberdeen in these years. The intention has been, rather, to explore certain neglected topics in Scottish urban and social history, albeit ones which relate to the central theme of authority and discipline.

Great progress has been made in the field of Scottish urban history in recent years, but the late seventeenth century has received less than its fair share of attention. We now have a fairly firm idea of the basic economic characteristics of the period, and of the relative fortunes of the major towns, but few researchers have ventured far beyond the economic and commercial spheres of early modern burgh life. The many advances made in

Scottish social history have tended to follow from research based on rural communities. One of the intentions of this study is to offer a small step towards bridging some of the gaps in our understanding of what it was like to live in a Scottish town of the period.

The thesis begins with a brief review of the devastating years of the 1640's, when in the course of the civil wars the burgh was subjected to repeated quarterings, was brutally sacked by Montrose and partially burnt by Huntly, was laid waste by what turned out to be the last fatal visitation of plague, and saw its recently thriving economy brought to the point of ruin. There follows a detailed examination of the town during the Cromwellian occupation of 1651-1660, without a doubt the most neglected period in early modern Scottish history. Far from a being a subdued 'interlude' in the town's history, these will be shown to have been years of acute social, political, economic and religious upheaval, out of which came a series of developments which left their mark on the decades to come.

Having been immersed in the personalities and developments of a single critical decade in the town's history, we step back to survey the socio-economic structures of urban society over the period 1650-1700. In Chapter 2 the main demographic and economic trends which reflected and shaped the life of the community are discussed. Three tax registers dating, rather fortuitously, from near the beginning, the middle, and the end of our period, are then used to analyse the basic hierarchies of household size and composition, and of wealth and occupation.

From these rankings of individual households and householders, we turn in Chapter 3 to the collective and corporate structures of urban society, and to the hierarchies of corporate privilege and civic status which to a considerable extent determined an individual's place in that society. Concentrating on the well-documented generation of burgesses active in 1669, the size of the guild and craft communities is estimated, and the numbers and proportions of burgesses are compared to figures for other burghs and for other periods of Aberdeen's history. Social mobility into and within the charmed circle of freemen is also discussed.

Having established the basic demographic, economic, and social parameters of the burgh community, the final chapters examine in turn the three main secular and ecclesiastical institutions responsible for governing and managing urban society, for preserving the divinely appointed social order, and for imposing and maintaining authority and discipline in the burgh. Virtually all formal authority radiated outward from the town council. In Chapter 4 the vast range of council responsibilities is described, and we examine in some detail the nature and extent of office-holding among the burgh elite. The findings suggest that access to Aberdeen's civic government was remarkably open, particularly when compared to the tightly knit oligarchies which had ruled the town in the past.

Office-holding also looms large in the last two chapters. Chapter 5 is concerned with the burgh kirk, and begins with a study of appointments to the civic ministry which seems to confirm some of the doubts raised in earlier chapters concerning Aberdeen's storied

devotion to the Episcopalian, as opposed to Presbyterian, party within the kirk. Factional fighting within the established church tended to be set aside, however, in order to respond to the unusual challenges faced by the kirk in and around Aberdeen, where Catholic recusancy remained rife, particularly among the landed classes and their retainers, and where English-style Protestant non-conformity, first in the form of Independency and then as Quakerism, made significant inroads into the urban establishment. The composition of the eldership and deaconry is also examined, along with the session's involvement in poor relief and godly discipline.

In Aberdeen the kirk session shared responsibility for poor relief and godly discipline with the justice of the peace court, which forms the subject of the final chapter. The justice court, as it was known, was the newest branch of civic government, having been established in 1657. It was to all intents and purposes a secular equivalent of the kirk session. It seems that few other burghs felt the need to have such a court, but from its inception it became an integral part of Aberdeen's expanded system of authority and discipline. The origins and nature of the court are discussed, along with the composition of the constabulary, on which served a great many men of middling status who would previously have been considered to come below the office-holding threshold in burgh society. The courts' disciplinary work is examined in detail, with particular reference to the high rates of illegitimacy indicated by the court records, and to the treatment meted out to various categories and classes of offenders.

CHAPTER ONE

ABERDEEN IN THE 1650'S:
CONFUSION, COLLUSION, AND CONTINUITY

ABERDEEN IN THE 1650'S:
CONFUSION, COLLUSION, AND CONTINUITY

I Aberdeen in the Covenanted Era: 1639-1651

Whatever else a seventeenth century Aberdonian might have had to say about the English military occupation of 1651-1659, he or she would almost certainly have admitted that things were rather better than they had been in the previous decade. But then, they could hardly have been worse. Aberdeen had been riding the crest of a wave when hostilities commenced in March 1639. Driven primarily by a remarkable boom in the overseas demand for plaiding, the course woollen cloth that was a specialty of north-east Scotland, over the first four decades of the century the burgh appears to have become more prosperous, and almost certainly more populous, than ever before. Though exact figures shall never be known, it is possible that between 1600 and 1640 the population of the town grew by as much as one-half, from roughly 6,000 to as many as 9,000 people.¹ Whatever the rate of growth had been, it was first brought to a halt and then sent into a sharp reversal over the years which followed. The period from 1639 to 1651 was one of relentless difficulties punctuated by periodic disasters.

A comprehensive and reliable history of Aberdeen in the critical era of the civil wars has yet to be written. To an unfortunate extent the judgement of one rather jaundiced north-east laird still holds: the cartographer Robert Gordon of Straloch, writing in the 1650's, observed that 'our affairs, very many of which have been committed to writing with so little fidelity,

through excessive party zeal, must await Truth the daughter of Time yet concealed'.² Nevertheless, we can begin by touching upon the three main factors which impinged upon the lives of the people of the 'Braif Toun'. These were the overlapping ravages of war, disease, and profound economic dislocation.

During the civil wars, in the measured words of one the burgh's most distinguished nineteenth century historians, 'it was the misfortune of Aberdeen to become the theatre of the war in the north, and to experience many of the distresses and calamities incident to civil commotions'.³ Another wrote that 'the times were troublous ... and Aberdeen was very specially the shuttlecock of the contending parties for a lengthened period'.⁴ It must have come as quite a shock for the townsfolk, accustomed as they were to viewing great national events from the relatively safe vantage point afforded by their location on the north-east periphery, to find themselves caught at the often violent epicentre of the political storm.⁵ Strategically vital as the commercial and administrative capital of the north, unfortified and virtually impossible to defend against a determined invader, the town fell easy prey to covenanting and royalist forces alike. Between the onset of hostilities in March of 1639 and the middle of May 1646, when the last pitched battle was fought in Aberdeen, the burgh changed hands no less than nineteen times. For more than half of that period the inhabitants were compelled to live under armed occupation.⁶

The blackest of many a dark hour came on 13 September, 1644. The Marquis of Montrose, whose forces that day defeated a numerically superior covenanting army in the vicinity of the Justice

Mills, one mile from the perimeter of the city, rewarded his Irish troops by allowing them to sack the town. For the next four days and nights they engaged in 'killing, robbing, and plundering the town at their plesour'. Casualties in the main battle had been light, but about 160 townsmen plus a number of women and children perished in the violent aftermath. 'And nothing hard bot pitiful howling, crying, weiping, murning, throw all the streittis'.⁷

Writing shortly after the Restoration, Parson James Gordon of Rothiemay looked back on Aberdeen's experience of the wars.

In the lait yeires, whilst the civill warrs did overrun all, ther wes no citie in Scotland which did suffer more hurt then Aberdeen did, nor oftener, ather cecising, quartering, plundering, burning, or slaughtering the inhabitants; for the most pairt it wes still garrisoned, and whoever for the tyme commanded the neirest pairt of the countrey, or was master of the fields, it wes ther fashione to impose taxes upon Aberdeen, or for to cause them advance as much pay to the souldiers, or affoord free quarter to thame, as they thought fitt to requyre: and not seldome wer the inhabitants opprest and rifled by the insolent souldiers, whilst such as commanded in cheef took transient quarters ther; whence it came to passe that the citie, which floorished in wealth and trade, wes miserablie impoverished, and the generous citizens, afflicted by daylie calamities, and upworthie roberies, did lose ther hearts in some meassur.⁸

The saddest thing about Gordon's account is that it was all true. The sufferings he described were to cast a very long shadow indeed over the next few generations of inhabitants. And yet he chose to list only the damage sustained at the hands of men. Less than a year after the Marquis of Huntly and his men mounted the last armed assault on the burgh in the spring of 1646, an even more fearsome enemy appeared at the gates.⁹ An epidemic of the bubonic plague, which had arrived in the south-east of Scotland towards the

end of 1644, reached Aberdeen in April 1647.¹⁰ On the 7th of that month the town council ordered all middens removed from the town.¹¹ On the 12th the provost announced that the 'plague of pestilence was raging at Bervie', twenty miles down the coast. A twenty-four hour watch was appointed at Torry, the Bridge of Dee, the Blockhouse, and all entrances to the town.¹² Two weeks later the plague 'wes werilie instantlie expected to be neir our doore', having been brought to the neighbouring parish of Old Machar by a woman from Brechin. One of the first local people to die was a child of the woman's family who was known to have been attending one of the English (junior) schools in the town, where he 'had conversatione with the children of many of the inhabitants'. Recriminations began to fly. The watch had not been 'punctuallie keiped', especially by those who sent a servant in their stead, or some other 'weake nauchtie persone'. Henceforth, a watch of 120 armed men would be deployed round the clock, and anyone missing their turn would be fined £100.¹³ All sturdy beggars were to be ejected from the town, cats and dogs killed, and 'poysons laid for destroying myce and ratons'.¹⁴ No inhabitants were to attend the upcoming fair at Ellon, and any contact at all with the inhabitants of Torry or the parish of Nigg would entail a £100 fine. No citizen of whatever rank was to enter or leave the burgh without a pass from the magistrates. And notification was to be given in to the civic authorities of any member of the household taken ill, 'what seiknes soever it sall happin to be', on pain of a £12 fine.¹⁵

It was all too late. By the end of May the town council, most of whose members had prudently retired to lodgings in the country,

had ceased to meet. At the end of September it was still considered too dangerous to convene in the city centre, and council elections took place at a venue outside the town at the Woolmanhill.¹⁶ Between the end of May and the beginning of December neither the *Burgess Register* nor the *Register of Indentures* listed any new entrants.¹⁷ Church services were suspended from September until January.¹⁸ The visitation placed a huge strain on the financial and administrative resources of the civic government: at one point the magistrates feared that unless some emergency funding was found quickly, 'the toun will be castin loose, and no ordour keipit at all'.¹⁹ Meanwhile the sick and the dying were removed to temporary huts set up at the links and on the Castlehill, where they were looked after by a team of four seemingly immune 'cleangers'. When the end came many of the dead were deposited in mass graves nearby - under, as the treasurer's accounts reveal, 37,000 turves.²⁰ It must have been a wrenching experience to send one's loved ones to the camp on the links, but as the crisis wore on it became a capital offence to conceal a family member's illness.²¹ In December the inhabitants were called upon to take all 'uncleane, foull, or suspect' belongings and to 'wash, cleange, purge, expose, and put the same furth to the frost air'.²² By that point, however, the worst was over, and the community was left to mourn the loss of 1,700 lives, roughly 15-20% of the burgh population.²³

Even before the onslaught of the plague, the economic costs incurred by the town during the previous seven years of warfare and upheaval had been quite staggering. The plaiding trade on which the town and its hinterland had come to depend was brought to an almost

complete standstill by 1646.²⁴ A committee appointed by the estates of parliament estimated in December of 1648 that Aberdeen's losses sustained through repeated quarterings, plunderings, burnings, destruction of crops, and seizures of shipping amounted to no less than £1,470,350.²⁵ By way of comparison, over the course of the next decade the Cromwellian regime never expected to be able to wring more than 98% of such a sum from the entire captive Scottish nation in any one year.²⁶ The government agreed in 1649 to reimburse the town to the tune of £631,700, just under half of the somewhat hopeful figure submitted.²⁷ Included among the losses adjudged to be no responsibility of the central government were 1,200 pairs of shoes provided for Major General Monro's covenanting troops in 1640 at a cost of £1666-13-4; an Aberdeen ship containing a cargo of plaiding and stockings worth £103,668-13-4, seized by 'Irishe pirates' in June of 1644 and 'never recoverit again'; and the lives of '160 of our best men' felled by Montrose's forces earlier that same year, whose not-quite-ineestimable value to the community was set at £200,000.²⁸ The money which parliament did agree to repay (hardly any of which was ever actually forthcoming) had almost all gone to supporting or paying off the numerous armies which occupied the burgh.²⁹

War, disease, and ruination. These were the basic facts of life in Aberdeen in the 1640's. We can be rather less certain about the state of local politics in these year. Certain observations, however, may be noted. Aberdeen is of course well known for having been one of the few towns in which a majority of the inhabitants refused to subscribe to the National Covenant when it was first

offered to them in 1638.³⁰ And the 'Aberdeen Doctors', six eminent Episcopalian ministers and academics generally held to have triumphed in debate over a team of Covenanting luminaries sent north to convert the town to their cause, are often assumed to have represented the deep-rooted royalist, Episcopalian, and, above all, conservative views of the great majority of the townsfolk.³¹ To be sure, there was always a substantial body of men within the burgh's political classes who were genuinely committed to such an outlook. And they probably need have looked no further than the surrounding countryside to find staunch support from most of the nobles, lairds, and heritors of the north-east.³² But that group did not always dominate civic affairs, nor is it clear that it always represented the majority viewpoint. The great and seemingly heartfelt displays of loyalty and affection towards the king which gushed forth in Aberdeen as in other towns at the Restoration ought not to blind us to the fact that a fair proportion of the local population had, at one time or another, thrown their lot in with the covenanters - though this is of course precisely what such public displays were meant to do.³³

The web of political alliances and affiliations in Aberdeen is likely, therefore, to prove to have been a good deal more tangled than is sometimes supposed. From at least the early 1630's, for example, civic politics were riven by 'factious plottis', in which an aging generation of burgh leaders, favoured (or at least preferred) by the king and led by the last in the long line of Menzies provosts, was challenged by younger men, many of whom would emerge as leading Covenanters over the next decade.³⁴ This raises a

number of interesting questions. Did, for instance, the economic and demographic growth experienced by the town in the 1620's and 1630's spawn an unusually large number of upwardly-mobile 'new men' for whom radical religious and political solutions came to hold some appeal?³⁵ To what extent did divisive local issues come to be associated with or subsumed within great national issues? What did it really mean to be a 'royalist' or a 'covenanter' in Aberdeen? And what does this in turn tell us of the real or apparent balance of power in the burgh at any given point? Answers to these and similar questions must await further research.

Recent work on the character of politics in English towns of the period, however, notably that of Roger Howell, suggests that careful study could yield some hitherto unexpected results.³⁶ For example, even in towns such as Bristol where class tensions were rife, these were not always reflected in political alignments during the Civil Wars.³⁷ In addition, it seems that national issues could just as easily be subsumed under local issues.³⁸ Most importantly, pragmatic considerations often, perhaps more often than not, took precedence over matters of conscience and conviction: 'the ultimate selection of a side should not be confused with an abstract desire to choose one, nor should political behaviour motivated by perceived necessity be confused with behaviour motivated by the holding of partisan principles'.³⁹ Seen in this light, even one of Aberdeen's most blatantly 'royalist' actions, the refusal to sign the covenant, may be worth reconsidering. In the course of its proclamation rejecting the covenant, the town council asked the citizens not to risk 'his Majesties high displeasour ... as they would eschew thair

awin ruine and loss of our toune liberties'. Further along, amidst long-winded declarations of undying devotion to the sovereign we find a thinly veiled reference to the well publicised civic discord of recent years, for it was pointed out that they could expect 'his Majesties speciall grace and favour in passing over all bygaine misdemeanours of his subjectis, so long as his Majestie sies not royall auctoritie shaiken aff be thame'.⁴⁰

With so much work on the subject still to be done it would be somewhat rash at this point to go too far in insisting that Aberdeen was not after all the royalist and episcopal stronghold of yore. But neither should we underestimate the strength of support for the covenants, nor, perhaps most importantly, the ill-defined but undoubtedly significant role played by essentially apolitical, inwardly neutral men committed only to the maintenance and survival of their town, their trade, and their way of life.⁴¹ It is instructive to note in this regard that although each time the town changed hands the arrival of the new overlords was preceded by the swift exodus of prominent townsmen too closely associated with the other side, the majority of Aberdonians, including many in public life, remained behind and learned to deal with covenanting and royalist leaders alike.⁴² The tragedy of it was, however, that a policy, whether deliberate or *ad hoc*, of even-handed appeasement proved in the end to be no safer than that of stubborn adherence to one side or the other. Aberdeen was caught in the crossfire, and whether by accident or design the fact that it cooperated with both sides in turn only ensured, fatally, that it could be trusted by neither.

Turning to the years leading up to the English conquest of 1651, it seems that politics in Aberdeen, both secular and ecclesiastical, may well have become more polarized than ever before. The Engagement, signed in December 1647, precipitated some of the deepest public splits yet seen in the once outwardly unified civic establishment.⁴³ Warmly endorsed by the town council, and almost certainly by a majority of the citizenry comprising royalists of all shades as well as the many luke-warm and moderate covenanters, it was just as passionately denounced by the ministers and the minority of committed, radical covenanters in the burgh.⁴⁴ The kirk session itself was divided over the issue: in July of 1648, just five weeks before the battle of Preston, a solid majority of the elders voted to ignore the vehement protestations of the senior minister and moderator, Andrew Cant, so as to endorse the council's selection of his avowed enemy, Provost Patrick Leslie - once the leading covenanter in the town, now the chief engager - to be the burgh's lay representative, their 'very lawfull commissioner actor factor and speciall eirand beirer', at the forthcoming general assembly in Edinburgh.⁴⁵ Later in the month the town council even went so far as to inquire, rather pointedly, into the legality of holding kirk session meetings without a minister.⁴⁶ Once at the assembly, the inevitable clash between the burgh's clerical and lay delegates proved especially vitriolic, and the ruffled feathers took a good deal of smoothing. Robert Baillie reported from Edinburgh that

We were fashed with Patrick Lesley of Aberdeen: his intemperate zeale for the leavie had made him overhaile. Mr. Andrew Cant gave in against him a foule libell: he gave in another against the ministers. It

cost a committee very much dilligence to gett this matter accomodate; for it was manifest that Mr. Andrew Cant could hardly live in Aberdeen, if that man were enraged; so for the ministers cause he was much spared, and that matter packed up as it might be: some men ar borne, if not to raise, yet continuallie to live in a fire.⁴⁷

It was not long, however, before Andrew Cant and his supporters were in the ascendant once more, not only in the burgh, but in the nation at large. Following the defeat of the engagers at Preston on 17 August, 1648, the radical 'kirk party' minority within the committee of estates seized control of the government. Once its position had been secured, thanks to the timely intervention of Oliver Cromwell's new model army, the reconstituted estates set out to purge all engagers and other such 'malignants' from public office.⁴⁹ In November 1648 the new government overturned the recent Michaelmas election in Aberdeen in which a preponderance of former engagers, including Patrick Leslie, had been returned.⁴⁷ The electoral process in the town, however, could not be relied upon to produce a suitably radical council, owing, as the committee of estates was informed, to 'the paucitie of those that ar able and qualified men (according to the acts)'. Undaunted, the committee took it upon itself to appoint a new council of unsullied anti-engagers and extreme covenanters.⁵⁰

If the national government of the kirk party can be said to have 'rested on no stable social foundations', the underpinnings of its affiliated civic administration in Aberdeen must have been precarious indeed.⁵¹ The strict covenanters in Aberdeen were without doubt a minority party in the burgh itself, let alone in relation to the surrounding region, the 'conservative north' of

back-sliding covenanters, unrepentant engagers, and dyed-in-the-wool royalists.⁵² Nevertheless, the radical core appointed in 1648/9 was able to maintain a strong voice in civic government right up to the time of the English conquest, even in the face of a distinct moderate and conservative revival in the aftermath of Dunbar. One reason for their success was that they could rely on the whole-hearted and influential support of the ministers. Andrew Cant, in particular, was a man of immense, if mixed, reputation, both locally and nationally, who, for a time, enjoyed a pre-eminent position in both secular and ecclesiastical affairs in the town.⁵³ When in May of 1649 the Duke of Argyll, then the most powerful noble in the land, needed something done in Aberdeen, he wrote to Andrew Cant: 'Wee thought it necessary (not knowing to whom we should addresse out letter in your town) to desire you to make use of any of the magistrates you repose most confidence in'.⁵⁴

The survival of the radicals as a political force in Aberdeen, however, was due to an even larger degree to the quality, managerial skills, and admirable political dexterity of their leading lay proponents. The extreme covenanter who most clearly rose to the occasion was Andrew Cant's son-in-law, Alexander Jaffray of Kingswells. He was one of a number of lairds and burgesses who, with noble representation in government reduced by roughly two-thirds under the kirk party regime, came to play uncommonly important roles in Scottish affairs of state.⁵⁵ A man of 'considerable force of character, genuine administrative ability, and some social gifts', as a baillie in 1649 he was instrumental in persuading the Scottish parliament to agree to reimburse the town

for a significant proportion of the massive list of war-related damages submitted to a parliamentary committee of the previous pro-Engagement government.⁵⁶ In addition, he was twice selected as a parliamentary commissioner to Charles II in Holland, and accompanied the king on each of his two visits to Aberdeen, on 23 June, 1650 and again in May of 1651.⁵⁷

When Alexander Jaffray returned to Scotland with the king in June of 1650 he noted that 'we were not well landed, when England was on our border with an army, to succour themselves against our invading them'.⁵⁸ Oliver Cromwell's parliamentary army in fact crossed the Tweed on July 22, thus inaugurating an English military presence in Scotland which was to last for over a decade. Aberdeen first felt the impact of that presence on 3 September, 1650 when Jaffray, by then provost, was wounded and taken prisoner by the English at the pivotal battle of Dunbar. By the time his release was secured in February 1651, the invading forces were in control of virtually the whole of the country south of the Clyde and the Forth.⁵⁹ With the arrival of spring, Aberdeen assumed an important role as the main staging post in the north for the men and supplies needed for the coming summer campaign. Renewed attempts were made to organize the city's defences, especially at the harbour.⁶⁰ By June, English warships were patrolling the coast, and contingency plans had to be made to move the crucial and increasingly scarce supplies of victual collected at Aberdeen overland to the forces gathered further south.⁶¹ In August, Aberdeen sent a special commissioner to the committee of estates to plead that the burgh could simply not spare the ninety men it was expected to contribute

to the armed forces, 'in respect of the perpetuall and imminent dangeour of the enemie continowallie lying beforr the towne, and oft tymes putting thair men on shoir, whereby the toun is in continowall dewtie'.⁶²

By the end of August the war was all but over. Cromwell's men were in hot pursuit of the Scottish army, which, under Charles II, had marched into England in a vain attempt to raise fresh support. Meanwhile, the towns of Perth and Stirling had surrendered, and by the 26th of the month the remaining English forces in the country, under the command of General George Monck, were encamped outside the heavily fortified town of Dundee. On the night of the 27th, the majority of the members of the committee of estates were surprised at Alylth and taken prisoner by an English patrol.⁶³ On 1 September, having bravely if ill-advisedly refused to capitulate, Dundee, its population swollen by an influx of soldiers and wealthy refugees from Edinburgh and other occupied towns desperate to save their portable property, was taken by storm and subjected to an even more brutal sacking than Aberdeen had endured at the hands of Montrose's Irish hordes six years before. Between five and eight hundred lives and property estimated to be worth roughly £2,400,000 were lost in the maelstrom. Two days after Dundee's nightmare began (the violence continued for two weeks before Monck's officers succeeded in bringing their men back under control), on the anniversary of Dunbar, the Scottish army in England was decisively beaten at Worcester.⁶⁴

On the 5th of September, still only partially aware of these developments, Aberdeen received word that an English army was

marching north from Dundee towards the town.⁶⁵ The more prominent royalists in the town took flight. The town council, meeting in a special session with the ministers, wisely eschewed all thoughts of armed resistance, no doubt recalling their own hard lessons of the 1640's - even before, in the Edinburgh diarist John Nicoll's words, being made entirely 'sensible of the fruites of obstinancy by the suffering of others thair nychtbouris'.⁶⁶ Instead, six of the burgh's most respected men, all covenanters, were appointed to 'treat with the commanderis of the Inglish armie for the saiftie of the toun'.⁶⁷ Two days later, five of the six commissioners, led by Alexander Jaffray, rode out to meet Colonel Overton's and Colonel Okey's regiments as they approached the town, armed only with a petition asking for assurances that the conquerors would preserve the persons and property of the inhabitants, and uphold all existing civic, religious, and commercial privileges, in return for the burgh's peaceful and complete surrender. The English forces thus entered Aberdeen on 7 September, having agreed to all of the town's requests, bar one: that it be spared the trouble and expense of providing free quarter for the army.⁶⁸

The English elected on this occasion to spend just three nights in the burgh, during which time the troops behaved with commendable restraint and were, by all accounts, 'well entertained' by the inhabitants.⁶⁹ The officers were able to report that they had been 'gallantly' received by the magistrates, who arranged a banquet in their honour.⁷⁰ Aberdonians must by this time have become fairly adept at staging seemingly genuine displays of loyalty and devotion to new but ever-welcome masters at a moment's notice.⁷¹ It was

especially important that they make a good impression on this occasion, for the English were bound to find out that the burgh had supplied a levie of men and provisions to the Marquis of Huntly's royalist forces even as the parliamentary army approached.⁷² Whatever Colonels Overton and Okey might have thought of the civic hospitality, it was for this ill-timed but perhaps unavoidable offence that they imposed a fine of £1,000 sterling (£12,000 Scots) upon the burgh, payable within eight days on pain of doubling.⁷³ Since it was all but impossible for the depressed town to raise such a sum at short notice, Alexander Jaffray and his fellow commissioners were despatched to Dundee to plead with the army high command. On the 14th, after a long meeting with General Monck, the army agreed to rescind the fine in return for a promise that the townsmen would offer no further support of any kind to the remaining royalist forces, 'unlesse they were overpowred'.⁷⁴

Aberdeen's fear of being 'overpowred' by vengeful royalists was by no means ungrounded, for Huntly's men were still active in the region.⁷⁵ Less than a week after having marched out of Aberdeen on 10 September, English forces re-occupied the town on or around the 16th in response to reports that a Scottish warship had been chased into the harbour, where it was subsequently grounded. The ship was duly seized, but no enemy troops were sighted, and after a few days the English regiments once more withdrew. Although from a military standpoint their visit had 'produced little more effect than a meere survey of those parts', as an exercise in public relations it had been something of a triumph. An English soldier and a Scot who had joined forces to extort money from the inhabitants of the

surrounding countryside had been captured by the local people and turned over to the military authorities in Aberdeen. The commanders wasted little time in having both men 'handsomely whipped' at the Mercat Cross, 'which exemplary justice gave much satisfaction to the Inhabitants'.⁷⁶ Huntly, too, did his best to drive the townsfolk into the arms of the English when he announced that same week his intention to plunder and fire the burgh. Having suffered just such a fate at the hands of the Gordons five years earlier, civic leaders took the threat very seriously indeed. As William Clarke, General Monck's perceptive secretary, noted at the time, 'they must now be beholden to us for protection'.⁷⁷

By October of 1651 people throughout the north-east had come to realize that their best hope of avoiding further disruption and blood-shed lay in cooperating with the English - or at least in with-holding support from the royalists. Early in November the inhabitants of the area around Torry, just across the River Dee but sixteen miles by land from Aberdeen, chose to submit to army rule rather than allow Huntly's men to quarter on their lands. Soon after, the dispirited royalist troops disbanded without ever having engaged the English in a battle, and on 21 November Huntly himself rode into Old Aberdeen to sign a letter of capitulation drawn up by Colonel Overton.⁷⁸ Even with the immediate threat of organized military resistance defused, however, the English faced a daunting task. The central highlands had yet to be reduced, and even in the lowland regions ostensibly controlled by the army, particularly along the borders and in the north-east, gangs of 'moss-troopers', marauding ex-soldiers and partisans, fought a brutal guerrilla war

against English personnel.⁷⁹ Early in December, three soldiers were murdered near Aberdeen.⁸⁰ At Dundee that same week, the troops were ordered, for their own protection, not to stray further than a half mile from the town.⁸¹ The one over-riding fact which the English commanders in Scotland could never afford to lose sight of was that they were but 10-15,000 men, whose job it was to subdue and control a population of roughly 1,000,000.⁸² An English official, writing from Leith in October 1651, assured his readers that 'whatsoever our friends in England may think, that the things done here are but small', they would surely think otherwise 'were they but here as we are, and see how populous they are, and what forces they might have raised against us, had not God struck a feare and terrour among them'.⁸³

As the winter of 1651/2 approached, the army high command turned its attention to the establishment of secure, semi-permanent bases for its troops in the newly-conquered areas of the north and north-east. On October 31 General Monck announced his intention to install year-round garrisons at Aberdeen, and, as troops became available, at Inverness.⁸⁴ Aberdeen was an obvious choice. The very concentrations of population and wealth which for more than a decade had helped to make it the primary military objective in the region, naturally also made it the site best able to sustain a prolonged occupation. Early in the second week of November 1651, a regiment of foot, 1,100 men strong, marched into Aberdeen under the command of Colonel Robert Overton.⁸⁵ It was to be eight long years, almost to the day, before the burgh would once more be free of English soldiers.

II Living With The English

For the people of Aberdeen, the English military occupation of the 1650's, both of the nation in general and of the burgh in particular, was to have an impact which spread across the full spectrum of civic society, and penetrated into every corner of civic life. Yet the exact nature of that impact can be difficult to assess. The time-honoured rhythms of daily life in the 'braif toun' reasserted themselves surprisingly quickly after the establishment of the garrison, and one must look very closely at some of the civic records, particularly those of the middle and later years of the decade, even to find evidence that the soldiers were there.¹ As anyone who has ever lived through a military occupation would no doubt attest, however, daily life can be deceiving. Upon closer inspection, it becomes quite clear that the social, economic, administrative, political, and religious history of Aberdeen in the 1650's, and after, can only be properly understood against the backdrop of the occupation.

The English maintained a very considerable military presence in Aberdeen between 1651 and 1659, although the number of troops actually resident in the town at any given point varied widely from season to season and from year to year. Generally speaking, between one-half and three-quarters of the men stationed in Aberdeen spent most of the spring, summer, and fall months campaigning and patrolling in the highlands, leaving little more than a skeletal force in the town. Come September or October the bulk of the soldiers in the field would return to winter quarters in the burgh.²

The original regiment of just over 1,000 men was augmented during the course of Glencairne's Rising (1653-1655) by the addition of several extra companies of infantry, bringing the number of men based in the town to 1,400.³ After the collapse of the rebellion the number of soldiers in the garrison, as in the country as a whole, was gradually reduced, so that by the time of the army's departure from Aberdeen late in 1659 there were no more than about 650 troops in the burgh.⁴ It should also be noted that over the years there were a number of occasions when an additional regiment or smaller unit of foot or horse would stop off in Aberdeen for a period of days or even weeks, as it made its way to or from a posting in the north. It seems likely, therefore, that although the average winter strength of the garrison over the years was roughly 1,000 men, there were times when Aberdeen played host to as many as twice that number, if not more.⁵

It was one thing for the English army to bring about an enforced end to the long series of hostilities in the north-east, and to impose a much-needed degree of security and stability upon the region: most Aberdonians would surely, albeit grudgingly, have welcomed these developments. It was quite another matter, however, to have hundreds of foreign soldiers living in their midst. Aberdeen had endured occupations before: two lots of covenanting troops, for example, resided in the town for twenty-two months between May 1640 and February 1642.⁶ But Aberdeen in the early 1650's was not the town it had been ten years before. Sporadic warfare, profound social and economic dislocation, and the last cruel outbreak of the plague had seen to that.

The records simply do not exist to enable us to measure the exact magnitude of the demographic and economic upheavals suffered by the burgh in the 1640's. One fact of which we can be certain is that there were very many fewer people living in Aberdeen in 1651 than there had been in 1641. Some had fled, some had left to fight in the wars, some had been killed by Montrose's forces, and a great many more had died of the plague. It seems likely that something in the order of 2,000 Aberdonians had died or otherwise departed in the wake of war and disease, the great majority of them in the period 1643-1647.⁷ Like most towns, Aberdeen had the capacity to bounce back surprisingly quickly from such losses, as newcomers arrived to take up vacant positions and the surviving population produced babies at an accelerated rate.⁸ There is evidence that both of these mechanisms were ticking away steadily very soon after the period of extreme mortality ended.⁹ But the town's troubles did not cease when the epidemic ended. As discussed below, the urban economy was in tatters, and from 1648 to 1653 a serious dearth afflicted the whole of the north-east. This situation must have hindered the burgh's recovery, and in the period of less than four years which elapsed between the departure of the plague and the arrival of the English the town can only have begun to make good the losses.

If we were to hazard a guess, it would not seem unreasonable to suppose that roughly 1,500 fewer people lived in Aberdeen in 1651 than in 1641. If we accept that there were between 8,000 and 9,000 people living in the burgh when war broke out, we might suppose that a diminished population of roughly 6,500 to 7,500 greeted the

Cromwellian forces when they rode and marched in.¹⁰ Whatever the exact figures, it is clear that the burden of the occupation had to be borne by a far smaller population than would previously have been the case.

The arrival of upwards of 1,000 English soldiers can only have added to the turmoil in a town still reeling from a decade of almost unrelieved disaster. One of the most pressing problems created by the occupation was that of providing adequate housing for the troops while at the same time maintaining some semblance of 'guid nichtberheid'.¹¹ Few of Aberdeen's 1,800-odd households can have been spared the inconvenience of having to accommodate one or more English soldiers for at least part of each year.¹² Although the army did construct a fort on the site of an earlier stronghold atop the Castle Hill in 1654/5, it was designed solely for defensive purposes: unlike larger forts erected, for example, at Perth, Inverness, and Ayr, it was never intended to house more than a handful of men.¹³ The vast majority of the troops in Aberdeen were billeted with families in the town who were expected to provide bedding, bed-linnen, and laundry as well as a room free of charge. The town as a whole bore responsibility for providing the forces with 'fyr' (i.e. coal or, more often, peat) and candle, at a cost for each soldier of 4-6d per week in winter, 2-4d in summer. The soldiers for their part were to provide for their own food, drink, and clothing.¹⁴

Even if after the establishment of the garrison there were still fewer people living in Aberdeen than had been the case ten years before, it nevertheless appears that there was a degree of

overcrowding in the burgh whenever the full complement of troops was resident in the town, as was the case each winter.¹⁵ It is interesting to note in this regard that on December 5, 1659, within weeks of the army's departure from Aberdeen, the town council ordered that all 'chops, revellings [fences], inclosers and others' erected without civic approval since the start of the troubles were to be torn down immediately.¹⁶ Presumably most of these *ad hoc* structures had been built in response to the need to find additional room for the soldiers. The army, of course, saw to it that officers were billeted with the better-off citizens of the town, and we may suppose that the social, economic, and political standing of a household was reflected by the military rank of its uninvited guests. Whatever social *cache* hosting an officer might have carried, however, it also entailed an additional set of burdens. Ordinary soldiers, for example, were expected to share in 'the use of the common fyr and licht quhich serves the familie', while officers could demand a private supply of 'fyr and candle in ther chambers'.¹⁷ A more serious problem emerged as, over the years, many of the personnel stationed in the town, particularly the officers, were joined by their wives, families, and servants.¹⁸ Unlike those who hosted unmarried soldiers, households which supported an officer's family had little or no respite in the summer months, even if the officer himself was out on patrol. Thus, in 1657 the town council pleaded with the English authorities that 'such as have wyffs, children, and servants conduct house for themselves', adding that 'it is impossible to put one familie upon another in constant quarter'.¹⁹

It was not married officers who most concerned the city fathers, however, but their unmarried troops. At anything like full strength the garrison probably added half again as many adult males to the local population. Being billeted with households in the town, the troops will have lived in close proximity to Aberdeen's depleted but still large resident army of female servants, many of whom will themselves have been new to the burgh and just settling in to life in a household which might itself be in a state of disruption and transition.²⁰ It was indeed a volatile combination, and produced predictable results. Throughout the 1650's civic and church leaders alike, so bitterly divided over so many other issues, spoke out with one voice against the dreadful 'lousness of the tyme', in which 'all manner of Sin and Impietie' were seen to flourish in their fair town.²¹ Rampant sexual impropriety, in particular, in which the soldiers featured prominently, was expected to bring the wrath of God down upon them all.

The sense of overcrowding was no doubt aggravated by the uncouth behaviour of many of the troops. The Laird of Pitfoddels in 1659, for example, petitioned the town council for the right to erect a large wall between his sumptuous residence on the once-exclusive Castlegate and an unkempt property next door, which in recent years had been used, in his words, 'onlie for filthie and uncleane uses be sojors and others at ther pleasure'.²² If it is easy enough to imagine the inconvenience, discomfort, and distress, not to say distaste reflected in the royalist and Catholic laird's outburst, it is somewhat more difficult to gauge feelings towards the English among the generality of the town. Within the civic

establishment there were certainly some who came to admire certain things about the foreigners in their midst - as the growth of English-style Independency in Aberdeen attests.²³ Others remained implacably opposed to the Cromwellians and their wicked notions of toleration. In a revealing and oft-quoted passage from Gilbert Burnet's *History of His Own Time* the author drew on his memories of a boyhood stay in the town.

I remember well of three regiments coming to Aberdeen. There was an order and discipline, and a face of gravity and piety among them, that amazed all people. Most of them were Independents and Anabaptists: they were all gifted men, and preached as they were moved. But they never disturbed the publick assemblies in the churches but once. They came and reproached the preachers for laying things to their charge that were false. I was then present: the debate grew very fierce: at last they drew their swords: but there was no hurt done: yet Cromwell displaced the Governor, for not punishing this.²⁴

Most Aberdonians probably harboured mixed feelings towards the troops: the crowded living conditions no doubt fostered a familiarity which bred friendship and intimacy as well as contempt. In addition to the dozens of illicit couplings catalogued by the kirk session and the justice of the peace court over the course of the occupation, there were numerous marriages between soldiers and local girls, and we need not suppose that romance always took a back seat to necessity.²⁵

Another major concern for the civic authorities, apart from finding accomodation for the soldiers and learning to live with strangers in their midst, was meeting the financial demands of the English regime. In addition to the cost of 'fyr and candle' charged to the public account, there was also the matter of 'the great

burden of cess and excyse under which this whole natione doeth groane'.²⁶ As this last phrase suggests the town council never missed an opportunity to bewail the ruinous consequences of these enforced payments, but as usual they chose not to put things quite in their proper perspective. In 1653, for example, the burgh's bill for the cess, or 'maintenance' as it was sometimes known, amounted to £10,800, £900 *per mensum*, down from £420 per week when the army first arrived, £1200 a month shortly thereafter, and £960 as of June 1652.²⁷ While this was a considerable sum which the hard-pressed town could surely have put to better use, it pales in comparison to the extortionate and punitive charges inflicted by royalist and covenanting armies stationed in the town during the 1640's.

To give just one of many possible examples, in 1646 Lieutenant Colonel Robert Montgomery's covenanting army of 600 horse billed the inhabitants for no less than £53,120: at £640 for each of 83 days spent living on free quarter in the burgh this was rather more than twenty times the rate charged by the English.²⁸ Nor was the taxation exacted by Cromwell's forces especially heavy in comparison to the levels established later in the century, when bills of £10,000 *per annum* and more became commonplace.²⁹ The fact was that the English parliament's fiscal demands on the community, while heavy enough, were by no means ruinous. The cost of providing heat and light for the 1,400 soldiers who spent the winter of 1653/4 in the burgh, and the 700 based there the following summer, amounted to £9440, but this could be offset against the cess, with the result that the inhabitants had only to raise an additional £1400.³⁰

Aberdonians were never likely to be grateful for having to pay what were still relatively high taxes, especially to a foreign government of occupation and at a time of considerable hardship or at best of limited recovery, but neither could they truthfully claim to have been ground down under the heel of a regicidal jack-boot.

Whatever the overall fiscal and economic situation of the town in the 1650's, it seems reasonable to suppose that such as candlemakers, peat-cutters, victualers and others did well enough out of the occupation.³¹ As one English historian has recently put it, 'A large garrison was a major industry.... Money raised in the neighbourhood for the support of the garrison was largely spent there, and in one way or another was likely to be supplemented from national funds'.³² The stent roll of the taxation collected by the town council (with the persuasive support of the army) in 1655 reveals that a significantly higher proportion of those paying the tax were in the business of supplying food and drink to the community than was to be the case in either the stent of 1669 or the poll of 1695.³³ Brewers were particularly in evidence. The town council had complained the year before that they were having great difficulty collecting the excise because 'the brewstares that [normally] payed the whole almost ar overburdenit', mainly with selling tax-exempt ale to the soldiers. The same problem applied to the fleshers, who, although the army kept them busy, 'ar now altogidder failit' as far as the excise was concerned.³⁴ And there were surely those who managed to turn a tidy profit by providing non-essential services for the army. Tavern keepers may well have

prospered, and the town's swollen corps of prostitutes certainly did, despite the apparent abundance of keen amateur competition.³⁵

Although the ordinary foot soldiers had little in the way of disposable income, many of the more highly paid cavalrymen and officers were in a position to invest in the local economy, particularly given the depressed prices prevalent throughout the country in the early 1650's, when, as one officer noted, 'few Scotsmen have any quantity of money'.³⁶ The prospect of free trade opened up by the Cromwellian Union, while it seems to have made little difference to local merchants, attracted a number of English civilians to the town.³⁷ They along with certain of the officers appear to have engaged in business of various sorts, mainly importing and exporting supplies for the army. Although burgh officials often complained that 'Under the pretence of the libertie that suldiers claims to traid in any part of the three dominions, all sort of unfrie people have usurpit ...[our] privileges and traid at ther pleasur', there were those among the visitors who chose to join the merchant community and share in the burdens as well as the privileges that entailed.³⁸ Membership in the guild also suggests some degree of participation in the fluid short-term business partnerships that characterized the potentially lucrative but high-risk overseas trade. But English involvement in the local economy could also take less glamorous forms. The Aberdeen *Shore Work Accounts* of 1654/5 reveal that at least six Englishmen served among the barrowmen employed throughout the summer in constructing the new bulwark, and on July 25 four 'sogers' were employed in 'casting away the small stones from the end of the shoir and gadren stones

allabout the shoir ane holl efternoon at 6s.8d. a peis.' Note that this afternoon's work netted the soldiers what amounted to a full day's wages for a Scot.³⁹ In the end, a handful of Englishmen remained behind and settled in the burgh after the Restoration. One such was William Wright, 'Inglish merchant', who married the daughter of a burghess.⁴⁰

A precise assessment of the wider economic impact of the occupation on the burgh is difficult to make. The problem lies mainly in the evidence itself, much of which must be gleaned from highly coloured and often contradictory sources. There can be little doubt, however, as to the state of the town during the course of the army's initial conquest and occupation of the north-east. For the citizens of Aberdeen, the opening years of the 1650's were marked by what amounted to a continuation of the multiple disasters of the 1640's. The gravest problem facing the burgh was a severe shortage of victual. Several years of bad weather and poor harvests, exacerbated by war and disease-related disruptions in the countryside and in the marketing and transportation centres, drove grain prices in Aberdeenshire to more than double the normal rate between 1648 and 1653.⁴¹ The statutory weight of a loaf of oat bread, a dietary staple for the majority of the population, was set by the town council at roughly 10 ounces in these years, while that of the more luxurious wheat loaf was lowered to 7½ ounces - both critical levels not to be matched until the lethal 'ill years' of the 1690's.⁴² The English could hardly be blamed for the ravages of nature, but their arrival can only have made a bad situation that much worse. In the first weeks of the occupation alone, for

example, soldiers in Aberdeen, still at that point living on free quarter, seized 775 precious bolls of bear and oats, valued at just over £8,000, from the heritors and tenants of the surrounding area.⁴³

The military campaign which aggravated an already serious subsistence crisis also wreaked havoc with Aberdeen's maritime trade, the commercial life-blood of the community. Much of the damage was done by the naval blockade initiated in April of 1651 and lifted only after the fall of Dunnottar Castle in May of 1652.⁴⁴ Traffic in and out of Aberdeen's harbour virtually ceased for weeks at a time, both before and long after the burgh's own peaceful surrender. According to the town council, while 'the parliaments ships wer in our roods' the merchant community had been 'altogidder debarred from traffeks'.⁴⁵ During the blockade, seven ships carrying Aberdeen cargos valued, somewhat optimistically perhaps, at £300,000 were seized. 'By the quhich losses', lamented the magistrates, 'not only ar the persones themselves ruinat, but also the greatest part of the toune who have intrustit the stocks to them, and they having turnit *non solvendo* will mak the rest bankrupt'.⁴⁶ 'Tis not heere as in England', Lord Broghill would later remark on the occasion of Aberdeen's next loss at sea, 'wher a loss does at most ruin a person: heere it does the whole trade'.⁴⁷ That the sudden slump in maritime trade did soon affect the whole of the civic economy was demonstrated by a sharp fall in the number of apprentice and burgess entrants to the merchant and craft guilds.⁴⁸ As far as the town council was concerned, blame for the burgh's commercial malaise rested squarely with the English, whose arrival,

they claimed, had 'neirby extinguishit the spunk, and cutt off any poor remainder of hopes we haid of recovery'.⁴⁹

If the English bore some responsibility for Aberdeen's perilous economic condition at the end of 1651, it was also the English whose policies were to kindle a modest economic recovery in the burgh in 1652 and 1653. Both army and parliamentary leaders realized from the start that the Commonwealth's cause in Scotland would best be served if the country could be returned to a state of peace and relative prosperity. Beginning early in 1652, then, civilian rule, never really in abeyance in most royal burghs, was gradually reestablished throughout the nation.⁵⁰ Most of Scotland's multitudinous local courts were also reconstituted, while the supreme courts were restructured and their procedures streamlined.⁵¹ Where there were garrisons, as at Aberdeen, the sporadic and disruptive depredations which characterized free quarter soon gave way to a more orderly, if still rather burdensome, system of regular taxation. It all added up by the summer of 1652 to an increasingly secure and stable environment - which, as every merchant knew, could only be good for business. Only after the sealanes were reopened, however, could Aberdeen's traders begin to benefit from the end of chaos on land. When the blockade was at last lifted in the spring of 1652 the number of ships moving in and out of Aberdeen's harbour quickly returned, so far as we can tell, to normal levels.⁵² This despite the fact that Union with England, effective from February 1652, had embroiled the Scots in a wholly unwanted war with their best trading partners, the Dutch. Between 1652 and 1654 Aberdeen's once lucrative trade with the United Provinces appears to have all

but ceased.⁵³ Yet, war with the Dutch, however much it might have cost the town in lost opportunities, did nowhere near as much immediate harm to the civic economy as civil war and war with England had done. It should be noted that having incurred considerable damages during the English blockade of 1651/2, Aberdeen's merchant community was to suffer no further losses at sea until 1656.⁵⁴

Aberdeen's journey back from the brink of economic and demographic disaster, upon which it had seemed poised in 1651, could not be complete, however, until the ongoing subsistence crisis eased. Relief finally came in the form of freakishly warm and dry weather that persisted throughout the fall and winter of 1652/3.⁵⁵ By April of 1653 it was already apparent that the ensuing harvest would be bountiful, and the town council, noting that 'the pryces of flower and meill wer become cheiper', was at last able to raise the statutory weight of wheat and oat loaves.⁵⁶ The council's action signalled the end not only of the burgh's food shortages, but also of the long series of severe short-term crises of various sorts which had afflicted the town, often two or three at a time, ever since Montrose's sacking of September 1644. From the spring of 1653, then, Aberdeen can at last be said to have moved out of the tumultuous, 'troublous' era of the 1640's, and into the tense, authoritarian period of the 1650's.

The economic history of Cromwellian Aberdeen in the years after the initial upheaval associated with the conquest and the first phase of the occupation has been the subject of a pioneering article by Thomas Devine.⁵⁷ His study offers a rare and most welcome

attempt to chart the commercial fortunes of two of Scotland's largest burghs, Glasgow and Aberdeen, over the course of a hitherto 'obscure' decade. With regard to Aberdeen, Devine's work relies heavily on the evidence provided in the *Shore Work Accounts*, from which it is possible to derive figures said to closely approximate the total number of merchant vessels entering or leaving the harbour in any given year. Using these figures as a simple index of trading activity, he points to a 'well-documented revival' in the town's crucial maritime trade between 1652 and 1660, when levels of activity more in keeping with the prosperous 1620's and 1630's than with the depressed 1640's were recorded.⁵⁸ As further evidence of a revival, he points to the project under way in the 1650's to extend and improve the harbour and its facilities. 'This construction work', he maintains, 'can be regarded as both a cause and effect of the town's recovery'.⁵⁹ Similarly, the apparent increase in the amount of timber imported from Norway in these years is said to be indicative of an upturn in the local economy.⁶⁰

Devine is almost certainly correct in asserting that the economic consequences of the Cromwellian Union, at least in so far as Aberdeen and Glasgow were concerned, were by no means as dire as contemporary Scottish lobbyists and many later historians might have us believe.⁶¹ Given a period of enforced peace and stability in the nation, a rather less malevolent economic policy on the part of the conquerors than is sometimes supposed, and, most importantly, a series of bumper harvests, one would fully expect to find signs of economic recovery. In Aberdeen's case, however, the signs are somewhat less obvious and clear-cut than Devine's article suggests:

a number of black, or at least grey, clouds can be discerned behind several of the silver linings he describes.

To begin with, a closer examination of the *Shore Work Accounts* reveals that construction projects designed to restore and expand the burgh's harbour facilities, the 'shore, peir, Bulwark and Water draught', had been underway for many years.⁶² In 1647/8, for example, still reeling from the plague, Aberdeen sank £800 of sorely-needed public money into the shore work, a figure well above the levels of expenditure which pertained during the first six increasingly prosperous years of English rule. In 1649/50 a further £1100 and 1,600 man-days labour went into the project.⁶³ Yet, as we have seen, Aberdeen in the 1640's could by no stretch of the imagination be considered well-off. Construction went ahead not because the town could readily afford to up-grade its marketing and transportation infrastructure, but because it simply could not afford to allow its barely adequate harbour facilities to deteriorate any further.⁶⁴ Over the course of the seventeenth century the mouth of the Dee became heavily silted, to the point that in 1637 the entrance to the harbour was for some days completely blocked by a shifting sandbar.⁶⁵ If maritime trade was truly the life-blood of the community, then it only stands to reason that the operation to save the shore work was accorded the desperate urgency of a coronary by-pass. And when in the later 1650's expenditure on the shore work rose sharply, this too was less the product of renewed prosperity than, firstly, a response to damage inflicted by a series of severe storms which battered the east coast ports in the spring of 1655 and again the following winter, and,

secondly, the need to put costly finishing touches to the long-delayed new quay when it was finally, or so it was thought, completed in 1659.⁶⁶

As for the importation of increased amounts of Norwegian timber, we have already seen that the presence of the garrison stimulated the construction and renovation of temporary facilities for housing the troops. While such work may have provided something of a brief boost for the building trades, it represented an unwelcome expense for homeowners and can have provided the community with little in the way of lasting benefit. It should also be noted that a good deal of timber was employed in the construction of the new quay and bulwark.⁶⁷ While a certain proportion of the wood will, as Devine suggests, have gone towards packaging Aberdeen's apparently revitalized exports, this raises the thorny question of just how far the available records relating to the volume of Aberdonian trade may be trusted.

Following Christopher Smout's prudent advice, Devine and other researchers have in the main resisted the temptation to place more quantitative and statistical weight on the fascinating but idiosyncratic *Shore Work Accounts* than they can safely bear. It has been felt, however, that the *Accounts* could at least be relied upon to give a fairly trustworthy indication of the number of ships passing in and out of the harbour, since, as Smout put it, 'The coming and going of boats in themselves are easy to see and easy to count'.⁶⁸ Regretably, even this seems to be asking too much of the records. In March of 1653 the town council announced stern measures intended to ensure that henceforth all fees owed by merchants and

skippers for the use of the shore work facilities would be fully and promptly paid. It seems that even though the funds collected by the master of impost and his staff were intended to go towards offsetting the cost of the great and necessary work undertaken to improve the shore work, some skippers had been 'so inhumane as to pas away and mack no payment at all'. The shallowness of the channel which forced ships to stand off from the shore had apparently made it all too easy to defraud the authorities. The council's response - which centred on hiring additional staff, trebling the fees of those found to be in arrears, and perhaps most importantly, publicising their intentions - soon had the desired affect.⁶⁹ When Thomas Tucker, an English official appointed as a Commissioner for Excise in Scotland, visited Aberdeen in 1655 he was pleased to report that although in recent years there had been the 'opportunity of much fraude, in landing goods privatly' at either Futtie or Torry, this had been 'prevented of late, by appointeing the wayters, by turnes, to watch those two places narrowly, when there are any shipping in harbour'.⁷⁰

Aberdeen's new administrative efficiency was immediately reflected in the *Shore Work Accounts*: in the first full year after the council's action no less than 157 ships were counted moving in and out of the harbour, the highest figure recorded in the seventy-four years covered by the records.⁷¹ Although Devine insists that 1653/4 was no 'fluke year', in the light of these previously unnoted bureaucratic reforms it would appear to have been just that.⁷² We now know for certain that widespread cheating, combined with corrupt and incompetent administration - Hew Kennedy, who as 'shore master'

was the council's senior employee at the harbour, had a history of making shady dockside deals and was finally sacked in 1658 for 'long prevaricating and miscarieing' in his duties, for which his fondness for bad company and good drink was blamed - produced artificially low figures in the accounts leading up to 1653, while unusual zeal on the part of the port authorities yielded abnormally high numbers in the years immediately following.⁷³ What we do not, and shall probably never know is the all-important degree to which these (usually hidden) fluctuations in administrative efficiency distorted the records. There are still sound reasons, outlined above, for believing that the 1650's did witness something of an upturn in Aberdeen's maritime trade, (though probably not on the scale Devine suggests), but it has to be said that the *Shore Work Accounts* cannot, for this or any other decade, be trusted to produce reliable figures concerning the volume of that trade.

What, then, can be said of Aberdeen's economic condition under the Commonwealth and Protectorate? In the absence of trustworthy quantitative data we must, in the main, fall back on the more evidence provided by a variety of literary sources. As suggested above, these sources provide conflicting testimony, with those records concerning the town's dealings with the outside world, such as the *Town Council Letters*, presenting a carefully honed image of almost unrelieved suffering and deprivation, while the more locally-oriented *Town Council Minutes* offer hints of slightly better times. The *Letters*, for example, contain numerous sets of instructions for the town's various agents and commissioners sent to lobby on its behalf in London, Edinburgh, or wherever influential ears might be

bent. Over the course of the Interregnum the town's litany of sorrows changed only when new horrors could be added to the already lengthy list of complaints. Thus, in January 1657 baillie John Jaffray, Alexander's brother, was instructed to plead for all the usual fiscal concessions sought by the royal burghs, while making sure that Aberdeen's own peculiarly fraught condition was fully understood by those in authority.

Thairfor yow ar to hold furth the said [sad] conditione of this toun by reasone of our many bygane sufferings by sea and land; the great debt we ar under; the great debt that the staitis is lyable to pay us by act of parliament often showin to the Counsell; the lait ruins of our bulwark harborie and shor by the great enundatione in December 1655, And laitlie it hath pleasit the Lord to visit us by ane fyr keindlit in our streets in the heart of the toune and by ane other enundatioun upon the tuentie tuo of this instant and many other hard burdens lying upone this place alsweill knowin to yourself as to any, And to obtaine what ye may for the ease of this poor people.⁷⁴

Later that same year John Jaffray received further instructions from the council, suggesting that he might mention that 'We ar in worse caice now than we war in the yeir 1649'.⁷⁵ This was almost certainly overstating the case, even though the problems outlined above were real enough. Indeed, there were a number of aspects of the local economy that might still give cause for grave concern. The massive public debt, for example, was to hang like a pall over the financial affairs of the burgh for the remainder of the century and beyond, and went some way towards retarding whatever economic growth there might have been.⁷⁶ The frenzied public borrowing of the 1640's had depleted the coffers of most civic institutions: when in 1654 repairs to the kirk fabric could no longer be postponed, goods belonging to the church had to be sent to France (rather than

Holland, owing to the war) to be auctioned off so as to raise the necessary cash with which to buy materials.⁷⁷ At the end of 1656 it was announced that in future any bursars at Marischal College who died or were otherwise 'removed' during the course of their studies were not to be replaced until the bursary in question had been fully restocked, since, thanks to recent council treasurers who were quick to borrow from the town's carefully managed mortifications and exceedingly slow to repay, the 'provision of the bursars' had become 'verie small and meine and not able to susteine them'.⁷⁸ And there were other problems as well. The all-important plaiding trade remained depressed. Any recovery in the burgh's lucrative overseas trade in salmon, virtually its only luxury export, was severely hampered by problems of quality control. Inferior barrels supplied by local coopers, along with the use of 'corrupt and spoillit salt' in packing, drove prices down sharply, and, even more damagingly for the future, guaranteed 'the Low esteime of the salmond of this burghe'.⁷⁹

It was by no means all doom and gloom in the local economy, however, especially after 1653. Starting in 1654 an effort was made to begin to repay some of the money borrowed by the town from private citizens over the last fifteen years. Whether this was primarily a reflection of the gradual easing of the burgh's financial condition, or of the desperate financial straits of many of its leading citizens, it is difficult to judge.⁸⁰ About the same time a series of donations and bequests were made to various charitable institutions in the town, the first since 1649.⁸¹ The most important of all seventeenth century economic indicators,

however, was the yield of the harvest as reflected in the fair prices of grain. Having at last fallen in 1653 from the dangerous peaks of the previous five years, the next five years saw prices in Aberdeenshire stabilized at reassuringly low levels.⁸²

All in all, then, the impression is one of a modest economic recovery in the burgh under the governments of the Commonwealth and the Protectorate. If Aberdeen was a community finally catching its collective breath after the disastrous forced march of the 1640's and early 1650's, however, it was still in no condition as yet to scale the commercial heights it had once attained. Perhaps the most telling judgements passed on Aberdeen's economic state in these years were passed by those who stood somewhat outside the time and place. With regard to the town council's incessant hard luck story, the English authorities proved, if not altogether unsympathetic, at least somewhat skeptical. Thus, although in February of 1652 they awarded the town a 25% abatement of its monthly cess, they granted Glasgow a 41% discount (this before the great fire in June of that year), Edinburgh 63%, and Perth and Dundee a full 100%.⁸³ Similarly, two years later, when presented with a petition begging that the number of troops stationed in the burgh be reduced, Robert Overton, by then a Major General, who knew the town well and had seen it at its recent nadir, could not help remarking that 'he admired that Aberdein could not keip ane regiment and ane halff, wharas [post-fire] Glasgow had thrie'.⁸⁴ But the degree of recovery, like the degree of suffering, must not be exaggerated. The judgement of posterity was that little of lasting economic benefit was achieved in the 1650's. When Alexander Skene,

a man at the centre of civic affairs in those years and a shrewd observer of the local scene, wrote in 1685 of the town's economic performance during his lifetime, he was forced to admit that 'our trade is much decayed by what it hath been forty or fifty years ago, before our late intestine troubles began'.⁸⁵

III Politics in Cromwellian Aberdeen

If the supposedly straightforward economic history of Aberdeen in the 1650's can be seen on closer inspection to have been rather more complex and obscure than once thought, it is all the more surprising to find the normally inscrutable public face of burgh politics (both secular and ecclesiastical, for the two were inextricably linked) less guarded and somewhat more revealing in these years than at almost any other point in the century. This would seem to confirm the notion that the inner workings of any community will be more readily exposed at times of tension and upheaval. To be sure, the political classes of the town were no strangers to rancour and discord: the difference was that under the Cromwellian occupation these 'intestine troubles' not only manifested themselves in public, but were rendered all the more acute by the disruptive presence, both in the nation and in the town, of intrusive 'foreign bodies'.

Politics in Aberdeen had always been a closed shop, with all women and the great majority of men in the burgh effectively locked out. For the enfranchised minority of trade and guild burgesses, however, access to the corridors of civic power was relatively open

by early modern standards. The two dominant institutions of the burgh, the town council and the kirk session, between them required the services of fifty or so burgesses a year, roughly one in every twelve of those eligible. With an annual turnover in personnel of the order of 60% it is easy to see that the burdens and honours of public office were quite liberally (if not altogether evenly) distributed among the privileged classes.¹ An important consequence was that most significant bodies of opinion can be expected to have been represented to some degree within the closely allied civic and ecclesiastical administrations. This disarming inclusiveness had the effect, rather unfortunately for the historian, of ensuring that the real cut and thrust of political life went on behind the historically opaque walls of the council chamber, the session house, or various backrooms, before an agreed-upon decision was committed to the resolutely uncontroversial public record.

Much of this changed over the course of the 1640's, when the carefully nurtured politics of inclusion and consensus in Aberdeen gave way to the politics of exclusion and confrontation. The swings and roundabouts of political and military developments rooted outside the town enabled first one party and then another to exercise civic power with little or no regard for the views of disheartened, discredited, or indeed absentee opponents. An early casualty of the increasingly polarized, divisive tone of public affairs was the cosy relationship forged between the town council and the kirk session.² With the ardent covenanter's abhorrence of anything which might possibly be construed as Erastianism, Andrew Cant and his colleagues in the ministry saw to it that civic

magistrates were no longer automatically enrolled among the elders of the session (though they could be, and often were, elected to the session as private citizens).³ This was to have a two-pronged impact upon the community. First, in severing the institutionalized links which had grown up between the council and the session, the ministers undermined the efficiency of those areas of public administration in which civic and church officials had worked hand-in-glove, such as poor relief and, above all, social control.⁴ More importantly in terms of local politics, the reassertion of the kirk's autonomy signalled that henceforth St. Nicholas' pulpit would serve as a rallying point for Aberdeen's committed, radical Presbyterian minority, irrespective of the prevailing political climate in the town.

The new fashion for excluding those with opposing viewpoints from the political process was given its most extreme expression in the wake of the ill-fated Engagement, when the national kirk party's Act of Classes resulted in 1648 in the disenfranchisement of all but the vocal minority of hardline radical covenanters in the burgh.⁵ Although this unbalanced situation was mitigated somewhat during the next two years, by the time of the arrival of the parliamentary army in September 1651 it was still the case that a substantial proportion of the burgh's customary ruling establishment stood, for the time being, in subdued and muted opposition outside the institutions of civic authority.⁶ Over the course of the next nine years, political life in the burgh was dominated to a very considerable extent by a prolonged struggle to redress this 'unnatural' and inherently unstable state of affairs. For both the

entrenched radicals and the resurgent moderates, success was understood to depend upon retaining or winning control of the civic kirk. And just as the shifting fortunes of civil war determined the course of urban politics in the 1640's, the no less variable oscillations of English ecclesiastical policy in Scotland determined the outcome of the struggle at each critical juncture during the 1650's.⁷

The balance of power first encountered by the English in Aberdeen had recently tipped decisively back in favour of the radicals, thanks in large measure to the disastrous military and political collapse of the king's discredited coalition of moderate covenanters and hastily rehabilitated royalists.⁸ The civic church remained firmly in the thrall of the radical party, with all three ministers, Andrew Cant, John Menzies, and John Row, aligning themselves with the hardline protester minority in the kirk, along with the ruling elder, Alexander Skene, and, we may presume, most if not all of the other elders and deacons.⁹ These and other protesters from the immediate area controlled the local presbytery, and they could count on a substantial minority of support within the Aberdeen synod: roughly one in every four ministers there signed Andrew Cant's declaration of October 1651 condemning the recent General Assembly held, more or less on the run, at St. Andrews and Dundee.¹⁰ In the secular sphere, as well, committed covenanters led by Provost Alexander Jaffray, recently released from English captivity, swept back into power, capturing all the key seats in the council elections held at the end of September.¹¹ No sooner had

this latest, and last, radical hegemony coalesced, however, than it began to dissolve from within.

In the powerful and persuasive final chapter of *Revolution and Counter-Revolution in Scotland*, David Stevenson makes the point that the actions taken by the dissident remonstrant and protester minority within the kirk in 1650 and 1651 created a *de facto* schism in the national church, leading to the creation of a new sectarian kirk in all but name. This tendency to separation on the part of the protesters, among whom Andrew Cant was a figure of some stature, he ascribed to two main factors. The first was an 'unwillingness to accept defeat': so far as the protesters were concerned, recent events had clearly demonstrated that if only the kirk could be purged once and for all of corrupt, impure elements, then surely they, the just, could yet be restored to God's special favour. The second factor, still insufficiently appreciated and understood, was the impact of 'years of close contact with English puritanism'.¹² Once unleashed, these schismatic influences proved difficult to contain, and the protester faction was itself soon divided, primarily over the issue of whether or not to have truck with their unpresbyterian conquerors.¹³ Even so, the great majority of protesters chose to fight for change within the Presbyterian fold, and, however anxious they were to drive others out, by and large seem to have given little serious thought themselves to actually leaving 'the kirk by law established'. Except, that is, in Aberdeen.

Not for the last time in the seventeenth century, English sectarian ideals found a readier soil and struck deeper roots in

Aberdeen and its surrounds than anywhere else in Scotland.¹⁴ One does not normally look to the north-east for extreme politics and religion, but it was in Aberdeen that the only significant secession from the kirk in the covenanting era took place, when in the spring and summer of 1652 several of the town's leading citizens, all of them drawn from the ranks of the radical protester faction, 'separated themselfes from thee disciplin and government of this kirk to independencie'.¹⁵ A detailed, step-by-step account of this first flowering of English-style nonconformity may be found in G.D. Henderson's *Religious Life in Seventeenth Century Scotland*.¹⁶ Our main concern here, however, is with the far-flung political fallout which attended this short-lived but highly significant episode in local and national church history.

As is well known, the English were eager to promote the cause of Independency in Scotland.¹⁷ Itinerant Independent preachers were encouraged to visit the garrisoned towns, both to minister to the soldiers and to proselytise among the locals.¹⁸ And the presence in the town of a largely sectarian army no doubt encouraged some townsfolk to at least consider the merits of Independency, if only because it must have seemed the religion of winners.¹⁹ A similar situation prevailed in all the other garrisoned towns of Scotland, however, and there seems no obvious reason to suppose that Independency would have made any more headway in Aberdeen than in these other centres, which is to say rather little, had it not been for the influence of one particularly remarkable individual.²⁰

Independency claimed its first and most important Aberdonian convert long before the forces of the new model army marched into

town. Provost Alexander Jaffray, at that point a man of impeccable radical Presbyterian credentials, was wounded - 'brought', as he put it, 'to the very gates of death' - and captured by the English at the pivotal battle of Dunbar.²¹ The experience proved an even greater turning point for him than for most devout covenanters. Shaken by 'the dreadful appearance of God against us at Dunbar', he had six months of convalescence and captivity in which to 'remember my folly, and to look back and examine my ways since my infancy'.²² He was especially vexed over his role in helping to convince an obviously insincere Charles II (who despised him) to sign the covenants.²³ A man of undoubted charm and obvious piety, he was also one of the most prominent of the Scottish prisoners, and while in this seemingly vulnerable phase of introspection he was brought to Oliver Cromwell's personal attention. As his later career was to show, the commander-in-chief was evidently well taken with him, and while still a prisoner he had 'good opportunity of frequent conference' with Cromwell, Fleetwood, and John Owen, the leading Independent divine.²⁴ No doubt flattered by the attentions of such powerful men, it was in the course of these meetings that Jaffray was 'turned'.

Alexander Jaffray was to prove one of the Commonwealth's most valuable converts. Returning to Aberdeen shortly after his release in February 1651, for some months he played his cards very close to his chest - understandably enough given that his country was still at war with England - and was re-elected provost at the Michaelmas elections.²⁵ It was at about this point, as it became obvious that the sectarian army would prevail, that he made his true feelings

known in a letter circulated among his closest associates.²⁶ It seems he was by no means the only disillusioned covenanter in the burgh. Others too had seen their party rise, as he put it, to power 'upon a double sort of account, both civil, and ecclesiastical, being fully in their hands', only to find that 'the Lord appears visibly against both, by braking the one in the open fields at Dunbar, and the other in the open meetings at St. Andrews and Dundee, through needless contests and prejudices one with another'.²⁷ Few were as yet willing, as he was, to question the exclusivity of the kirk's divine mandate, but the very fact that he had been given a sympathetic hearing created deep, and, as it turned out, lasting divisions within the radical camp. Andrew Cant, true to form, refused even to read his son-in-law's document: never one to waver, the aging, irascible Mr. Cant had come too far with the covenants to ever contemplate laying them aside.²⁸

A man of deep conviction himself, Jaffray was not at all reticent about sharing his enlightened views with a national audience. In October 1651 he informed a gathering of leading protesters in Edinburgh of the various errors to which they still held. His former colleagues-in-arms, though courteous, were profoundly unimpressed with his arguments: indeed, some among them were 'much offended', as he himself reported.²⁹ Archibald Johnston of Wariston, for one, was aghast when he heard 'that Alexander Jaffray proposed som things in the Covenant as unlawful to swear to', but he knew well enough where these unworthy notions had come from: 'I feare this conversing with thir people hes shaiken him;...I am the mor confirmed to absteane from intimat converse, for I see

mor and mor that it shaks men, even the fixedest, straunglye, when they converse with on enemy or another'.³⁰

Much to the horror of Wariston, Samuel Rutherford, and other prominent protesters, not to mention Andrew Cant, over the next months Independency continued to gain ground in Aberdeen, attracting a small but increasingly committed band of men and women, many of whom had been among the very 'fixedest' of local covenanters.³¹ By this point the garrison had settled into the town, adding other, foreign proselytising voices to Jaffray's.³² Independency received its greatest impetus, however, from the imposition of an incorporating union with England - mooted as early as September 1651, a fact of life by February of 1652, and given belated legal recogniton in 1654 - for union, to the great disgust of all parties within the kirk, was accompanied by a degree of religious and political toleration on the much reviled English model.³³ Some of those estranged from the church clearly revelled in their new freedom to flout its jurisdiction: one local Catholic, when called to appear before the kirk session in 1653 used the occasion to heap scorn and abuse on the ministers, all the while 'thanking God that the tymes wer not as formerlie'.³⁴ As early as January 1652 the excommunicated papist and royalist Alexander Irvine of Drum, embroiled in a celebrated controversy with the Aberdeen presbytery during which he was accused of saying 'That if you were not a Papist already you thought you should turn a Papist shortly', knew precisely which buttons to push, when, in a letter to General Monck himself, he complained that 'nothing will satisfie them unlesse I

make shipwreck of that which ought to be most precious to me (my conscience).'³⁵

Not surprisingly, it also began to dawn on the town's disaffected Protestants that separation from the established kirk need no longer carry cataclysmic consequences for all concerned. Support for separation began to gain momentum, and in May of 1652 the bridge was finally crossed. A manifesto was issued which, although many of its points would have been fully agreeable to most protesters, included the incendiary assertion that 'touching Presbyterial government ... so far as we can see, (with reverence to precious and learned men of another judgement,) the congregational way comes nearer to the pattern of the word than our classical form'. It was signed, on behalf of 'others in this place', by five men: Provost Jaffray, Principle William Moir of Marischal College, Andrew Birnie, a regent there, and, perhaps most damagingly, both of Andrew Cant's colleagues in the ministry, John Menzies and John Row.³⁶

The spectacular defection of the Independents, and of Menzies and Row in particular, was a blow from which the Aberdeen protesters never recovered, despite the fact that Independency failed in the end to establish a lasting hold over its proponents. For this the English, ironically, bore some responsibility. By the beginning of 1652 the Cromwellian regime was already seeking out trustworthy Scots to help manage a revamped civilian administration.³⁷ In a captive but still largely hostile land it was understandable that their attention should have been drawn to the Aberdeen Independents, whose leaders appeared to combine, so far as the English

Independents were concerned, a fair degree of political savvy and administrative expertise with a religious sensibility and general right-headedness that must have seemed all but unique among the Scots.

Alexander Jaffray, especially, with his experience of Scottish politics at the highest levels and his outspoken anglophile tendencies, was an asset too valuable to the Commonwealth to be left to swim in the relatively shallow political waters of distant Aberdeen. He was tipped as early as March 1652 for the well-paid posts of Keeper of the Privy Seal and Director of Chancellery, and was one of four Scots appointed to sit in Barebone's Parliament.³⁸ John Row, too, was promoted away from his new flock when he was chosen to be principal of King's College.³⁹ As part of the same shrewdly calculated plan to wean Scottish universities - nurseries of the troublesome clergy - away from presbyterianism, John Menzies was retained, against the wishes of the local kirk establishment, in his chair of divinity at Marischal.⁴⁰ And just over a year later, in the spring of 1654, Menzies was called to London where he was instrumental in helping to draft 'Gillespie's Charter', a controversial plan for sweeping reforms in the kirk which became the blueprint for English ecclesiastical policy in Scotland.⁴¹

The effective removal from the local scene of three such natural leaders no doubt knocked some of the wind out of Independency's sails, but it must also be said that, with the exceptions of Jaffray and perhaps one or two others, it seems that support for Independency in the burgh had been less the product of a positive desire for innovative, imported forms of worship, than the

expression of deep frustration with the slow rate of reform within the kirk of Scotland.⁴² Such negative inspiration was never likely to provide a solid foundation upon which to build a new and more wholesome congregation: in November 1653 a communion service was held by the separatists in the Greyfriars kirk of Marischal College, but this turned out to be the high-water mark of Aberdonian Independency, and enthusiasm soon waned. Within five years nearly all of the separatists had returned to the bosom of the church.⁴³ By that point, however, the damage to the radical cause had long since been done.

Had Andrew Cant been of a reflective disposition (the evidence suggests he was anything but) he might have been forgiven for falling into a state of despondency towards the end of 1652, had he chosen to reflect upon his party's fortunes in the fifteen-odd months since the first arrival in the town of the parliamentary army. He had seen the infection of false, foreign religious doctrines, borne into town by his own treacherous son-in-law and spread on an ill wind of wicked toleration, contaminate many of his own most-trusted supporters. The ensuing bickering and divisions within the protester camp seriously weakened his position within the governing councils of the church: in June the Aberdeen synod, rather pointedly, reinstated Dr. William Guild, a resolutioner, to a position at King's from which he had been deposed by Andrew Cant's presbytery just two years previous.⁴⁴ Similarly, the synod moved but slowly and with great reluctance to silence Cant's schismatic colleagues in the civic kirk, leaving them free for some months to attack him from the pulpit. Word soon reached Edinburgh that Cant,

Menzies, and Row 'was preaching on against another to the great offence of the people'.⁴⁵ These developments were treated with the utmost seriousness by the protester hierarchy, but a stream of weighty correspondence, emergency conferences held in the capital, and even the arrival in the town of a delegation of protester luminaries (similar in composition, intent, and lack of success to that which had ventured north to promote the covenant fourteen years before) did little to heal the breach in the Aberdonian ranks: Alexander Jaffray reported that it all left him 'the more confirmed in this our resolution'.⁴⁶

Nor was this the full extent of Mr. Cant's woes. Dissension and disarray within the radical party could hardly fail to undermine its political standing in the burgh, especially since the English were willing to extend toleration to political as well as religious deviants. The worst fears of the protesters, whose ascendancy in church and state had depended all along upon keeping the numerically superior opposition in the political wilderness, began to be realised in March of 1652, when a mid-term council election was held at the behest of the English.⁴⁷ Already the army was proving alarmingly free with grants of amnesty, asking only that those elected be 'qualified and weill affected for the weill and peace of the natioun': an unblemished history of undying devotion to the covenants was no longer a necessary qualification.⁴⁸ The more notorious royalists were not encouraged to apply, but resolutioners, Engagers, fence-sitters, and other such 'malignants' could once more stand for office, and several were elected. The council still sported a preponderance of hardline covenanters, but the tide was

turning.⁴⁹ At the next election, held at the usual time in September, the moderates made further modest gains, while the full impact of toleration was demonstrated by the election to the magistracy of Paul Collison, a man only recently excommunicated by the kirk session for his stubborn allegiance to Rome.⁵⁰

However much it galled Andrew Cant to see old adversaries such as Patrick Leslie back in the townhouse, the re-emergence onto the civic stage of longstanding enemies was nowhere near as damaging to the protesters' cause as was the sudden withdrawal of support by their erstwhile radical partners on the town council. This was the final and by far the most damaging legacy of the series of setbacks suffered by the protesters since the arrival of the English. The rise of Independency, in particular, must have sent shockwaves through the burgh elite: an unseemly, unpatriotic, and altogether un-Aberdonian manifestation of religious extremism, it could only reflect badly upon the zealous presbyterians among whom it had flourished. Nor, thanks to Messrs. Jaffray, Menzies, and Row, could the townsfolk have failed to equate Independency with collaboration.⁵¹ Andrew Cant's inability to prevent its spread, even among his closest allies and kinsmen, must have unsettled those members of the civic establishment who had over the years come to regard the former army chaplain as an agreeably hard man, one who, whatever his deficiencies in other areas, could be relied upon to impose a strict regime of order and discipline within the town. Instead, his exclusive and inflexible ways had contributed to what was without doubt the most serious crisis to face the church in Aberdeen since the Reformation. Even those magistrates who shared

his particular religious outlook would in the final analysis have judged his performance not by the doctrinal standards of radical presbyterianism, but in the cold pragmatic light of unyielding authoritarianism. By this ultimate civic standard, Andrew Cant had been found wanting.

By the end of 1652, then, the minister and his kirk session stood alone and isolated from the civic government and the main stream of Aberdonian politics. This was brought home most forcibly by the November elections to the kirk session, when only nine suitable elders and nine deacons, less than one half the usual number, could be found willing to serve.⁵² Not one of them came from the town council. It had become common practice in recent years to deny the magistrates an automatic place on the session, but it was equally customary to elect as many as ten magistrates and councillors to serve as private citizens on the session: in 1652, for the first time, civic officials refused to accept their seats on the kirk's governing body.⁵³ Worse still, with the defection of Menzies and Row virtually the entire workload of the three-man ministry fell on the aged and sickly shoulders of Andrew Cant, who was made to bear 'the wholl burden of examinatioune of parents whose children are to be baptized, marriages, discipline, and tuyse preaching weekelie'.⁵⁴ Thus, just as the enormous social pressures generated by a sustained period of political, military, economic, and demographic dislocation began to boil over, as the need to combat 'the louseness of the tyme' grew ever greater, the kirk found itself grossly understaffed and unable (not to mention unwilling) to call upon the assistance of the civic administration.⁵⁵

With the church in such desperately straightened circumstances Andrew Cant chose the only option open to him: he cut back on basic services. In the increasingly vital area of kirk discipline, for example, it was decided to dispense with what passed in early modern Aberdeen for due process. So as to save time and effort, as of 10 July 1654 all those, 'man or woman', who 'sall be founde guiltie of the forsaid sine of fornicatioune, upon the notarietie of the fact, aither be confessione or othrwyes, sall be summarlie excommunicat'.⁵⁶

An equally high-handed, and even less popular, approach was applied to the contentious issue of the Lord's Supper. In January 1653 the session announced that communion, 'wanting heer for a long tyme', would soon be offered - but only to the most deserving, 'blameless' members of the congregation.⁵⁷ The protesters, true as ever to their principles, were determined to withhold communion from those they judged to be unworthy: most would have agreed in principle with the Independents when they insisted that the 'promiscuouse administration of ordinances, without due distinction betwixt the preciouise and thie vile, is not thie least sinne of thie land for which the Lord is contending with us'.⁵⁸ Yet the Independents, having opted for elitism and separation, no longer had to contend with the unwashed and the ungodly in their flock. The kirk session, on the other hand, still had to maintain the facade of a monolithic church encompassing all members of the community. If the sacraments were to be properly administered, there was no choice but to sort through the congregation and weed out the undeserving. Mr. Cant, however, insisted on conducting a rigorous personal

examination of each prospective communicant, since only a minister of the kirk of Scotland could be trusted to sift the wheat from the chaff. Clearly, some corners would need to be cut: as Cant himself later argued, 'being alone in the place [I] could not examine all, which would have taken some years'.⁵⁹ His remarkable solution to this dilemma was to issue a list of no less than thirty-four categories of sinners who could consider themselves disqualified, and need not therefore trouble their minister for an examination. The list, if rigorously interpreted, may well have encompassed a majority of the population, for it included

all such who are guiltie of grosse ignorance,...
 ordinarie sleepers in tyme of sermon, though they be
 strong and healthie personnes, such as make no
 conscience of prayer and other duties with their
 families, and all superstitious and meer formall
 personnes that can not pray if they doe it not in the
 kirke, and regards of superstitious dayes, blas-
 phemers, sweerers, ... [those who are] disobedient to
 parents, murtherers, and all that hes any malice
 againes ther neighboures, adulterers, fornicatores, or
 any who are under anie scandelous sin and yet not
 cleared, drunkards or ordinarie tiplers in tavernes
 without anie lawfull occasiounes or expediencie,
 theifes, deceavers, cheeters, lyares, backbyters, per-
 jured personnes, malignants, haters of the worke of
 reformatioun, and suchlyke.⁶⁰

For the town council and the great majority of Aberdonians such uncharitable, not to say un-Christian, policies only underlined the fact that steps would have to be taken to wrest control of the kirk away from the extremists.⁶¹ Attention naturally focussed on the two vacancies in the ministry, for if more moderate men could be installed there, then the protester monopoly of ecclesiastical authority in the burgh would well and truly be broken. The problem was that as a result of the split in the once unitary Aberdeen

establishment, both the town council and the kirk session claimed the right to an exclusive, or at least decisive, voice in the selection of candidates for the ministry.⁶² To complicate matters further, a successful nominee would have to win the approval of first the presbytery, where Andrew Cant's party normally prevailed, and then the resolutioner-controlled synod, with which the town council was in increasing accord. Given that there was no prospect of the 'special relationship' between civic and church leaders being renewed so long as the covenants held sway over the kirkmen, there seemed little chance of striking an amicable agreement over the vacancies. The only realistic hope for a settlement in the foreseeable future, therefore, lay in one side or the other in the burgh becoming strong enough to overcome local and regional opposition so as to impose its will unilaterally.

By the winter of 1652/3 it must have seemed likely that before too many months passed it would be Andrew Cant's protester faction which would be overwhelmed and forced either to give way altogether or to accept candidates chosen without consultation by an exasperated public and town council. Yet, in the event, the protesters managed to cling to power in the kirk for a further six years. Like the farmers of the north-east, Andrew Cant's run of bad luck at last came to an end in the spring of 1653. In April, just as the price of victual finally fell, a royalist rebellion, 'Glencairn's Rising', broke out in the highlands.⁶³ Having run afoul of English policies, particularly those intended to promote Independency and foster toleration, since the beginning of the occupation, the protesters suddenly found themselves the

beneficiaries of policy changes introduced in the wake of the rebellion.

So as not to provide a public outlet for royalist sympathies, for example, the Cromwellian regime forbade the holding of local elections for the duration of the uprising, which lasted three years: the magistrates and councillors elected in Aberdeen in September 1652 therefore had no choice but to remain in office until the ban was lifted in September 1655.⁶⁴ This had the salutary effect, so far as the protesters were concerned, of keeping the ungodly majority of malignants out of office far longer than would otherwise have been possible. As we have seen, however, even the predominantly radical council of 1652-55 seems to have been resolved, possibly even before the outbreak of rebellion, to take action against the kirk party. A far more substantial consequence of the rising was that it encouraged the English to look upon the protesters in a new and more favourable light. Not only were they admirably severe and sober in their ways: in marked contrast to their resolutioner brethren they, by and large, refrained from publicly espousing the king's cause.⁶⁵ All in all, then, it suited the English to freeze the balance of power in Aberdeen as it stood in 1653, with the town council as yet untainted by avowedly royalist members, and the kirk still firmly within the protester orbit.

The fortuitous outbreak of rebellion may have bought Andrew Cant time, but it did little to alleviate the kirk's problems, nor did it silence the critics for very long. Having survived 1653 unscathed, the following spring the protester's authority over the kirk was challenged for the first time. On the 10th of May, 1654,

the town council, clearly intending to sweeten the forthcoming pill, volunteered to pay Mr. Cant a bonus of 400 mks. for the 'great paines' he had been put to by virtue of there being 'no other actuall minister within this burgh'.⁶⁶ They then took it upon themselves to ease his burdens. On the 30th of May the town council elected John Paterson, minister of Ellon, to replace John Row in the burgh's second charge. One of the north-east's leading resolutioners, Paterson had been chosen, by a 'pluralitie of votes', from amongst a strong field of four protesters and four resolutioners.⁶⁷ Unimpressed by this democratic display, the kirk session was quick to 'unanimouslie dissasent' from the call: far from being invited to exercise their 'speciall interest' in such matters, they 'ware nevir so much as once acquainted' of the council's intentions. They felt called upon to protest not only 'in regardes of the informality therof, and for the preservatione of thair owne and ther successors interest' in future elections, but also at the very 'inexpediencie of the thinge it selffe'.⁶⁸

The town council's choice of John Paterson for the civic ministry was a highly significant, even symbolic, one, and marks watershed in the political history of the burgh. To begin with, one could hardly imagine a nominee more likely to raise Andrew Cant's ire. They were implacable foes, diametrically opposed both temperamentally and ideologically. For years the two men had represented opposite poles within the Aberdeen synod: throughout the 1650's, whenever Cant and his minority party raised a point of contention, Paterson was invariably among those chosen to put forward the majority resolutioner case.⁶⁹ When in 1659 Paterson's

translation to Aberdeen was at last about to go through, members of the kirk session wrote to him in Ellon warning that 'Wee finde our reverend pastour, Master Androw Cant, resolvit never to give you the right hand of fellowship', adding for good measure that 'neather will wee evir consent to anie man whose entrie anie of our ministers judge to be grievous to them'. It was well known that Paterson felt much the same way about Cant, and the elders went on to suggest, rather hopefully, that if 'yee would be pleasit, by a line under your owne hand, to lay by this call, wee may say it should never repent yow'. In conclusion, they added that 'The inconveniences of setleing Mr. Androw Cant and you together as colleges at this tyme, are so apparant, that wee beleeve no sobber wise man would come over them'.⁷⁰

There is no reason to suppose that Andrew Cant and John Paterson had been any more kindly disposed towards one another when the minister from Ellon's name was first put forward five years before. Indeed, Paterson's nomination was so provocative a gesture on the part of the magistrates that it may well have been intended partly for effect. Civic officials are unlikely to have been under any illusions as to their chances of actually procuring Paterson's services in 1654. The kirk session did not even bother to list the full litany of complaints against Paterson, choosing instead to 'forbere at present', so confident were they that the protesters in the Aberdeen presbytery would 'finde sufficient ground to them to obstruct the said Mr. Jhone his transplantioune to this place'.⁷¹ On this occasion, however, the session's confidence might have been slightly misplaced. Paterson was almost certainly a devout royalist

as well as a resolutioner, and his nomination could well have attracted some support in the presbytery from those ministers willing to demonstrate their sympathy for the king's rebels. This might help to explain the fact that the Aberdeen presbytery was among those clerical assemblies forcibly dissolved by the army in August 1654, for that was the meeting at which Paterson's call would have been discussed.⁷²

One way or another, Paterson's appointment got no further than the presbytery, but Aberdeen's civic leaders had nevertheless fired a shot across the kirk's bow whose meaning could be neither mistaken nor ignored. No longer would the town council stand idly by while the welfare, unity, order, and discipline, the very fabric of the community was sacrificed in the name of doctrinal purity. In selecting John Paterson, of all men, the ruling elite signalled in no uncertain terms its disenchantment with and effective abandonment of the covenants. Paterson was the very embodiment of pre-war values. Educated at Marischal College in the early 1630's, he was a disciple of the Aberdeen Doctors.⁷³ Like his prospective employers, he knew when to compromise: having rendered due service to the covenants in the 1640's and 1650's, at the Restoration he warmly endorsed episcopacy, and was quickly rewarded with the Bishopric of Ross.⁷⁴ Perhaps best of all, he was prepared not only to tolerate, but to actively endorse 'the regulation of Church-Government by Civil Authority'.⁷⁵ He was, not to put too fine a point on it, precisely the sort of man an Aberdeen council might have chosen for the ministry had the covenants and the civil wars never happened.

Paterson's nomination in 1654 can be said to have marked the first clear step on the road to Aberdeen's own civic restoration. Certainly the fact that a moderate resolutioner minister could be chosen by a heretofore radical, protester-inclined town council suggests that the bulk of the burgh's political classes had once more closed ranks. This is not to say that party affiliations and differences of opinion disappeared altogether - far from it - but it does seem as though most shades of opinion were once more being registered within the secular establishment: the era of extreme polarization, estrangement, and exclusion in burgh politics was drawing to a close. All that remained was to restore the traditional, *ante-bellum* working relationship between the town council and the kirk - still a daunting task given the implacable opposition of Andrew Cant and his entrenched supporters, behind whom loomed the persuasive might of the English army.

It should be stressed that the civic leadership's sharp about-face occurred prior to the instigation of any wholesale changes in council personnel. This seems to confirm what other recent studies have shown: that ideological attachments among local elites in seventeenth century Britain tended to be only skin-deep.⁷⁶ What really mattered to magistrates and other officials in the localities was the maintenance of stability and of their own authority. Any creed or policy which failed to adequately support that authority, or, worse yet, consistently undermined it, would be cast aside with little or no hesitation. This central fact of political life seems to have eluded, or at least not concerned, the unbending Andrew Cant, whose mind we might charitably suppose tended to dwell on

higher matters. As one droll English officer stationed in the town observed of the reverend Mr. Cant: 'Policy and Piety are two pieces of Architecture rarely resting under one Ruff'.⁷⁷

Having failed in its first attempt to install a new minister in St. Nicholas' kirk, the town council turned its attention to removing the incumbent from office. In January and March 1655 a series of four open letters was issued, on behalf of the entire congregation, which condemned the introduction in recent years of 'certaine innovations and practices which did much stumble and offend the people'. The letters, which were addressed in turn to Andrew Cant, the elders of the kirk session, the presbytery, and, 'if the presbiterie suld not give them satisfacione', the synod, touched off one of the most colourful, acrimonious, entertaining and inconclusive exchanges to grace the pages of the Aberdeen records.⁷⁸

The council raised two main objections. The first centred on what might be considered a point of order. Andrew Cant, following the debacle of November 1652, had subsequently refused to hold elections to the kirk session, even though the practice had been to choose a new session annually. Thus, the magistrates complained that 'this present sessioun, quich wes onlie chosine for ane yeir, is long since expyrit', adding for good measure that 'from the beginning ther electioun wes in orderlie'.⁷⁹ The second and far more emotive issue concerned, not surprisingly, the local kirk's extraordinary policy regarding the sacrament of the Lord's Supper, 'the sealling ordinances, which are the cheefest priviledges of ane church member'.⁸⁰ 'Under pretence of eschewing ane promiscuous communione', went the complaint, only those 'who in ane

pharasiticall way must offer themselves to be tryit be him and thes whom he calls his elders' might be admitted to the communion table, while 'all are to be debarrit that out of conscience cannot give way to thes innovatiounes, or that out of modestie and bashfulnes dar not proclamme theselves righteous, and blusches to offer themselves to be pronuncit blameles be others ... [although] undoubit members of this congregatioune.'⁸¹ The council - though professing itself willing to overlook the minister's 'unduetifull and uncivill cariage to and expressiones against the magistrats and others' - was unequivocal in its condemnation of these practices: they were 'unwarrantable be any law or constitution of this church, and ... far above the power and authoritie of anie privat minister or sessioun, albeit it wer never so full and richtlie constitut'.⁸² Furthermore, they were at pains to stress that these horrid innovations had been foisted on the good burghers 'without warrand from authoritie, or consent of the congregatoun', were 'cleir contrair to the principles of the presbyterian government', fomented 'schisme and divisioun', and had produced nothing less than 'ane practicall separatioun from this congregatioun'.⁸³ The city fathers stopped short of actually calling for Andrew Cant's removal, but having beseeched the church authorities to 'tack such cours that the saids innovations be suppressit', and to grant 'that it may be lawfull to us when tyme and occasioun serves, to elect and choose ministers and sessioun according to the ancient forme of the church', there can be absolutely no doubt as to their intention.⁸⁴

Never one to take such abuse lying down, Andrew Cant issued a series of stinging counterblasts over the course of the next year.

In December 1655, for example, he professed 'how willing he was of peace with them, and how readie to serve them in the Lord in all duetie as became a faithful minister of the gospell'. He expressed his astonishment that his accusers had 'turned their baks upon thair owne minister without anie just ground'. Warming to the task, he accused the magistrates and council of 'deserting thair owne proper and usuall seats and takeing themselves to heare strangers, protesting against thair minister and disowneing him and the sessione, altho he did beare the burdene of the wholl toune'.⁸⁵ Of course there was no doubt in Cant's mind as to which side God was on: 'Searche all the records of the natione, aske at your forefathers, and see if ever such ane innovatiene was heard of, since ther was ane reformed church in Scotland, as this: that magistrates, by ane act of thair councill, should disclaim the minister and elders quhilk the Lord hath sett over the congregatiene.'⁸⁶

Beneath the stirring rhetoric generated by both sides in the course of the town council's rather bold assault on a minister who clearly enjoyed (if that is the word for Andrew Cant's manifest ingratitude) the support and favour of the government and army of occupation, can be discerned not only the best evidence to date of the reconstituted solidarity of Aberdeen's secular ruling establishment, but also an object lesson in the realities of power politics in Cromwellian Aberdeen.⁸⁷ The civic government's original letters of protest had been draughted by a committee chosen from amongst members of the current council reinforced by 'sindrie of the old council and uther nightbouris of the bretherene of gild and

craftes', and were signed by at least twelve sitting town councillors and fifty-six other concerned citizens, together representing rather more than one-tenth of the total burgh population.⁸⁸ Support for their position is likely to have been considerably broader than this figure suggests, for the signatories - comprised of patient old malignants, recently and finally disillusioned radical covenanters, and a number of younger men of moderate views representing the post-covenanting generations - were drawn mainly from the opinion-shaping upper echelons of burgh society: the half dozen tradesmen among them, for example, were all current or former deacons of their respective crafts. Most importantly, the men who subscribed to the letters represented the future of burgh politics. Following the suppression of Glencairn's Rising, the subsequent relaxation, in September 1655, of the three-year ban on council elections enabled Aberdeen's large moderate majority to at last regain control of the council chamber.⁸⁹ Of the fifty-six signatories who had been out of office at the beginning of 1655, no less than nineteen were elected to the town council in the years leading up to the Restoration, eleven of them for the first time, and a further seven served as constables of the justice court following its establishment in 1657. Seventeen of the fifty-six went on to hold positions in the secular administration after 1660.

By the spring of 1656 it might have seemed to some of the less worldly members of Aberdeen's civic elite that Andrew Cant's days in the pulpit were numbered: for all his protestations, he could scarcely deny the nature of his policies, nor their divisive consequences. Neither was it possible to ignore the genuinely broad

and probably representative consensus of opinion ranged against him in the the town, for the good reverend had succeeded, as perhaps nothing else would have done, in making exceedingly strange bedfellows of the once-radical old guard on the town council and the more moderate coalition of old and new men just coming to the fore. The plain will of the people may not have carried much weight in the inner circles of the church hierarchy, but surely some satisfactory conclusion might be expected, particularly if the case could be brought before the resolutioner-dominated synod.

From the outset, however, more experienced heads in the secular establishment appear to have understood that the matter was unlikely to be settled by the ecclesiastical authorities alone. The army was evidently keeping a close watch on developments in the burgh, anxious as it was to snuff out any signs of an incipient royalist revival.⁹⁰ It was therefore with an eye to the English gallery that the town council invoked the double-edged sword of toleration in its attack on Andrew Cant, proclaiming its own 'respect to anie, tho of different judgement, who sall, without disturbance, practice and profess with sobrietie according to thair licht and knowledge', while craving 'the lyk libertie to be allowit to us from the powers the Lord hes set over this Commonwealth to injoy and not to suffer ourselves to be drawin away from the good old way, so purlie [purely] practisit this many yeires bygane in this church and natioun'.⁹¹

This attempt to allay English suspicions was never likely to have the desired affect, for the entire thrust of Cromwellian policy towards the kirk at that point was aimed precisely at drawing the

Scots away from their 'good old way'.⁹² Indeed, far from seeking to topple a man like Andrew Cant, the English were prepared to do all in their power to prop him up. It was their intention, as set out in 'Gillespie's Charter', not only to sustain but actively to promote the spread of protestor, or better yet Independent, ministers and ideals. Thus, at the end of June 1655 the English judges in Edinburgh granted Andrew Cant the right to hold a kirk session election free of council interference, and on the first of July gave the Aberdeen presbytery leave to meet only if Mr. Cant and his former colleague turned Independent John Menzies so wished.⁹³ Nevertheless, the civic authorities kept up their pressure on the minister, and in May 1656 succeeded in bypassing the presbytery so as to have the case heard before the synod.⁹⁴ Understandably wary, the synod decided to attempt to 'mediate ane reconciliation' between the two sides. When Andrew Cant failed to appear at the appointed hour, the council's commissioners and the synod's arbitrators proceeded to a discussion of the doctrinal issues involved. They were suddenly interrupted by an English officer, who, on behalf of the commander-in-chief of the garrison, 'commanded peremptorily' that they 'desist from meddling any more in that business'. The entire matter was quickly and prudently dropped, or, as the synod euphemistically put it, 'layd ... assyde to a more convenient tyme'.⁹⁵

So long as English policy remained unchanged, there could be absolutely no question of Andrew Cant being forcibly removed from office, no matter how far the balance of opinion and political power within the burgh had tipped against him. Once this lesson had been

learned, a persistent element of uncertainty was temporarily removed from civic affairs. From their entrenched, seemingly secure positions the town and kirk soon embarked on a fruitful two-year period of limited cooperation. The kirk session, for example, admitted a handful of resolutioners to its ranks, and even deigned to elect a number of town councillors, though these at first refused to accept their places.⁹⁶ In September 1656, Alexander Skene, the session's ruling elder, was elected not only to the council, but to the magistracy itself.⁹⁷ As a baillie that year Skene was instrumental in setting up the new justice of the peace court, which, as discussed in Chapter 6, was to prove the most important and lasting achievement of the period. A pragmatic response to the pressing need to rejuvenate the burgh's long over-strained machinery of social control, the 'justice court', as it was known, was very much the product of this shortlived and rather strained spirit of cooperation. Finally, towards the end of 1657, the town and the kirk even managed to agree on two new candidates for the ministry, only to have the man they most wanted, the saintly James Durham of Glasgow, die before he could accept the call. This, as the session lamented, was a 'sad strok, not only to His kirk and nation in general, but in particular to this poor citie who ware under comfortable expectatione of his ministrie'.⁹⁸

Andrew Cant and his supporters on the kirk session had every reason to mourn James Durham's death, news of which reached Aberdeen on 16 August 1658, for with him died their last real hope of maintaining their influence within the burgh church.⁹⁹ By that point the English had abandoned all their grandiose schemes for

reforming the kirk, and had settled instead for what amounted to a mutual non-aggression pact with the majority resolutioner party.¹⁰⁰ Once more the protesters were left to their own devices. The by now solidly moderate town council wasted little time in moving back onto the offensive.

On the first of December 1658, having publicly pledged a week earlier that 'we ar not to give over but still to wrestle till we obtain' two new ministers for the kirk, the magistrates announced that John Paterson was once more to be their chosen candidate, along with George Meldrum, a regent in Marischal College whose selection was actually welcomed by the session.¹⁰¹ Paterson, needless to say, was rejected: but not, this time, unanimously. The quixotic John Menzies, having 'wearied of his Independency', had been able by virtue of his position as professor of divinity at Marischal College to resume his place in the local and regional councils of the church. Not, apparently, content with the degree of damage which his spiritual perambulations had already caused Andrew Cant and his party, he emerged in the summer of 1658 as the leader of the small resolutioner faction within the kirk session.¹⁰² Despite the strenuous objections of the presbytery, and in the face of the candidate's own understandable reluctance to move to a community which, as Robert Baillie remarked, seemed likely to 'always be in some fire', with Menzies' help the town council at last succeeded in having the case brought before the synod.¹⁰³ No longer able to invoke the assistance of the English army, Andrew Cant and his remaining allies went down to a noisy, protracted, but nevertheless

decisive defeat. On 21 April 1659, John Paterson's translation to Aberdeen was at last secured.¹⁰⁴

IV Crisis and Restoration

Having finally achieved their long-standing objective, the city fathers had precious little time in which to savour their victory over Andrew Cant, or to reflect upon the pleasing prospect of a renewed era of close, efficient cooperation between the secular and ecclesiastical arms of civic government. Each day brought further evidence to suggest that the turbulent and eventful decade of the 1650's was likely to end in much the same way as it had begun: with the burgh and a goodly part of the nation poised on the brink of yet another round of political, military, economic, and demographic upheaval. Just one day after the reverend Mr. Cant's solitary reign over the local kirk was brought to a close by the synod, Richard Cromwell's parliament was dissolved in Westminster, bringing the Protectorate down with it and raising the spectre of further warfare and bloodshed. Scotland was soon thrown into something of a legal and constitutional limbo by the Rump's decision to cancel the Ordinance of Union, upon which Cromwellian government had been founded north of the border. As Frances Dow has shown, however, real authority in Scotland resided with General Monck and the army, who were more than capable of maintaining order, while the day-to-day administration of the localities had long since devolved upon local men who, by and large, carried on as if nothing had changed.¹

Aberdeen's civic officials, despite the customary public silence with which they greeted all manner of sensitive and

potentially explosive issues, were clearly kept fully informed of the dramatic goings-on in England, and were deeply concerned about any impact these might have on the town and their positions in it. As early as December 1657 the magistrates had been advised to 'have ane cair' of developments within Oliver Cromwell's government.² In the damp spring of 1659, however, their attention was drawn to problems looming closer to home. The north-east had been afflicted in September 1658 with 'unseasonable weather, so that the fruits of the earth are threatened to be destroyed'.³ The poor harvest was followed by a harsh winter. In May 1659 the council, reacting to rising prices for existing grain stocks and to the imminent prospect of severe shortages, reduced the statutory weight of wheat and oat loaves sold in the burgh.⁴ Heavy rains in the summer soon prompted further emergency intervention by city officials in July.⁵ Those same storms kept the fishing fleet at Footdee on shore, and before the year was over thirty families there were said to be starving due to the 'total decay' of the fishing.⁶ And just as the town's agencies of poor relief and social control were strained to their limits in supporting Aberdeen's own distressed population, dozens of destitute people from the countryside flocked to the burgh in search of shelter and nourishment.⁷

On the national scene, it had become apparent by mid-October of 1659 that General Monck's army in Scotland was likely, at some point, to be called upon to intervene south of the border. One of Monck's first actions preparatory to this was to recall the bulk of his outlying forces to assemble near Edinburgh.⁸ As a result, on 26 October Colonel Charles Fairfax, commander of the English garrison

in Aberdeen, announced in a letter to the town council that he and his men had received orders to 'remove with all convenient dilligence'.⁹ Within two weeks they were gone, thus bringing to an end eight long years of military occupation - and effecting, albeit in reverse, much the same sort of sudden social and demographic disruptions as had occurred at their arrival, although this time the the birth rate and the illegitimacy ratio in the town fell rather than rose dramatically.¹⁰

The people of Aberdeen are said to have expressed 'great joy' at the troop's departure, but the fact was that the removal of the garrison left Aberdeen in a most precarious position at the end of 1659.¹¹ Whatever disruptions and inconveniences the occupation had caused, the English had at least provided the town with a degree of physical security which the citizens could not hope to match on their own. Having disarmed the townsmen shortly after their arrival in 1651, the English left them ill-equipped to defend themselves against the many well-armed and decidedly bellicose elements in the area.¹² Lord Forbes of Pitsligo, for example, angered by the actions of the town's over-zealous customs collectors, let it be known early in September that he 'haid ane army to intent against the toune' if his demands were not met. He presumably made his threat in anticipation of the garrison's imminent withdrawal. Just as Pitsligo had no doubt intended, within weeks of the army's departure the town agreed to negotiate, and following 'sundrie conferences and noyse' a peaceful if not altogether amicable settlement was reached.¹³

A far more serious threat to the town was posed by the 'broken men' of the highlands. Outlaws who often travelled in gangs and who traditionally lived outside all recognized social orders, their devastating forays into lowland territory became increasingly common in the last weeks of 1659 as the army withdrew from the north. The military campaigns of the previous twenty years, which severely disrupted highland society and siphoned off many of the region's able-bodied men, had left behind a large, hard-boiled residue of ex-soldiers who, as David Stevenson has recently demonstrated, had developed a taste for terror and violence.¹⁴ In the last months of 1659 the broken men were reported marauding throughout much of Aberdeenshire: by December 21 the town council believed the burgh itself to be in a virtual state of siege.

The said day, the counsell tackand to consideratioun that throw the lowsnes of the tyme this burghe might be infestit with robbers and brokin men, who might in the nicht tyme wrong and rob the housses, boothes, and goods of the inhabitants ... does appoint and ordaine ane nichtlie watch to be within this burghe, consisting of fourtie men or therabout, beginand at half nyne hours at nicht, and dissolveing at sex hours in the morneing.¹⁵

Over the bleak winter of 1659/60, the dark clouds which had gathered over the burgh gradually began to dissipate, and with the coming of spring there appeared the first signs of better times ahead. The broken men were successfully kept at bay, local warlords stayed their hands, the new justice of the peace court proved efficient in turning back the tide of 'sturdie beggars', the weather brightened somewhat, and the seas calmed. The crisis seemed well and truly over by Michaelmas 1660: despite more heavy rain that summer, an improved (if by no means bountiful) harvest had been

gathered, fiars prices had fallen, and bakers were instructed to sell wheat and oat loaves of near-normal size.¹⁶ But the community was not to escape unscathed. Between September 1660 and April 1661 an outbreak of smallpox carried off 295 people (as compared with 113 deaths in the corresponding period the year before, and 104 the year after), 198 of them children.¹⁷ Yet this was essentially a private rather than a public tragedy: the children who died left behind no jobs to spur in-migration, no debts to disrupt trade, no spouses to remarry, and no dependents to become a burden on the town. Despite levels of mortality surpassed in the latter seventeenth century only by the plague of 1647 and the famine of the 1690's, no mention of the disaster is to be found in any of the civic or church records, leaving only the stark testimony of the master of kirkwork's burial accounts to tell the tale.¹⁸

The crisis which preoccupied Aberdeen's leaders in 1659/60, then, appears to have had little or no lasting impact on public life in the town, and only slightly hindered the process of civic restoration which had been underway within the burgh elite for at least six years by the time of the Restoration proper in May of 1660. As discussed above, the radical covenanting minority which dominated civic affairs in the first years of the decade had long since been eased aside, its members wracked with dissension and mounting disillusionment even before their electoral defeat at the hands of the moderate majority. An analysis of the burgh magistracy between the election of the radical council of 1649 and the post-Restoration council of 1662 reveals that of the sixteen men elected as provosts or baillies before Glencairn's Rising, only four held

office after the lifting of the ban on elections in 1655, and only one remained prominent in civic affairs after 1660. Of the fourteen magistrates elected after 1655, however, only twelve of whom lived to see the Restoration, nine went on to enjoy uninterrupted political careers. The great majority of those exercising authority in the town in the years leading up to the king's return experienced no interruption whatsoever in their public careers.¹⁹

Those who had been prominent in the radical cause may have had difficulty garnering votes after the Restoration, but only a handful of Aberdonians were actually made to suffer for their past associations. Alexander Jaffray, whose collaboration had been on rather a grand scale, was imprisoned in Edinburgh and was perhaps fortunate to escape execution.²⁰ John Row, who unlike John Menzies never made his peace with the kirk, was deprived of his position at King's and ended his days as an impoverished Hebrew tutor in the town.²¹ Alexander Skene, although never actually employed in the English administration, was likewise tarred with the brush of Independency, and went on to hold elected office only once more after 1660.²² And then there was Andrew Cant. Following John Paterson's election in April 1659, further indignities followed. In September of that year the council granted John Menzies the right to resume preaching weekly in the Greyfriars kirk, presumably as a reward for his assistance in procuring Paterson's translation, and assuredly against Andrew Cant's strong objections.²³ Worse still, in October the magistrates, indulging in the sort of 'gross Erastianism' Mr. Cant had devoted his life to eradicating, set down a detailed schedule of 'preaching, lecturing, catechising, and other

incumbent' duties which the now full complement of four ministers were to adhere to. Deviations from the schedule would only be allowed as, when, and where 'the council suld think expedient'.²⁴ The town council's triumph in regaining control over the civic kirk was by then all but complete, and the final step to total victory was not long in coming.

Andrew Cant's own position within the kirk became even more tenuous at the Restoration, and it was surely only a matter of time before he would be forced out of office once and for all. The old man provided his enemies with the pretext they needed when, in July of 1660, he denounced from his pulpit all those, including members of the council, who had gathered to burn 'ane treasonable and seditious book in Inglish, callit *Lex Rex*', written - while under detention in Aberdeen - by his old friend and colleague Samuel Rutherford. By insisting that the author was 'ane holy, learnit, gracious, and pious man as ever this natioun brought furth', Cant left himself vulnerable to trumped up charges of treason.²⁵ A determined campaign, led by Dr. James Leslie - councillor, principal of Marischal College, born-again royalist, and local hero for his medical services in the last plague - set out to remove him from office.²⁶ A rather hopeful letter of resignation was drafted, in which Cant agreed to step aside and to acknowledge the council's exclusive right to appoint a successor. Needless to say he never signed it.²⁷ Instead he slipped out of town unnoticed in August 1660, taking with him part of the stipend to which he was no longer entitled.²⁸ He was formally deprived of his office in April of the following year. Two years later, at the age of seventy-nine, he

died and was brought back to Aberdeen to be buried, at civic expense, within earshot of his old pulpit.²⁹ It was the end of an era.

I Aberdeen in the Covenanting Era: 1639 - 1650

1. See Chapter 2.
2. Sir Robert Gordon of Straloch, 'Description of The Two Shires of Aberdeen and Banff in Scotland Beyond the Mountains', in *Macfarlane's Geographical Collections*, ii, (Edinburgh, 1907), p.289.
3. William Kennedy, *Annals of Aberdeen* (Aberdeen, 1818), i, p.203.
4. David Littlejohn, ed., 'Some General Observations on Aberdeenshire Fiars Courts and Prices', *Miscellany of the New Spalding Club*, ii, p.8.
5. See, for example, Allan White on the rather detached way in which Aberdeen greeted the Reformation. Allan White, 'The Reformation in Aberdeen', in *New Light on Medieval Aberdeen*, J.S. Smith, ed. (Aberdeen, 1985), and 'The Impact of the Reformation on a Burgh Community', in Michael Lynch, ed., *The Early Modern Town in Scotland* (London, 1987), p.184.
6. For the exact course of Aberdeen's shifting fortunes in these years see John Spalding, *Memorials of the Troubles in Scotland and England, A.D. 1624- A.D. 1645*, ed. J. Stuart (2 vols, Spalding Club, 1850-51); Patrick Gordon of Ruthven, *A Short Abridgement of Britane's Distemper, From the Year of God 1639 to 1649*, ed. John Dunn (Spalding Club, 1844); Kennedy, *Annals*, vol. i; Taylor, *Letters*, vols. iii-iv; David Stevenson, *The Scottish Revolution, 1637-1644* (Newton Abbot, 1973); Stevenson, *Revolution and Counter-Revolution in Scotland, 1644-1651* (London, 1977); and Stevenson, 'The Burghs and the Scottish Revolution', in Lynch, ed., *op.cit.*
7. Spalding, ii, p.407. In addition to Spalding (ii, p.406-412), useful accounts of the battle and its aftermath may be found in Patrick Gordon of Ruthven, *op.cit.*, p.80-4; Alexander Jaffray, *The Diary of Alexander Jaffray of Kingswells*, J. Barclay, ed., (London, 1833), p.25; *Aberdeen Council Minutes (Council Register) Extracts*, p.28-29; Kennedy, i, p.220-222; Alexander Keith, *A Thousand Years of Aberdeen* (Aberdeen: 1972), p.194-197; John Buchan, *Montrose*, (Edinburgh, 1926), p.198-205; and especially David Stephenson, *Alasdair MacColla and the Highland Problem in the Seventeenth Century* (Edinburgh: 1980), p.131-37.
8. James Gordon of Rothiemay, *Description of Both Touns of Aberdeen* (Edinburgh, 1842), p.5-6.
9. On Huntly's assault, see James Gordon of Rothiemay, *ibid*, p.6; and Patrick Gordon of Ruthven, *op.cit.*, p.187-190.
10. See Flynn, et al., *Scottish Population History* (Cambridge, 1977), p.133-149.
11. *Council Extracts*, p.80. See also Flynn, *ibid.*, p.145; and T.C. Smout, 'Coping With Plague in Sixteenth and Seventeenth Century Scotland', *Scotia*, 1978, p.26-28.
12. *Council Extracts*, p.81.
13. *Council Extracts*, p.81-3
14. *Council Extracts*, p.82. Note that while the killing of cats and dogs was a fairly traditional practice in times of infection, action against rats, who, apparently unbeknownst to contemporaries, hosted the plague-bearing fleas, would appear

to have been very rare indeed - at least in England. See Paul Slack, *The Impact of Plague in Tudor and Stuart England* (London, 1985), p.35, 238-9, 399.

15. *Council Extracts*, p.82-3.
16. *Council Extracts*, p.85
17. See A.M. Munro, ed., 'Aberdeen Burgess Register, 1631-1700', in *The Miscellany of the New Spalding Club, Vol. ii* (Aberdeen, 1908); and A.M. Munro, ed., 'Register of Indentures of the Burgh of Aberdeen', in *Scottish Notes and Queries*, vols. x-xii, 1897-98.
18. Kennedy, i, p.271.
19. *Council Extracts*, p.85.
20. Kennedy, i, p.272.
21. *Council Extracts*, p.85.
22. *Ibid.*
23. Based on figures provided by Kennedy, i, p.272, from records no longer extant. A total of 1,600 are said to have died in the town, with a further 140 in Futtie and Torry, (the latter, unlike the former, is not normally included in estimates of Aberdeen's population - hence the estimate of 1,700 rather than 1,740 in the text). Rate of mortality based on pre-plague population of roughly 9000; see Chapter 2. Note that a statement in Flynn, p.146, to the effect that plague reappeared in Aberdeen in 1649 derives from an error in the *Council Extracts*, where an entry for '11 October 1649' should have read '11 October 1648'.
24. See Stevenson, 'The Burghs and the Scottish Revolution', p.180. See also Chapter 2.
25. *Letters, iii*, p.117, 195, 227. (Note. Unless otherwise stated, all sums given in £ Scots, worth 12:1 sterling throughout the period 1650-1700.)
26. On English fiscal policy see Firth, Dow, Smith, Thurloe, etc.
27. *Letters, iii*, p. 196, 228. The sum agreed by the government was 927,120 merks, converted to £ Scots in the text. Note that on p.196 the figure claimed by the town is given in merks rather than pounds, but this appears to be an error, and does not accord with the evidence of p.117 and 228.
28. *Letters, iii*, p. 118-120.
29. *Letters, iii*, p.228.
30. See for example Gordon Donaldson, *Scotland: James V-VII* (Edinburgh: 1965), p.319-20. One of Aberdeen's covenanting ministers, John Row, in his appendix to his father's *Historie of the Kirk of Scotland* (Edinburgh, 1842), notes that 'about twenty' signed the covenant when first offered in the town, 'quherof some wer men of note, as Patrick Leslie'. p.277.
31. See, for example, D. MacMillan, *The Aberdeen Doctors* (London, 1909), and G.D. Henderson, *Religious Life in Seventeenth Century Scotland* (Cambridge, 1937), p.168-9. For a more recent appraisal of this celebrated debate (which was conducted entirely on paper - the two parties never met), see David Stewart, 'The "Aberdeen Doctors" and the Covenanters', *Scottish Church History Society*, 1984. Whether or not fond memories of the Doctors in general, and of and their erudite contributions to the debate in particular, (reinforced by republication in one convenient volume), were indeed 'of great

importance' in securing Aberdeen's swift reversion to episcopacy after 1660, as Stewart (p.43) suggests, is at least debatable. See Chapter 5, below.

32. John Row, *op.cit.*, ascribed the rebuff received by the covenanters in Aberdeen in 1638 to 'the persuasion of their D.D. [Doctors of Divinity] and overawing of the Marquis of Huntly'. On the pervasive conservatism of the north-east, see Gordon Donaldson, 'Scotland's Conservative North in the Sixteenth and Seventeenth Centuries', *Transactions of the Royal Historical Association* Ser. 5, 16, 1966, and Bruce McLennan, *Presbyterianism Challenged: A Study of Catholicism and Episcopacy in the North East of Scotland, 1560-1650* (Aberdeen University, Ph.D. thesis, 1977).
33. *Council Extracts*, p.186-188.
34. The phrase 'factious plottis' is to be found in John Stuart, ed., *Extracts From The Council Register of the Burgh of Aberdeen: 1625 -1642* (Edinburgh: 1871), p.81, and refers to a dispute centring on the political machinations of a Presbyterian party within the town, led by the volatile Patrick Leslie, whose undiplomatic zeal had offended Charles I at his one and only Scottish parliament in 1633. For further details see Stevenson, 'The Burghs and the Scottish Revolution', p.175-6.
35. On social and economic history of Aberdeen in the first half of the seventeenth century see Duncan MacNiven, *Merchant and Trader in Aberdeen in the Early Seventeenth Century* (Aberdeen University, M.Litt, 1977), recently summarised in an article by the same name in David Stevenson, ed., *From Lairds to Louns: Country and Burgh Life in Aberdeen, 1600-1800*, (Aberdeen, 1986).
36. See especially Roger Howell 'The Eye of the North: Newcastle and the English Revolution', and 'Newcastle and the Nation: The Seventeenth Century Experience' in his *Puritans and Radicals in North England: Essays on the English Revolution* (Lanham, Maryland: 1984), along with Howell, 'Neutralism, Conservatism and Political Alignment in the English Revolution: The Case of the Towns, 1642-9', in John Morrill, ed., *Reactions to the English Civil War, 1642-1649* (London, 1982). See also John Morrill's own contributions to that volume and his *The Revolt of the Provinces: Conservatives and Radicals in the English Civil War, 1630-1650* (London, 1976).
37. Howell, 'Neutralism', p. 71-2,76-7.
38. *Ibid.*, *passim*.
39. *Ibid.*, p.73.
40. *Council Extracts (1625-1643)*, p.129.
41. In addition to the works by Howell, *op. cit.*, see Adrienne Rosen, 'Winchester in Transition, 1580-1700', in Peter Clark, ed., *Country Towns in Pre-Industrial England* (Leicester, 1981), p.163.
42. On the various hasty departures from Aberdeen see Spalding, Jaffray, Patrick Gordon, etc.
43. On the Engagement, see especially Stevenson's *Revolution and Counter-Revolution*, p.82-122.
44. *Letters*, iii, p.103-05; 111-12.
45. *Letters*, iii, p.103-4.
46. *Letters*, iii, p.112; The council also attempted to withhold the

- ministers' stipends, prompting a characteristically sharpish response from Andrew Cant and his colleagues, *Letters* iii, p.105.
47. *The Letters and Journals of Robert Baillie*, David Laing, ed., (Edinburgh, 1842), iii, p.61.
 48. See Stevenson, *Government Under the Covenanters*, p.xxi-xxii.
 49. *Council Register*, liii, p. 186; note that similar purges were carried out elsewhere. See, for example, J.D. Marwick, ed., *Extracts from the Records of the Burgh of Glasgow* (Edinburgh, 1881), ii, p.149-50; and Stevenson, *Revolution and Counter-Revolution*, p.126.
 50. *Council Extracts*, p.104.
 51. Stevenson, 'Church and Society Under the Covenants', *Scotia*, 1977, p.35.
 52. See discussion in Chapter 2, below. Also n.29, above.
 53. Throughout the 1640's Cant was at the centre of politics within the covenanted kirk, and in 1650 served as moderator of the General Assembly. See Stevenson, 'The General Assembly and the Commission of the Kirk, 1638-51', *Records of the Scottish Church History Society*, xix, 1975-7. Several very brief biographies exist, including *Wodrow's Analecta*, ii, p.154-55, 161; *D.N.B.*; and, most comprehensively, A.M. Munro, *Scottish Notes and Queries*, November 1889, p.83-89.
 54. *Letters* iii, p.140. Argyle was concerned to prevent the landing of a shipment of royalist arms reportedly bound for Aberdeen. An amusing account told by Balfour (*Historical Works*, iii, p.427-30) recounts how Robert Farquhar of Mounie, a wealthy covenanting Aberdeen merchant who sided with the Engagers, 'being fallin in dislyke with the Campbells and present governours' in 1649, successfully plied Cant ('quhose northerly motion had a weray grate influence one the south') with drink and gifts in order to gain his intercession with Argyle. See also Joseph Robertson, *The Book of Bon-Accord, or a Guide to the City of Aberdeen* (Aberdeen, 1839).
 55. See Stevenson, *Government Under the Covenanters*
 56. This view of Jaffray's character, shared by Charles Firth (*Scotland and the Protectorate*, p.lix), was expressed by G.D. Henderson, *Religious Life*, p.115. For a contrary view, see below, Part III, n.21.
 57. Jaffray, *Diary*, p.32-5, 182-87.
 58. Jaffray, p.36.
 59. Jaffray, p.38, 187-89. On the military course of the campaign, see Stevenson, *Revolution and Counter-Revolution*; Dow, *Cromwellian Scotland*; Leslie Smith, *Scotland and Cromwell: A Study in Early Modern Government* (Oxford D.Phil, 1979).
 60. *Council Extracts*, p.119-20
 61. On 11 June 1651 the council reported that English ships had run one of the town's barques aground on nearby sands, *Council Extracts*, p.120. Recently published correspondence from the government's Committee for Managing the Affairs of the Army reveals just how desperate they were to procure a steady supply of northern grain for their forces. A letter of 2 May 1651 from Perth ordered the relevant overseers in the north-east to 'hasten up the meal already agreed on', to seize supplies from those unwilling to sell, to 'press all boats,

barks, and vessels' into service, and 'If through contrary winds or the enemy being on the coast the victual cannot be brought immediately by sea without danger, they are to raise all of the horse of the area with sods and sacks to carry the meal here'. Stevenson, *Government Under the Covenanters*, p.145-46.

62. *Council Register*, liii, p.318, 9 August 1651.
63. See Dow, *Cromwellian Scotland*, p.11.
64. The fall of Dundee proved to be a turning point in the war, and elicited a good deal of contemporary comment from English and Scots alike. See for example Nicoll, *Diary*, p.58; Firth, *Scotland and the Commonwealth*, p.12, 16, 18, 325-326; Bulstrode Whitelock, *Memorials of the English Affairs* (Oxford: 1853) iii, p.351, 377. The most stirring account by far is that of Monck's biographer, Thomas Gumble, who, twenty years after the fact, spiced an already gripping story with an enticing (though uncorroborated and almost certainly false) tale of vast sunken treasure in the Tay estuary. See Gumble, *The Life of General Monck* (London, 1671), p.42-44, and Alexander Maxwell, *The History of Old Dundee* (Edinburgh, 1884), p.543-553.
65. *Council Extracts*, p.122.
66. *Council Extracts*, p.122; Nicoll, *Diary*, p.59.
67. *Council Extracts*, p.122.
68. Letters iii, p.169-170. Note that two of these six covenanters - the recently knighted Robert Farquhar and Thomas Mortimer - had nonetheless actively supported the king, and declined the opportunity to present themselves to the English. John Leslie, a baillie with less to hide, took their places.
69. William Clark's diary, cf. Firth, *Scotland and the Commonwealth*, p.14, (10 September, 1651).
70. Firth, *Scotland and the Commonwealth*, p.324. (11 September, 1651).
71. Just over two weeks before this civic hospitality, the ministers had been called upon to lead public prayers to the effect that the king's forces might 'beat downe the blasphemous perfideous enemie'. *Kirk Session Extracts*, p.116. (25 August, 1651).
72. *Council Extracts*, p.124.
73. *Council Extracts*, p.123-24; Firth, *Scotland and the Commonwealth*, p.14. (12-14 September 1651).
74. Firth, *Scotland and the Commonwealth*, p.15.
75. Dow, p.16-18, 23-4
76. Firth, *Scotland and the Commonwealth*, p.16, 326.
77. *Ibid*, p.326; Smith, *Thesis*, p.30.
78. Firth, *Scotland and the Commonwealth*, p. 340.
79. Dow, p.17-20, Smith, p.33-6.
80. Overton threatened to extract fines of £50 sterling (£600 Scots) from the burgh and shire for each unsolved murder. Three suspects were quickly handed over. Dow, p.19-20.
81. Godfrey Davies, ed., 'Dundee Court-Martial Records, 1651', in *Scottish History Society Miscellany iii*, p.45. (Edinburgh: 1919). Given this reception, it is hardly surprising that the English began to have difficulties attracting new recruits to the army: 'when they want men for Scotland, the last comes into the company, goes first away to Scotland, which trick is

now known to all'. John Thurloe, *A Collection of State Papers*, ii, p.414.

82. See Smith, p.38. It is interesting to note that almost precisely the same situation, involving roughly the same numbers, confronted the English just over 100 years later when they conquered Quebec. The necessarily conciliatory stance they adopted then, which culminated in the Quebec Act of 1774, has left a permanent mark on Canadian society.
83. Firth, *Scotland and the Commonwealth*, p.332.
84. *Ibid.*, p.337.
85. The kirk session (*Extracts*, p.116) reported on 10 November 'the approach of the Inglish armie'. See also Firth, *Scotland and the Commonwealth*, p.xviii. Estimate of numbers based on figures of troop strength in early 1653, prior to Glencairn's Rising, which suggest 1100 men and 115 officers per regiment of foot. Due to sickness and absenteeism regiments seem rarely to have operated at full strength. See Firth, p.114.

II Living With The English

1. Apart from the kirk session and, later, justice of the peace court records, in which army personnel made regular appearances, the council minutes, letters, and various civic accounts contain few hints of the English presence, and the business of local government carried on in much the same fashion as it had always done. Roger Howell found much the same situation in Newcastle in the 1640's, see *Newcastle-Upon-Tyne and the Puritan Revolution* (Oxford, 1967) p.164, 165, 168; and Donald Pennington, 'The War and the People', in Morrill, *Reactions To The English Civil War, 1642-1649* (London: 1982), p.124. Thomas Devine, in 'The Cromwellian Union and the Scottish Burghs: The Case of Aberdeen and Glasgow, 1652-60', (see below), p.33-37, fails to even mention the fact that both burghs were occupied throughout the period.
2. In a letter posted from Aberdeen, 26 July 1653, Captain Robert Baynes reported 'We are still in the field about twenty miles from this place, but unless some extraordinary occasions call us elsewhere, we expect to draw in within 20 or 30 days'. By 9 August he and his men were in the town, although it was uncertain 'whether we shall have occasion to draw furth again'. John Yonge Akerman, *Letters from Roundhead Officers* (Edinburgh, 1856) p.62,63.
3. The burgh paid a set rate per head for coal and candle supplied to the forces, the sum of which could be deducted from their share of the cess. An account of these payments contained in the *Council Letters*, iii, p.269 (23 September 1656), reveals the number of men based in the town between October 1653 and May 1655.

Oct. 1, 1653 -	March 17, 1654 :	1400 men
March 17, 1654 -	Sept. 26, 1654 :	700 men
Sept. 27, 1654 -	Oct. 10, 1654 :	1200 men
Oct. 11, 1654 -	Dec. 23, 1654 :	1139 foot
		61 horse
Dec. 24, 1654 -	May 13, 1655 :	809 foot
		61 horse

These figures, at least between October 1653 and October 1654, were clearly rough approximations. Note for example that Captain Baynes wrote in April 1654 that 'We are only three companies [300] of foot here and sixty or seventy horse'. *Letters from Roundhead Officers*, p.66.
4. Each regiment was eventually reduced by 30% of its peak strength: thus, by December 1657 a full regiment contained 10 companies of just 70 men each, and by the time of the withdrawal few regiments were at full strength. Firth, *Scotland and the Protectorate*, p.lii.
5. For example, Col. Overton's regiment of 1,100 men was joined in the first winter of the occupation by Col. Ashford's regiment of roughly the same size, forced by harsh conditions to withdraw from Elgin. See *Roundheads*, p.46.
6. Kennedy, i, p.203-225.
7. About 1,700 people are said to have perished in the plague, and 160 in the battle of Justice Mills. We do not know how many left the town, how many men were conscripted into armies, or

how many women followed. Though it has no bearing on the figure under consideration, it is interesting to note that Spalding claimed that no less than 65 women who had accompanied Sinclair's covenanting army out of Aberdeen in 1642 eventually returned to be 'tried for their whoredom'. cf. Edward M. Furgol, *The Religious Aspects of the Scottish Covenanting Armies, 1639-1651* (Oxford University D.Phil, 1982), p.174-5.

8. On the ability of town's in general to recover from the disease, see, for example, Paul Slack, *The Impact of Plague*, p.182-190; see also Flinn, p.147-149.
9. For the evidence of baptisms, see Table 2.1 and Appendix I. Evidence that there was probably heavy in-migration is to be found in the *Burgess Register* and *Register of Indentures*.
10. For a discussion of the population the town see Chapter 2, Part I.
11. There is no evidence in Aberdeen as to what role if any the town council played in the allocation of housing for the Cromwellian forces, though when government troops were billeted in the town in the 1690's the magistrates appointed four merchants and four craftsmen to sort out the accomodation problems. *Council Register*, lvii, p.463 (5 December 1694). In the 1650's it is likely that those known to be sympathetic to the occupiers were spared the inconvenience and expense of quartering, as had been the case in previous occupations.
12. On household size, see Chapter 2.
13. The Cromwellians, using stones which, it later transpired, St. Machar's Cathedral could ill afford to lose, built upon the site of an earlier fortress occupied by the English under Edward I at the turn of the fourteenth century. It had subsequently been stormed and recaptured by the gallant men of 'Bon-Accord', a fact by no means lost on their seventeenth century descendants, who recalled the event in the burgh's coat of arms and motto: *The threefold towres, the castle shoves regain'd, From Enemies, who it by force mantain'd ... The colour calls the blood there shed to mind, Which these proud foes unto their cost did find.* Skene, *Succinct Survey*, p.38. On the Cromwellian forts in Scotland, see Firth, *Scotland and the Protectorate*, p.xxxix-lii; and Firth, *Cromwell's Army*, p.296, n.1.
14. *Letters*, iii, p.269. In December 1651 the council borrowed money to purchase coal for the garrison, and exhorted the heritors of the freedom lands, who did not pay cess, to supply peat. By April 1652 peat had proven such a profitable commodity that steps had to be taken to prevent overuse of the moss, and to regulate the extortionate fees charged by those engaged in cutting and transporting. *Council Register*, liii, p.339; *Council Extracts*, p.127,132,133.
15. Part of the reason for this probably had to do with the fact that plague tended to kill a disproportionate share of children. In early modern households children rarely if ever had rooms of their own, and tended to share a bed with parents, siblings, or an adult servant. See N.J. Alldridge, 'House and Household in Restoration Chester', *Urban History Yearbook*, 1983, p.45. Their deaths, therefore, will have made little

difference to the amount of living space available in the town, particularly if we assume that many of the soldiers will have been accorded a room of their own, or at least a room separate from that of the family and female servants of the household.

16. *Council Register*, liv, p.132. It is quite likely that a good deal of Aberdeen's housing stock was abandoned, destroyed, or fell into dilapidation over the course of the troubles. See for example James Gordon, p.5-6; Jaffray, p.30; *Letters* ii, p.381-2; and Pennington, op. cit., p.117.
17. *Letters*, iii, p.297.
18. Monck encouraged his officers to move their families to Scotland, 'and soe not to go soe often for England'. Firth, *Scotland and the Protectorate*, p.305. Wives, especially, were also regarded as the best nurses. Firth, *Cromwell's Army*, p.300.
19. *Letters*, iii, p.277-8.
20. In the 1690's female servants comprised just under one-quarter of the pollable population. See Chapter 2.
21. *Kirk Session Register*, CH2/448/6, p.202 (18 January 1656). See Chapter 6.
22. *Council Register*, liv, p.86 (14 September 1659). Note that on 20 September 1652 the kirk session received £60 given in 'for the use of the poor be the Inglishe Judges'. *Kirk Session Records*, CH2/448/6. It is conceivable that this was money taken in fines from the many soldiers found guilty of fornication with townswomen. The women faced civic and ecclesiastical censure, while the soldiers were dealt with by the regimental court martials. See Godfrey Davies, 'Dundee Court-Martial Records', op. cit., and Furgol, thesis, op. cit., as well as Firth, *Cromwell's Army*, p.296-297.
23. See Chapter 1, Part III, below.
24. Gilbert Burnet, *History of His Own Time*, (Edinburgh: 1753), vol. 1, p.80.
25. On marriages between English soldiers and Scottish and Irish women see Firth, *Cromwell's Army*, p.300-303.
26. *Letters*, iii, p.287 (17 September 1657). On the fiscal history of the Cromwellian regime see Gordon Donaldson, *Scotland: James V-VII* (Edinburgh, 1965) p.353; and Firth, *The Last Years of the Protectorate* (London, 1909), ii, p.115-119.
- 27.. *Letters*, iii, p.269-70.
28. *Letters*, iii, p.88.
29. See Chapter 4, n.44.
30. *Letters*, iii, p.268-270.
31. See n.14, above, and n.33, below.
32. Pennington, p.125-6.
33. See Chapter 2. Note that the food and drinks trades also came to the fore in German towns during the Thirty Years War, as long distance trade routes in other commodities were disrupted and lucrative oportunities arose to supply armed forces. Christopher Friedrichs, *Urban Society in an Age of War: Nördlingen, 1580-1720* (Princeton, 1979), p.82-3.
34. *Letters*, iii, p.245.
35. Since no relevant accounts have come to light, the profitability of prostitution is inferred by the (to judge by the number of prosecutions) enlarged body of practitioners in the town. The

kirk session, for example, found Christiane Gordone guilty of 'keeping ane louse house in intertaining sojors and whores and other slagitious graceles persones', while three accomplices confessed to 'whoredome'. *Kirk Session Records*, CH2/448/6 (20 February and 6 March 1653).

36. *Roundheads*, p.56,59.
37. For evidence of English officers' interest in trade, see *Roundheads*, esp. p.40, while the *Shore Work Accounts* for the 1650's provide numerous references to English military and civilian traders.
38. *Letters*, iii, p. 272,278. William Slow, for example, was an Englishman who settled in the town during the early years of the occupation, and went on to join the merchant guild in 1656, when he was granted liberty to brew beer, bake bread, and import cheese (which the army had not been able to procure locally - Firth, *Scotland and the Commonwealth*, p.81), butter, and alcohol, solely 'for the use of the regiment and sojors'. *Register of Burgesses*, p.409. He was active in the coasting trade, and imported several cargoes of grain between 1654 and 1658. See index to *Shore Work Accounts*. He appears to have settled in the town, and died there in 1663. See 'Diary of John Row', A.M. Munro, ed., *Scottish Notes and Queries*, September, 1893, p.53.
39. *Shore Work Accounts*, p.386.
40. *Register of Burgesses*, p.409.
41. See *Council Register*, liii, p.196; *Council Extracts*, p.101; and David Littlejohn, op. cit., p.19. See also Flinn, p.151-154.
42. See Appendix 1.
43. *Letters*, iii, p.192-94.
44. On April 16, 1651 'twa emptie barks' were reported 'chased in be the English ships', after which point traffic in the harbour seems to have fallen off sharply. See *Shore Work Accounts*, p.339, 338-346; and Dow, p.62.
45. *Letters*, iii, p.206.
46. *Ibid.*, p.203.
47. Thurloe, iv, p.741.
48. See for example Chapter 3, Table 3.2.
49. *Letters*, iii, p.243. There were those, however, who placed the blame closer to home. John Row, with his historical perspective, noted that a previous dearth (compounded by smallpox, see Flinn, p.132) in 1641 had followed upon the parliament of that year, 'And now againe, anno 1648, at a second Hamilton's Black Parliament' the covenants had been betrayed, and as a consequence 'we lye under a great dearth ever since that tyme; and now this is the thrid yeare'. *Historie*, p.488.
50. See Smith, p.38-42 and chapter 3, *passim*; Dow, chapters 2 and 3; and Stephen J. Davies, *Law and Order in Stirlingshire, 1637-1747* (St. Andrews Ph.D.), chapter 5.
51. In addition to the above, see also Bruce Lenman, Geoffrey Parker, and Patrick Rayner, *A Handlist of Scottish Crime Records* (Edinburgh, 1982).
52. *Shore Work Accounts*, p.345-50 and Appendix I, p.609. But see below, Chapter 1, Part III.
53. *Shore Work Accounts*. It is possible that some illicit trade with

- the Dutch went unrecorded.
54. Thurloe, iv, p.741. The losses in 1656 appear to have been sustained at the hands of Dutch or other pirates, and prompted the town to request English protection. 'Sieing the seas now ar lyk to be infestit by enemies that it wilbe impossible without extreme hazard to ventur unles sufficient convoyes be provydit ... Aberdeen will stand presently in need of them for in October at fardest our salmond is to go away.' *Letters*, iii, p.289 (17 September 1657).
55. See Nicoll, *Diary*, p.100-102; *Diary of Alexander Brodie of Brodie*, David Laing, ed., p.15; Lamont, *Diary*, p.61; Flinn, p.151-53.
56. *Council Register*, liii, p.386. See also Flinn, p. 151, where it is asserted that 'the fall in grain prices after the abundant harvest of 1653 marked a significant watershed in the economic and social history of Scotland.'
57. Thomas Devine, 'The Cromwellian Union and the Scottish Burghs: The Case of Aberdeen and Glasgow, 1652-1660', in J. Butt and J.T. Ward, eds., *Scottish Themes: Essays in Honour of Prof. S.G.E. Lythe* (Edinburgh, 1976).
58. *Ibid.*, p.7.
59. *Ibid.*
60. *Ibid.*
61. *Ibid.*, p.1-3.
62. *Council Register*, liii, p.381 (23 March 1653).
63. The following table is based on analysis of disbursements ('discharge') recorded by successive masters of impost in the *Shore Work Accounts*, 1648-1659.

	48	49	50	51	52	53
man/days	176	124	1619	227	197	618
expenditure	£815	£605	£1090	£300	£205	£800

	54	55	56	57	58	59
man/days	227	449	1399	982	--	--
expenditure	£440	£610	£700	£1350	£1375	£2890

Note: these figures can only be regarded as rough approximations indicative of broad trends. Since, for example, unskilled labourers alone can be counted under man/days, estimates are almost certainly low; likewise, while some of the money listed under expenditures may not necessarily have gone towards construction, rendering those estimates high.

64. Much the same situation pertained in the midst of the devastating 'ill years' of the 1690's, when the burgh was compelled to launch a major construction project at the harbour, 'for more easie getting the ships into the Harbour'. *Council Register*, lvii, p.639 (6 April 1698).
65. Spalding, i, p.83.
66. On the great storms of 1655/6 see Brodie, *Diary*, p.16; *Round-heads*, p.124; *Shore Work Accounts*, p.397; and *Letters*, iii, p.278.
67. See for example *Shore Work Accounts*, p.411.
68. See Smout, *Northern Scotland*, i, 1972, p.236; Devine, p.4; and

- Macniven, *Thesis*, p.198-200.
69. *Council Register*, liii, p.381. See also *Shore Work Accounts*, p.365.
 70. *Report by Thomas Tucker Upon the Settlement of the Revenues of Excise and Customs in Scotland, 1656*, John A. Murray, ed., (Edinburgh, 1825), p.34.
 71. *Shore Work Accounts*, Appendix I, p.609.
 72. Devine, p.6.
 73. Kennedy had been known to allow Aberdeen's prized brand to be burned on the barrels of salmon not properly within the town's provenance. See *Council Register*, liii, p.342 (21 January 1652), as well as p.606 (30 June 1658).
 74. *Letters*, iii, p.278, and *passim* for other versions of civic complaints set out in instructions to burgh commissioners.
 75. *Ibid.*, p.292.
 76. See Chapter 2.
 77. *Council Extracts*, p.144. Note that the task was entrusted to the Roman Catholic baillie, Paul Collison, who seems to have been in France at the time.
 78. *Council Register*, liii, p.515 (3 December 1656).
 79. *Ibid.*, p.596 (21 April 1658); p.619 (1 September 1658); p.631 (6 October 1658). The problem seems to have stemmed from disruptions in the supply of quality bay salt from Biscay - due primarily to England's foreign wars - as well as an apparent shortage of imported iron hoops or 'girds' for the barrels.
 80. See for example *Council Register*, liii, p. 436 (6 December 1654), and p.480-481 (24 April 1656). See especially Jaffray, p.114: his substantial English salary relieved fears that his debts 'would have ruined me and my children'.
 81. *Mortifications Under the Charge of the Provost, Magistrates, and Town Council of Aberdeen* (Aberdeen, 1849), p.130.
 82. See Littlejohn, p.18-19; and Flinn, p.150-56.
 83. Firth, *Scotland and the Commonwealth*, p.xxx.
 84. *Letters*, iii, p.242; See also Firth, *ibid.*, p.31.
 85. Skene, *Succinct Survey*, p.50.

III Politics in Cromwellian Aberdeen

1. See Chapters 4, 5, and 6.
2. See for example, *Kirk Session Extracts*, p.77 (11 August 1611): 'the ballies ar desyrit be the ministris and sessioun to tak painis in ganging throw the towne...to caus the people resort to the sermones'.
3. See for example, *Council Extracts*, p.70-71 (9 November 1646), and *Letters*, iii, p.xxii. The belief that secular and ecclesiastical jurisdiction ought to be kept separate and distinct was central to covenanting ideology, and was to have a powerful influence on Aberdonian affairs - most notably at the founding of the justice court. See Chapter 6.
4. See Chapters 5 and 6.
5. See above, Part I.
6. The lists of council members elected between 1649 and 1651 reveal that a minority of the Engagers purged in November 1648 were soon rehabilitated.
7. The most valuable recent analyses of Cromwellian policies regarding the kirk are to be found in Dow, *Cromwellian Scotland, passim*; Julia Buckroyd, 'Lord Broghill and the Scottish Church, 1655-1656', *Journal of Ecclesiastical History*, 1976; and Hugh Trevor-Roper, 'Scotland and the Puritan Revolution', H.E. Bell and R.L. Olland, eds., *Historical Essays 1600-1750, Presented to David Ogg* (London, 1963). See also John Morrill's review article, 'Seventeenth Century Scotland', in *Journal of Ecclesiastical History*, 1982.
8. The loss at Dunbar in September 1650 shattered the covenanters' confidence and credibility, but the king's army of more moderate men fared little better in the next summer's campaign, and went down to a crushing defeat at Worcester on the anniversary of Dunbar. See Dow, p.8-11.
9. The kirk session elected in 1652 was a small but select body of only nine elders and nine deacons, half the usual number: clearly Cant would allow none but his own supporters onto the session. Most of those elected that year remained in office until 1655, steadfastly supporting their protester minister.
10. *Synod Extracts*, p.208-210. Compare list of signatories with list of those attending next synod in April 1652, p.213-216.
11. *Council Register*, liii, p.328-330. Jaffray and two of the four baillies, George Cullen and Patrick Moir, had served on the radical council of 1648/9, while the other two baillies, John Jaffray (despite having sided with Patrick Leslie in 1648) and William Petrie, also had solid covenanting credentials.
12. Stevenson, p.225-228.
13. Dow, p.39-40
14. See Chapter 5 for a discussion of the remarkable group of men and women in and around the burgh who turned to Quakerism in the years following the Restoration, led initially by none other than Alexander Jaffray.
15. *Synod Extracts*, p.222 (21 October 1652).
16. Henderson, op.cit., p.100-116. See also W. Ivan Hoy, 'The Entry of Sects Into Scotland', in Duncan Shaw, ed., *Reformation and Revolution: Essays Presented to Hugh Watt* (Edinburgh: 1967).

17. See Dow, p.27,61; Hoy, p.180-81; Trevor-Roper, p.105-106.
18. One Independent preacher known to have visited Aberdeen was William Lockier, 'sent for by some of the Scots to oversee the erecting of new congregations in the North'. Baillie, *Letters*, iii, p.178 (1 April 1652). See also Lamont, *Diary*, p.58-9.
19. See Gilbert Burnet's recollections, above, Part II, n.24. The Quakers, when they first appeared within the army in the mid-1650's, met with a much more hostile reception both from the locals and the army high command. See Hoy, p.198-206; and Firth, *Scotland and the Protectorate*, p.350-352, 362-363. John Row was infuriated by a Quaker officer who railed against the ministers and agitated amongst his King's College students in Old Aberdeen in 1657. He complained to the army command and they swiftly dealt with the offending officer. See 'State Papers of John Thurloe', *Journal of the Friends Historical Society*, 1911, p.158-161. George Fox himself ventured into Scotland that same year. He does not seem to have reached Aberdeen, but may well have had John Row and the above incident in mind when he reported that 'There were two Independent churches in Scotland', at one of which the congregation 'was in a great rage against truth and friends'. *Journal* (3rd. ed., London, 1765), p.254. Certainly Fox himself made little headway: at Glasgow he held a meeting 'but not one of the town came to it'; in the highlands 'they ran at us with pitchforks'; while at Perth the people 'gave little heed', although he did garner some converts there, mainly, as elsewhere, among the English troops. *Journal*, p.259-261. Quakerism, with its rejection of basic Calvinist tenets, was of course a much more radical faith from the Scottish perspective than Independency, but it is also conceivable that Fox had simply arrived on the scene too late, after the first flush of enthusiasm for English sectarianism had worn off, and after the likely impermanence of the Cromwellian regime had become apparent.
20. On the course of Independency elsewhere, see, in addition to the sources cited in n.19, Dow, p.27,59,61,101; Nicoll, *Diary*, p.94-96; and Henderson, *Religious Life In Seventeenth Century Scotland*, chapter 5. For a sensible reminder of the importance of key individuals in shaping opinion within a community, see Howell, 'Neutralism', p.70.
21. Jaffray, *Diary*, p.36-8. Compare his own stirring account of his brush with death with that of a jaundiced English officer reporting from Aberdeen in January 1652: 'Provost Jeffrey (Mr. Cant's son in law, who helpt to fetch home the King, and at Dunbar fought himselfe into a cut finger, for which and former services a Pension is his Plaster) is not only become our convert, but is now at Edenburgh insinuating himselfe, and acting for the Kirk's interest, and his own, with the Noble Major General, who is sufficiently fortified against such insinuations. I therefore hope he cannot with all his cunning procure M. Cant a Patent for Presbytery'. Firth, *Scotland and the Commonwealth*, appendix, p.xxxvi. A somewhat more considered opinion was that of his protester friend Alexander Brodie, who wrote in 1653 that 'He is not the man which others [meaning, presumably, the Aberdeen Independents] vainly

imagine him to be...[he should] chuse to suffer at the hands of men, than to fall into the snare and temptation of public employment'. Brodie, *Diary*, p.63. While Jaffray did indeed benefit materially from his association with the English, it seems he was acting on genuine impulses. He would later adhere to his (first Independent, then Quaker) views in the face of considerable hardship. See Jaffray, *Diary*, chapters 8-12, esp. p.160. As for promoting Cant's cause, he in fact did more than any other individual to undermine his father-in-law's position.

22. Jaffray, *Diary*, p.37.
23. *Ibid.*, p.32-3; on the King's 'sharpe expressions' against Jaffray and the other commissioners at Breda see, for example, Wariston, *Diary*, ii, p.42.
24. Jaffray, *Diary*, p.38, 188-9. See also Trevor-Roper, p.102-3.
25. *Council Register*, liii, p.330.
26. Jaffray, *Diary*, p.39-40.
27. *Ibid.*, p.47-8.
28. *Ibid.*, p.40.
29. *Ibid.*, p.41.
30. Wariston, *Diary*, ii, p.147.
31. Only the names of the spokesmen for the Aberdeen Independents are known. No lists of the Independent rank and file have come to light, and it is impossible to gauge their exact numbers. In 1654 Baillie (*Letters*, iii, p.242) claimed that in Old and New Aberdeen 'almost all in both Colledges, from Remonstrators, had avowedlie gone over to Independencie and Separation'. Outside of clerical and academic circles, however, the numbers of committed adherents surely numbered in the tens rather than hundreds. In G.D. Henderson's considered opinion (*Religious Life*, op. cit., p.116) Independency 'won the allegiance of a small band of earnest, capable, intellectual men in and about Aberdeen, and doubtless affected the outlook of many others'.
32. See n.18, above.
33. Dow, p.39.
34. *Kirk Session Extracts*, p.121 (14 November 1653). See also Geoffrey Parker, 'The "Kirk By Law Established" and the Origins of "The Taming of Scotland": St. Andrews 1559-1600', in Leah Leneman, ed., *Perspectives in Scottish Social History: Essays in Honour of Rosalind Mitchison* (Aberdeen: 1988), p.6.
35. Firth, *Scotland and the Commonwealth*, p.347-53.
36. Jaffray, *Diary*, p.193-198. The degree of common ground shared by Independents and Presbyterians may be gauged by the almost apologetic tone of the protester's replies to the points made by Jaffray and his colleagues. See Stevenson, *Revolution and Counter-Revolution*, p.227, and especially William Stephen, ed., *Register of the Consultations of the Ministers of Edinburgh* (Edinburgh, 1921), i, p.37-43.
37. Dow, chapters 1-3; Smith, *Thesis*, chapter 3.
38. Jaffray, *Diary*, p.51. His appointment may have been mooted even earlier, see n.211 above. See also Austin Woolrych, *Commonwealth to Protectorate* (Oxford, 1982), p.177-8. Jaffray earned £200 sterling (£2400 Scots) as Director of Chancellery, and split a further £200 sterling with Englishman Samuel

- Desborrow (who had the larger share) for his part as joint Keeper of the Privy Seal. This made Jaffray one of the best paid Scots in the administration. See Jaffray, *Diary*, p.204, and Thurloe, iv, p.526.
39. Dow, p.59-60. Although only one mile away while at King's, Row appears to have played no further role in public affairs in the New Aberdeen. He may simply have been too busy, for he was a diligent and energetic principle. See John A. Bulloch, *A History of the University of Aberdeen, 1495-1895* (London, 1895), p.123-28.
40. Trevor-Roper, p.111. See Wariston, *Diary*, ii, p.157.
41. For Gillespie's Charter see *A.P.S.*, vi, p.830-832 (8 August 1654), as well as Nicoll, *Diary*, p.164-67. On the origins and importance of the charter see Dow, chapter 9; Buckroyd, *passim*; and Trevor-Roper, p.110-11.
42. See John Row, *Historie*, p.508, where he argues for ministerial freedom from the censures of the church hierarchy, since 'able Ministers wold know best quhat were fittest (at least) for their owne people'. Such a stance implies no diminution of the minister's own importance - quite the opposite - and suggests the author had a rather limited view of toleration.
43. Henderson, p.108; Jaffray, p.50.
44. *Synod Extracts*, p.218 (30 June 1652). Guild had been deposed originally by the protesters in 1650 to make way for John Row, who finally succeeded him following Guild's second dismissal from office, this time at the hands of the English, in September 1652. See Dow, p.59-60.
45. Wariston, *Diary*, ii, p.175.
46. See Jaffray, *Diary*, p.48-50, 203; Stephen, ed., *Consultations*, p.37-43; Wariston, *Diary*, p.155, 157, 172-3, 179-81, 212-13, 244, 246, 276, 288, 298.
47. Elections were called to ensure that civic governments supported the proposed union. See *Council Extracts*, p.129 (17 March 1652).
48. *Council Extracts*, p.130.
49. *Ibid.*, p.129-30. Note, for example, the return to office (as an ordinary councillor) of Patrick Leslie. Note also that 9 of the 19 men elected went on in 1655 to sign petitions against Alexander Cant and his policies.
50. *Council Register*, liii, p.367. On Collison see *Kirk Session Extracts*, p.117 (22 March 1652).
51. There must have been many in the town, and not just protesters, in agreement, for once, with Wariston, who was highly critical of Menzies and Jaffray for their collaboration, arguing that 'our troubles aryses from our awen Scotsmen irritating the Inglish against us'. *Diary*, ii, p.212 (6 March 1654). Note that Menzies, for example, was entrusted by an English officer with a bill for £100 sterling as he made his way to London to consult on ecclesiastical matters. *Roundheads*, p.70 (25 May 1654). On the same journey he also carried letters from the town council to its agents in the capital, and sent home his own shrewd appraisal of developments there concerning the burgh. *Letters*, iii, p.232-233.
52. *Kirk Session Extracts*, p.118 November 1652. See also Chapters 5 and 6.

53. In January 1656, when the same session was still serving, Cant complained of 'the refuseing of some who ware chosine as members...to accept of thair offices'. *Kirk Session*, p.202.
54. *Kirk Session Extracts*, p.119 (31 January 1653).
55. See Chapter 6.
56. On roadside excommunication, see *Kirk Session Extracts*, p.122-3.
57. *Kirk Session Extracts*, p.118-121.
58. See Jaffray, p.193-98; Hoy, p.198.
59. *Kirk Session*, p.207 (28 December 1655).
60. *Kirk Session Extracts*, p.120.
61. Note that a very similar situation pertained in Stirling, where the civic authorities were ranged against their minister, James Guthry, a prominent protester in the Andrew Cant mold. See R. Renwick, ed., *Extracts From the Records of the Royal Burgh of Stirling* (Edinburgh: 1887).
62. For the opposing views see for example *Kirk Session Extracts*, p.207; *Council Extracts*, p.177-78.
63. On the course of the Rising, see Dow, chapters 3-4.
64. See *Council Extracts*, p.137, 144. Note that remaining in office was not necessarily desirable, especially for those magistrates and councillors whose own mercantile and business activities demanded their full attention in difficult times.
65. See Dow, p.146-7, 199-200.
66. *Council Register*, liii, p.413.
67. *Ibid.*, p.415. Seven of the eight nominees came from the Aberdeen synod. The protester nominees were Duncan Forbes (Pitsligo), Nathaniel Martin (Peterhead), Robert Keith (Deer) - all of whom were drawn from the presbytery of Deer - and Alexander Rait (Banchory); the other resolutioners were John Seaton (Foveran), William Keith (Montkeggie), and William Colbyne (ex.- Edinburgh).
68. *Kirk Session Extracts*, p.122-124 (10 July 1654).
69. Paterson, for example, was moderator at the synod of October 1651 when Cant gave in his protestation against the recent general assembly, whose constitutionality was upheld by the synod. *Synod Extracts*, 207-211.
70. *Kirk Session Extracts*, p.150-151 (21 May 1659).
71. *Ibid.*, p.124 (10 July 1654).
72. Dow, p.105.
73. P.J. Anderson, ed., *Records of Marischal College*, p.207; Henderson, p.42.
74. *Council Register*, liv, p.369 (21 May 1662).
75. John Paterson, *Post Nubila Phoebus, or a Sermon of Thanksgiving For the Safe and Happy Return of Our Gracious Sovereign*, (Aberdeen, 1660).
76. Howell, *Neutralism*, *passim*.
77. Firth, *Scotland and the Commonwealth*, p.xxxvi. According to Alexander Brodie, a devout Presbyterian laird, for all Cant's faults, 'yet his affections wer right'. Brodie, *Diary*, p.212.
78. See *Council Extracts*, p.146-7 (4 January 1655), p.148-9 (3 March 1655), and p.149-152 and p.152-154 (both 10 March 1655).
79. *Ibid.*, p.146.
80. *Ibid.*, p.150.
81. *Ibid.*, p.149-50, 153.
82. *Ibid.*, p.150.

83. *Ibid.*, p.153-4, 150-1.
84. *Ibid.*, p.154.
85. *Kirk Session Records, CH2/448/6*, (28 December 1655). Note that the term 'strangers' usually meant 'foreigners' or other outsiders, and may well refer here to itinerant Independent or other sectarian preachers stationed in or passing through the burgh. It could conceivably also refer to the series of divinity students hired by the council, possibly without Cant's consent, to preach during the extended ministerial shortages.
86. *Kirk Session Records, CH2/448/6* (28 December 1655).
87. See Firth, *Scotland and the Commonwealth*, p.355-356.
88. The lists of signatories were omitted from the published extracts. In addition to the twelve council members present, 31 additional men signed the letter of January 4, (*Council Register*, liii, p.437), 21 signed the letter of March 3 (p.440), and 41 subscribed to the first letter (the second being issued by the council alone) of March 10 (p.441). Six burgesses signed all three letters, and another 20 signed two of the three.
89. See *Council Extracts*, p.158 (3 October 1655) for the declaration allowing elections, and *Council Register*, liii, p.462 (10 October 1655) for the outcome.
90. A triumph for the moderates and resolutioners would at that point have been seen in just such a light by the English authorities. See Dow, chapter 9.
91. *Council Extracts*, p.151.
92. Dow, chapter 9.
93. *Ibid.*, p.147.
94. *Synod Extracts*, p.232-233. Brodie (*Diary*, 3 June 1656, p.180) reported 'I heard of the fearful breach betwixt the Protesters and Assemblie men at Aberdeen Sinod, and I desire to mourn under this and be humbled, and, to beseech the Lord to mak up the breaches...'.
95. *Synod Extracts*, *ibid.*
96. The long-overdue kirk session election was finally held in January 1656, at which point an exceptionally large set of 22 elders and 20 deacons were selected. See Chapter 5. The council, still maintaining the old session's 'inorderliness' refused to recognize the election. Nevertheless, two sitting council members, Gilbert Mollison and Dr. William Moir, were among those selected. *Kirk Session Extracts*, p.202. They both refused the call, as did former magistrates Robert Farquhar and John Jaffray. By February 18, when elders and deacons were paired and assigned to precincts, it was apparent that 7 elders and 2 deacons would not serve. *Kirk Session Extracts*, p.215). A further 6 former councillors did accept, at least four of whom had previously sided with the resolutioners - a species not seen on the session for over five years - as for example in endorsing Patrick Leslie's attendance of the general assembly of 1649. *Letters*, iii, p.101-105.
97. *Council Register*, liii, p.500 (24 September 1656). A.M. Munro, in his biography of Skene, (*Scottish Notes and Queries*, March 1896, p.158-160) considered Skene's election 'arose from a

- wish on the Town Council's part to conciliate' Andrew Cant, 'that overbearing individual'.
98. Durham was the most prominent and respected of a handful of Scottish divines working to heal the rifts within the kirk. See Dow, p.60. He was elected on 21 December 1657 (*Kirk Session Extracts*, p.145), and news of his death reached the session on 16 August 1658. See also Jaffray, *Diary*, p.125.
 99. *Kirk Session*, *ibid.*
 100. See Dow, chapter 9.
 101. See *Council Extracts*, p.178 (1 December 1658), and *Kirk Session Extracts*, p.147-149 (16 December 1658); p.149-50 (31 January 1659).
 102. Baillie, *Letters*, iii, p.364 (June 1658) reported Menzies' return to the fold, noting also that he 'seems content to return to the Presbyterie and Synod; yet Mr. Cant and he hes continuall fighting from the same pulpit'. Menzies may not actually have been preaching at this point. Baillie went on in the same letter to report, rather prematurely, on Cant's death. Wariston noted signs of contrition in Menzies even as the latter made his way to London in 1654. *Diary*, ii, p.246 (1 May 1654).
 103. Baillie, *ibid.*
 104. *Synod Extracts*, p.245-256 (20-22 April 1659). See also the session's protracted efforts to dissuade Paterson, p.59-60, above.

IV Crisis and Restoration

1. Dow, chapters 11 and 12.
2. *Council Register*, liii, p.576 (2 December 1657). In addition to the numerous official emissaries dispatched by the town, there was a much heightened level of news-bearing traffic, civilian and military, within the country and between Scotland and England. Note also that earlier in 1657 the council appointed 'ane weekly diurnal to be sellit for the use of the inhabitants'. *Council Extracts*, p.165 (27 July 1657).
3. Jaffray, *Diary*, p.127. See also Brodie, *Diary*, p.17. Note that the severe weather and ensuing dearth may have been limited to the north-east. See Flinn, p.155-6.
4. *Council Register*, liv, p.37 (11 May 1659).
5. *Ibid.*, p.56 (6 July 1659). Fiars prices have not come to light for these years, but the council that same day reported the 'pryce of meill is Laitly come to ane hich raite and far above the rate the samen wes at the tyme of the alterations [in May]'. Brodie reported heavy rains in July and August 1659 (p.17). Note that, as in the dearth of 1648-53, Aberdeen's bakers chafed at the council's statutes, with the loaves still too heavy for their liking. This led to a serious confrontation with the council in July 1659.
6. *Council Register*, p.143 (28 December 1659). The fish as well as the fishermen may have been suffering at the time. Lamont reported that in 1657, 1658, 1662, and 1663 'ther was few or no herring gotten in Fyfe syde, and not many in Dumbar, so that divers persons beganne to feare ther sould be no dreve hireafter, which was a great prejudice to the poor fisher men'. Lamont, *Diary*, p.136. Recent research is showing that the critical factor in determining the fish population is the weather - the calmer the better. See *The Economist*, 10 December 1988, p.117-20. There is evidence to suggest that Aberdeen's commercially vital salmon fishing was also suffering. A fall in the herring population, for whatever reason, was bound to affect the salmon, who feed on young herring. Heavy rains and flooding might damage their inland spawning grounds, and in 1659 heritors complained that areas of riverbank and tidal flats traditionally used to spread nets had been 'riven out [ie. ploughed] manurit and cassin up'. (*Council Register*, liv, p.53 (22 June 1659). This redistribution of land may itself have sprung from a decline in the fishings. In January 1660 civic heritors of the waters at the mouth of the Don complained that they had suffered a good deal of prejudice in recent years due to the unsporting practices of selfish, not to say shortsighted, heritors upstream, who had built 'ane stane dyk' under the Brig O' Balgownie. *Council Register*, liv, p.147. This rather desperate act may have arisen from a shortage of salmon, and, if it blocked the spawning run, could only have exacerbated the problem.
7. See Chapter 6.
8. Dow, p.249-257.
9. Rather comically, Col. Fairfax, under orders to dismantle the fort in the course of his hurried departure, offered to sell the stones (most of which were stolen from St. Machar's

Cathedral) to the council for £50 sterling, 'notwithstanding the making up of the said fort did stand the Englishes about aucht hundreth pund sterlin'. The council, for once holding the trump card, 'declarit they wold not at any rate buy the same'. *Council Extracts*, p.183. The fort was left largely intact. See Gordon of Rothiemay's map of @1660.

10. See *Letters*, iii, p.302.
11. Gordon, *Description*, p.14. The uncertainty and tension of the final months of 1659 was expressed by Alexander Jaffray - admittedly in a more exposed position than most - when he prayed 'That the Lord would remember his people in these lands, and deliver them yet once more from their dark and dangerous condition; so as government on a right and sure foundation might be settled, as one of the greatest mercies this present time calls for. And that he would prevent the dreadful threatening of a bloody sword, to rage more amongst us.' *Diary*, p.133. See also Monck's letter, circulated to all town councils, ordering that they 'Suppresse all Tumults Stirrings and unlawfull Assemblies, and that you hold noe Correspondency with any of Charles Stewarts party or his Adherents'. *Letters*, iii, p.344 (15 November 1659).
12. In May 1662 the council noted that 'the touns haill magazine' had been 'plunderit and tackin away by the enemies and usurpers'. *Council Extracts*, p.203. After the Restoration ship owners from Aberdeen and throughout the country petitioned for the return of ordinance confiscated by the English in 1651. *The Register of the Privy Council of Scotland*, vol. i, 1661-1664. See, for example, p.102.
13. *Council Register*, liv, p.96 (21 September 1659); and p.134 (7 December 1659).
14. Stevenson, *Alasdair MacColla*, p.281-82.
15. *Council Extracts*, p.185. Note that Glasgow appears to have found itself besieged by 'thiefes' at the same time. J.D. Marwick, ed., *Extracts From the Records of the Burgh of Glasgow*, 2 vols. (Edinburgh: 1876-8).
16. Late in August 1660 the council, noting the 'unseasonable and tempestuous weather', ordered a fast 'for begging ane blessing to the ensuing harvest'. *Council Extracts*, p.192. Their prayers were evidently heard, for in October the weight of an oat loaf could be raised from 8½ to 14 ounces - still low but by no means deadly. The wheat loaf stayed at 10 ounces. *Council Register*, liv, p.227 (27 October 1660).
17. Figures derived from burial registers found in the *Kirk and Bridge Works Accounts*, volume i. These figures differ in detail (even allowing for the differences between harvest and calendar years) but are in broad agreement with those of the parish register published in Flinn, p.155. No direct mention of the type of epidemic is to be found in the civic records, but the extreme child mortality strongly suggest smallpox. Flinn, p.155. Note that the conjunction of dearth and wet weather in 1641 produced an outbreak of smallpox in Aberdeen confirmed by Spalding. Flinn, p.132.
18. See Chapter 2, Figure 2.1, and Appendix I.
19. Of the men serving on the town council between 1656/7 and 1659/60, 68% were subsequently elected after the Restoration.

By way of comparison, 69% of the council members of 1666/7 to 1669/70 were found to have served subsequent terms.

20. See Jaffray, *Diary*, chapters 10-12.
21. See A.M. Munro's introduction to the 'Diary of John Row', *Scottish Notes and Queries*, August 1893, p.38-39.
22. See A.M. Munro, *ibid.*, March 1896, p.158-160. Note that until his conversion to Quakerism in 1671 Skene was regularly appointed to serve in non-elected positions, as, for example, an auditor of the burgh accounts.
23. *Council Register*, liv, p.94 (21 September 1659).
24. *Ibid.*, p.115 (19 October 1659).
25. *Council Extracts*, p.189-190.
26. See *Letters*, iv, p.xix-xx.
27. *Letters*, iv, p.70-71.
28. See *Council Extracts*, p.191-192 (17 August 1660); and *Council Register*, liv, p.230 (31 October 1660).
29. See *Letters*, iv, p.xx, and Munro, *Scottish Notes and Queries*, November 1889, p.87.

CHAPTER TWO

THE DEMOGRAPHIC AND ECONOMIC BACKDROP

THE DEMOGRAPHIC AND ECONOMIC BACKDROP

I The Population of the Town

Any discussion of the social and economic structures of an early modern town must begin with an attempt to establish the demographic parameters of the community in question. Over the past three decades great progress has been made in demographic history, but almost all of the advances have been based on the study of rural communities. Sophisticated and painstaking techniques such as family reconstitution have for the most part proven difficult or impossible to adapt to the study of larger, more mobile populations.¹ In Scotland, the years prior to the first censuses of the mid-eighteenth century are no longer quite the 'demographic dark ages' they once were, but it must be admitted that a great deal of guesswork still attends our estimates as to the size of the larger burghs.²

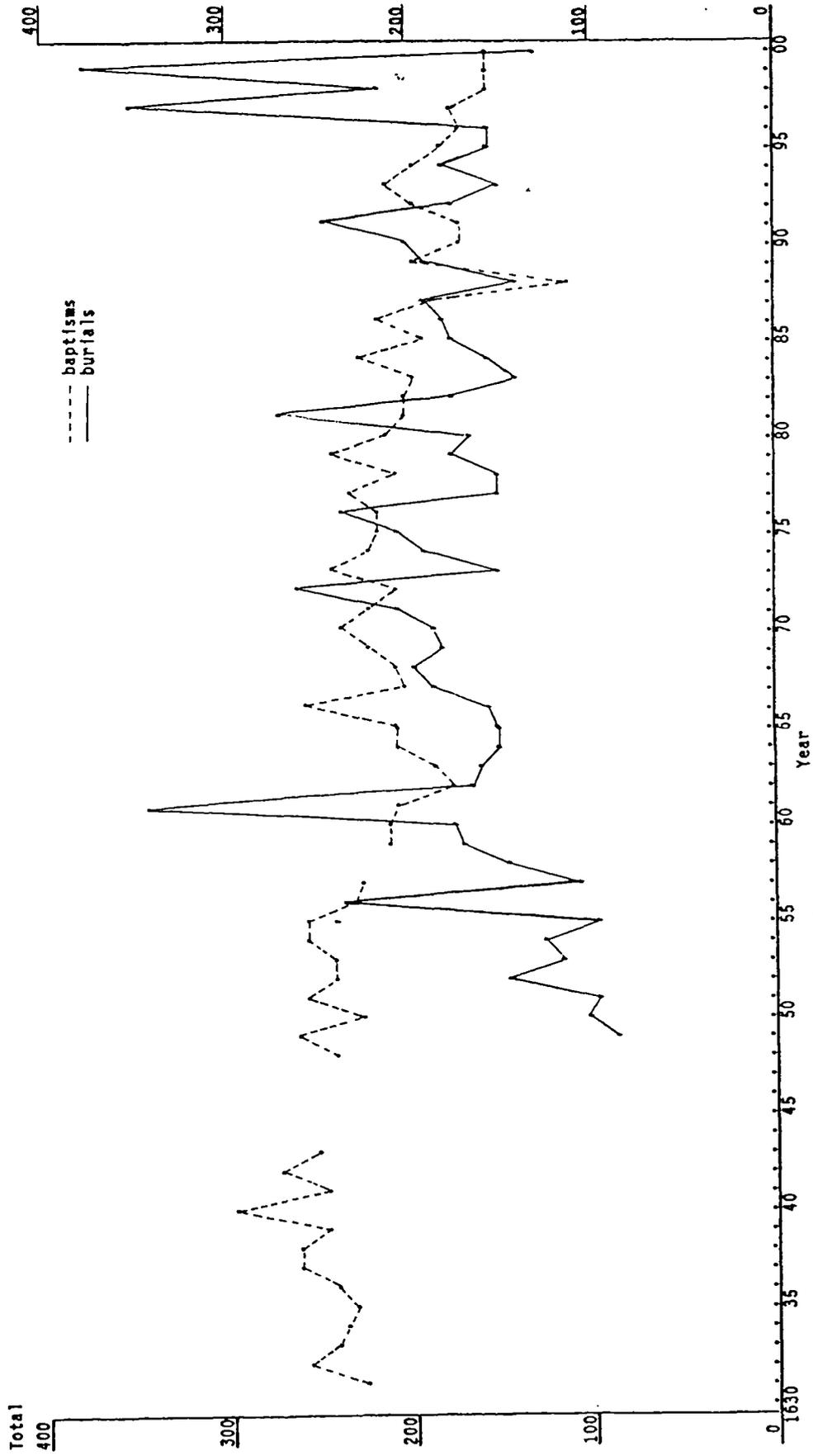
Where they exist, poll taxes, hearth taxes, stent rolls, and burgess registers can all provide a good deal of information concerning that proportion of the urban population, seldom (apparently) more than half, represented in the lists. The problem is to gauge the number of people not accounted for. Where possible, one can attempt to fall back on the parish registers which have proven so valuable a source for the study of smaller communities. Aberdeen boasts an almost unbroken run of baptismal and burial registers spanning the entire period 1650-1700. Annual totals derived from the kirk's baptismal register, available in print from 1631 (except for the crisis years 1644-47), and from the town's

manuscript burial register dating from 1648, are set out in Figure 2.1. With the exception of 1688, a year of administrative upheaval which can easily be averaged out of the reckoning, there are no unaccountable surges or lapses in the annual totals, and no evidence in any of the civic records to suggest widespread parental, familial, or clerical dereliction of duty. The return to Presbyterianism plunged the local church hierarchy into some disarray in the 1690's, but this seems not to have extended to the parish registers. As for the minority of Aberdonians who worshipped outside the kirk by law established - Independents in the 1650's, Quakers from the 1660's, Episcopalians from the 1690's, and Catholics throughout - they seem to have been willing to present their children, if not always their dead, to the civic and state church.³

Although the baptismal and, especially, the burial registers almost certainly understate the total number of births and deaths occurring in the town, they can probably be relied upon to provide a fairly accurate indication of the broad trends in fertility and mortality. Even were they to prove one-hundred percent accurate, however, the difficulty in relating the flow of vital events to the stock of people actually resident in the town would remain.⁴ The heart of the problem lies with the high rates of migration to and from virtually all urban centres. Early modern towns were full of people who had not been born there and might not marry, give birth, or die there - who might, in other words, leave no impression in the parish registers.

Figure 2.1

Baptisms and Burials In Aberdeen
1630 - 1700



Sources:
Baptisms: William Kennedy, *Annals of Aberdeen*, 1, p.279.
Burials: *Kirk and Bridge Works Accounts*, 1 & 11, Aberdeen Town House.
N.B.: All totals refer to harvest years.

It is generally reckoned that mortality rates in early modern towns were such that urban populations could not reproduce themselves, and so relied upon migration from the countryside in order to maintain or expand their numbers.⁵ Recent work has shown a high level of geographic mobility within seventeenth and eighteenth century Scottish society, on a par with that of England and much of north-western Europe.⁶ Most of those on the move were young single people, and a great many headed for the larger burghs. In Aberdeen's case most of them, if the sample of registered apprentices is representative, came from within a 40 kilometres radius of the burgh.⁷ Women appear to have been more mobile than men. Some idea of the scale of migration to and from the early modern town in Scotland is provided in a recent study of geographic mobility among women undertaken by Ian and Kathleen Whyte. It has been suggested that in the 1690's something in the order of 5% of the Scottish population lived in the four largest towns of Edinburgh, Glasgow, Dundee, and Aberdeen, yet the Whytes concluded from the evidence of the poll books that at any given point in that period around 10% of all Scottish women aged between 15 and 24 would have been employed as servants in those towns.⁸

A long-established method of estimating the rough size of a given population is to multiply the annual number of baptisms averaged over five or ten year intervals by a figure chosen to represent an estimated crude birth rate, the number of births per annum per thousand of the population.⁹ For years when the population of a town is known with some degree of certainty and the baptismal figures are available, then a crude birth rate can be

calculated. Such is the case in Aberdeen for 1695. Robert Tyson's innovative use of the poll book in conjunction with the baptismal and marriage registers enabled him to achieve a seemingly reliable estimate of 7,500 for the population of the town in that year, which he could then use to calculate a crude birth rate of 29.2.¹⁰ The crude birth rate, however, is known to be a volatile figure subject to considerable fluctuation over time, and a reliable finding for one year may not prove representative of another. Patterns of mortality, dearth, and disease, war and the movement of armies, levels of migration in and out of the town, the sex-ratio, the age structure of the population, the age at first marriage, and, perhaps most importantly in the longer term, the overall economic structure and performance of the town - all these factors, few of which can be measured with any certainty, were likely to impinge on the crude birth rate, which is to say on the population as a whole.

More often than not, the crude birth rates used by historians are arbitrary figures chosen to match some pre-conceived, intuitive expectation as to the total level of the population.¹¹ There is nothing inherently wrong with this if no more certain means of calculating the population seems available, and provided the arbitrary nature of the statistics is acknowledged. In this digital age numbers committed to a page have a way of taking on a certainty which the author may not have intended. Nevertheless, an educated guess as to a town's population would seem better than no guess at all, and experience has shown that historians thoroughly steeped in the history of their towns have often used *ad hoc* and

'naive' methods of the sort outlined to produce results later vindicated by more sophisticated techniques.¹²

The first serious attempt to calculate Aberdeen's early modern population was made by William Kennedy in his *Annals of Aberdeen* of 1818. Kennedy was a lawyer asked to catalogue the civic archives, and he achieved a familiarity with a broad range of Aberdeen's records which can seldom have been matched since. His population estimates were based on the pioneering actuarial studies of the Rev. Richard Price (1723-1791), an English Presbyterian minister, moral philosopher, fellow of the Royal Society, and recipient of a doctorate from Marischal College.¹³ Following Price, Kennedy assumed 'the average of births as the 35th part of the whole population', corresponding to a crude birth rate of 28.57 per 1,000, (very close to Tyson's estimate and well within the range of 25-33 recently suggested for rural Scotland by Leneman and Mitchison), a figure he considered invariable over time.¹⁴ Making no allowance for under-registration, he multiplied the annual number of baptisms averaged over ten-year intervals by thirty-five and rounded up to the nearest thousand. In this way he arrived at estimates of 6,000 for 1581; 8,000 for 1633; 9,000 for 1643; 8,000 for 1679, and 6,000 for 1707.¹⁵

Whatever their methodological shortcomings, Kennedy's figures still provide a quite plausible framework for the population of the town at key points in the seventeenth century. More recent generations of scholars have tended to assume a population of 8-10,000 for Aberdeen, very much in line with Kennedy's work.¹⁶ Tyson has expressed considerable scepticism about Kennedy's methods and

results - he is particularly concerned that the figure for 1643 is likely to prove an exaggeration - yet his own work tends if anything to lend credence to some of the earlier findings.¹⁷ The records of the poll tax uplifted in Aberdeenshire in September 1695 afford the first real opportunity to supplement the somewhat dubious evidence of the parish registers with a large, if by no means complete, listing of the inhabitants of urban households - as opposed to just the heads of households as in earlier tax rolls. Working from this firmer base Tyson was able to produce convincing estimates of the town's population at two critical points, just before and just after the great famine of 1695-1699. For 1695 he estimated a population of 7,500; for 1700 he suggested just under 6,000. The latter figure is in almost exact accord with Kennedy's for 1707, and Tyson's work suggests that we should not expect the population to have grown much between 1700 and 1710.¹⁸

It must be stressed again that in the absence of comprehensive listings of inhabitants prior to 1695 there is no reliable way of confirming or denying Kennedy's findings, or indeed of knowing just what the size of the population might have been earlier in the century. One can attempt to allow for under-registration in the baptismal registers, one can choose different crude birth rates, but in the absence of hard corroborative evidence this is merely to trade one set of hunches for another. Yet whatever their statistical deficiencies, it is hard to devise a set of figures which more closely match our broad understanding of the changing fortunes of seventeenth century Aberdeen than those offered by Kennedy. The picture his estimates paint of a town which grew

quickly over much of the first four decades of the seventeenth century, was shattered by the compound disasters of mid-century, recovered only partially, and was in a state of gradual decline prior to the onset of the final catastrophe which closed the century - these correspond closely to much of what is known about the burgh of Aberdeen.

II Economic Trends

There seems little doubt that the town experienced considerable economic and, by extension, demographic growth in the opening half of the seventeenth century. Duncan MacNiven's study of trade in these years identified two periods of sustained economic expansion, lasting roughly from 1610 to the famine of 1623, and from the late 1620's to the onset of hostilities in 1639 and perhaps into the early 1640's.¹ Population growth will not have been uninterrupted - in addition to the famine there were serious outbreaks of smallpox in 1610, 1635, and 1641 - but these losses were likely, as the baptismal register seems to suggest, to have been made up rather quickly through new births and, especially, an influx of migrant workers arriving to take up positions in an expanding economy.²

The healthy condition of Aberdeen's economy in these years was reflected in the tax rolls of the royal burghs, which afford a rough guide to the relative performance of most of Scotland's more considerable towns. In a time of generally rising prosperity Aberdeen retained its proportion of the royal burghs' tax burden through six reviews undertaken between 1594 and 1649, despite the already impressive rise of Glasgow and in contrast to the relative

decline of Perth and, to a lesser extent, Dundee.³ More remarkably, Aberdeen's proportion of a tax on valued rent - 'land rent, trad, or uther rent quhairby proffeit and commoditie arrysse the said yeir' - levied by the covenanting regime in 1639 was set at 13.7%, well above its usual contribution of 8% and more than double that of any other town except Edinburgh.⁴

There are good reasons for supposing that 1639 saw Aberdeen at its early modern high water mark of population and prosperity. War and disease soon came to disrupt all aspects of commercial and social life, and by the time the dust settled the town had lost whatever dynamism it once possessed. In contrast to its solid standing in the first half of the century, Aberdeen's proportion of the tax burden was lowered in five of the six reviews undertaken between 1649 and 1697.⁵ In 1670 the rate was raised by a third of a point, but this was less a reflection of a brief turnaround in the town's fortunes, which it has usually been seen to indicate, as of the fact that Aberdeen's representatives missed the meeting at which the rates were adjusted.⁶ The next review a decade later lowered the assessment by a full point. Over the generally less buoyant latter half of the century Aberdeen's rating fell by nearly half, from 8.01% at the beginning of 1649 to 4.5% in 1697. It must be remembered that these figures most directly reflect relative rather than actual economic performance: Glasgow's spectacular growth attracted an ever greater share of the tax burden, for example, so any other town would have had to do well simply to retain its proportion. Nevertheless, it is clear that for Aberdeen, as for Dundee and most other towns north of the Forth, the second half of

the seventeenth century was by and large a period of absolute as well as relative decline.⁷

Aberdeen's contrasting fortunes before and after 1639 can best be ascribed to three main factors. The first and greatest of these, as discussed in Chapter 1, was of course the series of compound disasters which engulfed the burgh between the opening shot of the civil war in 1639 and the death of the last child to die of smallpox in 1661. The horrors of war and disease destroyed and shattered hundreds of lives at the time, and the legacy of demographic upheaval, economic depression, and massive public and private indebtedness was to cast a very long shadow indeed over the remainder of the century.⁸ War and plague came to most towns in the early modern era, however, and while Aberdeen was unfortunate to be inflicted with so many hardships in so short a space of time, her plight was by no means unique. What was unusual was the slow pace and incomplete nature of Aberdeen's recovery from the setbacks of mid-century.⁹

The second main formative influence on seventeenth century Aberdeen was the rise and fall of plaiding, the course woollen cloth which was something of a specialty of the north-east of Scotland. More than any other Scottish town, Aberdeen's prosperity in the seventeenth century depended upon a single product: plaiding, said the city fathers with no more than their usual hyperbole, was 'our cheif and only trade', 'the verie substance of this brughe'.¹⁰ Though there was a substantial community of weavers in Aberdeen, the production of this cheap cloth was essentially a rural industry run on a classic putting-out system.¹¹ Merchants from the town would

buy most of the raw wool in Edinburgh, ship it back to Aberdeen, and 'sell it out in smalls to the Countrey-People there about', who would spin and weave for low wages 'at such times as their other Countrey-work permits'.¹² The merchants would buy back the finished products, either direct from contracted workers or at one of a growing number of local markets or fairs, for export to Holland or the Baltic ports.

Early modern trade figures are notoriously slippery, but the evidence of the customs accounts concerning the volume of plaiding exports in certain isolated years seems to more or less match the literary evidence provided by contemporaries. The testimony of the accounts suggests that the trade began to grow sharply from about 1610, but it was in the 1620's and especially the 1630's that the business really took off.¹³ The volume of plaiding exports would appear to have hit a seventeenth century high about 1639, when at least 100,000 ells of the cloth were shipped from Aberdeen.¹⁴ The price of plaiding also seems to have peaked about this time, and it was this combination of high volumes and high prices in the woollens trade which fueled Aberdeen's prosperity.¹⁵ It may well be that the extremely high assessment of the town's valued rents in 1639 cited above reflected the extraordinary profits raked in by the merchant community in a bumper year.¹⁶ Looking back forty-five years later, Skene recalled wistfully that

When Plaiding was giving good price in Holland, the old Conservator (1625-1640), Sir Patrick Drummond, frequently reported that the kingdom of Scotland was more obliged to the city of Aberdeen for the abundance of money the merchants thereof brought to the nation than to all the towns of this kingdom besides; but the trade

of this so profitable a commodity is greatly decayed and become very low.¹⁷

The bubble burst very soon after 1639. Ipswich, another town heavily dependent on exports of cheap woollen cloth, enjoyed a brief boom in its trade between 1636 and 1639, at which point the vicissitudes of the Thirty Years War disrupted demand in the key Baltic ports. This was a blow from which that town's economy and population never quite recovered in the seventeenth century.¹⁸ In the 1640's Aberdeen's business was severely disrupted: the impact of war in the north-east and plague in the south brought production to a virtual standstill in 1646, and from at least 1648 Dutch demand for plaiding was on the wane, and prices began to tumble.¹⁹ There is some evidence of recovery shortly after the plague, but this will have been curtailed by the English naval blockade which commenced in April 1651.²⁰ By the time it was lifted a year later, England was at war with the Dutch, leaving Scotland's merchants cut off from their best customers until 1654.

The first Anglo-Dutch War itself probably caused no undue harm to the merchant community in the short-term, but it was part of a much wider contest which, according to Skene, left a permanent mark on the Aberdonian economy. Writing in the 1680's, he pointed to two main factors responsible for the decline of the town's all-important plaiding trade, the first relating to lax standards of quality-control, and the second, remarkably enough, to the Portuguese reconquest of Brazil, completed in 1654.

As the neglect of the sufficiency of Plaiding and Fingrams have been a great cause of the decay of Trade, so the loss of the Plantations by the Dutch West India Companies is likewise a considerable cause thereof; ...

for it was the Dutch Plantations in Brasile (which the Portuguyes now possess) that were furnished with our Plaiding and Fingrams.²¹

Skene's remarks on the woollens industry have tended to be overlooked or misinterpreted, particularly since it has been thought that the plaiding trade revived after the Restoration, if not before, to the point where by the 1670's the volume of exports matched or exceeded that of the 1630's.²² This phase of renewed prosperity was then followed by a final slump in the 1690's which rendered plaiding exports 'moribund' before 1707.²³ The 'golden age' of the 1670's, however, turns out to be a mirage, based on a miscalculation made and, much to his credit, subsequently corrected by Christopher Smout.²⁴ The adjusted figures suggest that after the Restoration plaiding exports seldom if ever rose much above three-quarters of the levels achieved in the pre-war era. This combined with the fact that prices seem not to have approached the peaks of the earlier years means that the post-war recovery of the plaiding trade, and perhaps of the burgh as a whole, was, if by no means negligible, very much more modest than has been supposed.²⁵ When in 1685 Skene harkened back to a happier and more prosperous time, it was definitely not the 1670's he had in mind, but the 1630's.²⁶

The story of plaiding is not necessarily the story of the Aberdonian economy as a whole, which is a topic awaiting a separate study, but there is no evidence of any other industry doing sufficiently well to compensate for the decline of the woollens trade.²⁷ The foundations were laid for a hugely successful hosiery industry built along the tried and true lines of the plaiding business at its peak, but the full benefits of that enterprise were

not to be reaped until well into the eighteenth century.²⁸ If, as now seems likely, over the final four decades of the seventeenth century the most vital sector of the local economy did not, after all, recover anything like the vigour it had enjoyed in the first four decades, this must surely have affected the burgh's wider economic and demographic recovery from the multiple disasters of mid-century.

A third major factor affecting Aberdeen's fortunes in the second half of seventeenth century was the Scottish parliament's passing of the *Act Anent Trade of Burghs* of July of 1672.²⁹ At a stroke, the royal burghs of Scotland were deprived of most of the monopolistic trading privileges they held so dear, and for the first time merchants in 'unfree' burghs of barony and regality were allowed to participate in the lucrative overseas trade. Representatives of the royal burghs had been caught off guard by the act, but they quickly recognized its implications. Aberdeen's cagey old Baillie Alexander Alexander was attending parliament, and the day the legislation passed he provided his colleagues back home with a shrewd appraisal.

Wee ar heartlie sorie to give you information anent such ane sudden and full slappe, but conceiving the report thereof might come by others to your eares wee hold it our duetie heirby to acquaint you thairwith....[The act] doeth indulge and conferr upon the brughs of regalitie etc. free libertie to buy and export the hail commodities quhatsomever relating to tillage and building such as hempe lint hards irone all kynds of timber soape onions and everything for building restricting them from no importation except from wyne wax silks, satins, silver and gold lace, spicerie, wadde and everie thing relating to litting [i.e. dyeing] quich last particulars are allotted to be the only privileges the royall burrowes are to enjoy beyond and above brughes of barronie, quich in effect is to give to them the bodie of all and to leave to us

the shadowe, for quich wee must bear and pay,
notwithstanding, the sixt part of all publict burthens
imposed upon the countrie.³⁰

The act of 1672 both reflected and hastened changes in the patterns of Scottish trade.³¹ Edinburgh and Glasgow were little affected, but Aberdeen, still diminished in numbers and economically depressed, could ill afford the increased competition. The passage of the act had a less than straightforward impact upon the burgh's merchant community. The merchant guild, after all, remained the main repository of capital and expertise in the north-east, and its nimbler and more open-minded members stood to benefit from the new opportunities afforded by the lifting of trade restrictions.³² The number of merchants enrolled in the guild actually grew over the last quarter of the century.³³ It seems, however, that the lives of many merchants no longer centred on the burgh to the extent that they once did.

An early indication that Aberdeen was losing its grip over the merchant community came in 1674. A merchant named Thomas Leslie was called before the town council to answer charges of 'slighting and vilipending' the character and reputation of some of its members. Such cases arose from time to time, and as was customary the magistrates threatened to deprive the accused of his burgh status if he refused to repent and mend his ways. What was unusual was Leslie's response: 'what could they doe to him' he asked, 'if they depryved him of his freedome he cared not, ther wes mor Touns to live in then aberdein'.³⁴ Had Leslie's case come up before 1672, when a merchant's livelihood still depended on access to Aberdeen's sacred privileges, he might have bitten his tongue. After 1672 he

and other traders were free to conduct their business well away from the over-taxed, over-regulated royal burgh, and more and more of them (just how many we cannot say) appear to have exercised this option. Once again, some of the best evidence is provided by Skene.

There are heavy burdens of Taxations lyes on the Royall-Burghs, so that many Inhabitants remove from them, and others set up in these other Burghs, seeing they enjoy so great Privileges of Trading to the great decay of the Royall-Burghs, as may be evidenced, that a great large Lodging with all accomodations may be had in some of the Royall-Burrowes at a great dale more easie rate than a very common thack house in some of these Burghs of Barrony, as may be easily instanced.³⁵

Where did those merchants who left Aberdeen go? Ian Whyte's analysis of the poll tax returns reveals intriguingly high proportions of merchants in several 'unfree' towns of the north-east, including Fraserburgh, Old Meldrum, and Huntly, but it is too early to say whether these communities had grown appreciably after 1672 or whether they had attracted merchants from Aberdeen.³⁶ The majority of those who left the royal burgh probably did not go so far, but settled instead in Old Aberdeen, a burgh of barony just one mile away. In contrast to New Aberdeen's sagging fortunes, Old Aberdeen appears to have prospered in the second half of the seventeenth century. A listing of inhabitants from 1636 suggests a population of just over 800, whereas Tyson's estimate for 1695 is closer to 1,900.³⁷ Most of the apparent growth is likely to have taken place after 1672. In 1680 the merchant guild of the Old Town erected a new loft in St. Machar's cathedral to accomodate its members, who 'are now become more numerous than heretofore and by the blessing of God in a better condition than formerly'.³⁸ The royal burgh of Aberdeen, on the other hand, claimed in 1677 that it

could not afford to hire a fourth minister for St. Nicholas' kirk because of 'the number of the inhabitants who daylie decreas and go to uther brughes, and the townes trade being much decayed and very low at the present'.³⁹

The multiple disasters which beset Aberdeen in the middle decades of the seventeenth century ushered in a prolonged period of decline, of incomplete recovery leading to a severe depression. This in turn left the town ill-equipped to face the next great disaster which came its way. Between 1695 and 1700 famine and disease brought Aberdeen and the whole of the north-east of Scotland to its knees. The famine was overwhelming the result of bad weather and successive crop failures, but as Robert Tyson's detailed research has shown much of the suffering might have been alleviated had the economic climate been more favourable. In Aberdeenshire some 25,000 people are believed to have died from amongst a population which in 1695 is said to have numbered just under 125,000. A similar proportion of the urban population, roughly 20%, also perished, leaving Aberdeen with a population of just 6,000 at the close of the century - roughly the same number as had lived in the town in 1600.⁴⁰

III Household Size and Composition

Pre-industrial society has been described as 'an aggregate of households'.¹ The household, which for the most part was synonymous with the patriarchal family, was the focus of most economic endeavour in the early modern world.² It was also the fundamental unit of social organization, social responsibility, and social power in the

community.³ In Aberdeen as in other towns heads of households occupied the first rung on the ladder of civic authority: they were responsible for disciplining all those in their charge, for overseeing the religious, spiritual, and moral development of both family members and servants.⁴

The best source of information relating to households and householders in seventeenth century Aberdeen is the poll book of 1695, which provides the first substantial listing of household occupants.⁵ Within the town and freedom of New Aberdeen, 777 households were polled in the autumn of 1695. In theory, only the very poorest households, those dependent upon charity, were to be exempt from paying the poll tax. Also excepted were children under the age of sixteen living at home in households assessed in the lowest tax bracket, reserved for those with 'free stock and means' valued at less than 500 merks.⁶ Every other member of the town's regular population ought to have been counted, including servants, apprentices, and lodgers.⁷ In practice, however, it is clear that well over half of the town's households, by no means all of which could have justly claimed poverty, are missing from the list. The evidence of the *Burgess Register* would seem to suggest, for example, a merchant community of some 400-500 burgesses in the 1690's, but only 192 merchants appear to have paid the poll.⁸ The sample of households which were polled, however, is large enough and broad enough to enable several worthwhile calculations to be made.

Of the 777 households polled, 332 (43%) were assessed above the minimum 500 merk threshold. With no evidence to the contrary, the list of occupants provided for each of these households has been

assumed to have been complete. A total of 1,748 people lived in these more or less prosperous households. A further 1,208 people are known to have resided in the 445 households (57%) claiming stock worth less than 500 merks. As we have seen however, this figure does not include children under the age of sixteen, who, based on studies of other early modern communities, are assumed to have represented one-third of the total population.⁹ The actual number of people living in the less-well-off households polled, therefore, may have been closer to 1,600. Altogether, the poll book may be said to have accounted for about 3,350 (45%) of Aberdeen's estimated 7,500 inhabitants.¹⁰

This in turn would suggest a mean household size for the polled population of about 4.3.¹¹ As in any community, however, households came in all shapes and sizes in Aberdeen. The average household in the semi-rural freedom lands just outside the town numbered just over 3 people, while the mean household size within the burgh proper was closer to 4.6, and for the rich was 7.3.¹² Twenty-seven households (3.5%) had 10 or more members, the largest being that of Andrew Jaffray of Kingswells, son of the diarist, who lived with his wife, 4 sons, 6 daughters, 2 apprentices, and 3 female servants - 17 people altogether.¹³ At the other end of the scale a total of 108 (14%) of the householders polled lived alone, 86 (80%) of them men.¹⁴ Research on English towns has shown that household size was affected by a number of variables, including occupation, age, and the stage in the economic life-cycle the householder had reached.¹⁵ The most important determinant of household size, however, was wealth.¹⁶ The figures set out in table 2.1 confirms that in early

modern Aberdeen strong correlations existed between wealth and average household size and composition.

Table 2.1

Household Size and Composition
Aberdeen 1695

Category	Households	Children	Servants	Total
I*:a) Freedom: Stock under 500 merks.	155 Average:	@144 .93	64 .41	492 3.17
*:b) Town: Stock under 500 merks.	290 Average:	@351 1.21	248 .86	1115 3.84
II : Widows ^Δ	61 Average:	102 1.67	101 1.66	275 4.51
III: Stock under 5,000 merks.	134 Average:	182 1.36	199 1.49	608 4.54
IV: Gentlemen	28 Average:	48 1.71	60 2.14	159 5.68
V: Stock under 10,000 merks	57 Average:	103 1.80	123 2.16	326 5.72
VI: Stock over 10,000 merks.	52 Average:	117 2.25	162 3.10	380 7.31
Total Polled Population	777 Average:	1047 1.35	957 1.23	3355 4.32

Source: *List of Pollable Persons Within the Shire of Aberdeen, 1696.* Stuart, ed. 1844.

* In order to compensate for the under-16's missing from those households polled in Category I a) and I b), a figure representing 33% of the over-16's actually listed was added to the columns headed Children and Total. This will also effect the totals presented, but not the data in categories II - VI.

^Δ This category includes those widows, roughly 60% of the total polled, assessed at one-third of their husband's poll and listed in tax brackets reserved for the relicts of those with stock valued above 500 merks.

Because we have had to estimate the number of children living in the majority of households, those polled under 500 merks, the figures presented in Table 2.1 need to be treated with a certain degree of caution. Judging from what is known about household structure in other towns, however, and given the clear trends which

emerge among the upper tax brackets in Aberdeen for which children were actually counted, it seems safe to assume that the basic story told by the figures is a reliable one. As one would expect, wealthier households tended on average to be larger, with more servants and, perhaps less obviously, more children than poorer households.

The term 'servant' was used rather broadly in the seventeenth century, and could be applied to virtually any employee: by no means all of those listed in this category were domestic staff. One in five of those listed as servants were male, many of whom appear to have been apprentices - as evidenced by the term 'no fee' in the poll book.¹⁷ A total of 957 servants were listed, approximately 765 of whom (80%) were female. Servants as a whole accounted for about 29% of those estimated to have lived in the polled households, a figure which closely approximates the proportions of servants in early modern English towns.¹⁸ Female servants made up about 23% of the pollable population in Aberdeen, slightly more it seems than in Edinburgh or Perth at this time.¹⁹ The modest tradesmen, tenant farmers, market gardeners and others living in the freedom lands could on average afford to hire less than one servant between two households, whereas the urban elite of lawyers, rich merchants, and heritors lived in households averaging upwards of three servants apiece.

Wealthier householders tended to have more children as well as more servants under their roofs: the richest group of households in Aberdeen may well have contained about two-and-a-half times as many children as their least prosperous neighbours.²⁰ One could argue

that this ratio might reflect a miscalculation as to the number of poor children under sixteen, but once again the correlation is equally clear within the upper tax brackets. Those with stock valued under 5,000 merks averaged 1.36 children per household, as compared to 2.25 for those with stocks rated above 10,000 merks. Three main factors are likely to have accounted for the relationship between wealth and family size. First, economic pressures on poorer families can be expected to have compelled them to farm their children out to work in wealthier households as soon as possible, almost certainly well before the age of sixteen.²¹ Secondly, the birth rate appears to have been higher amongst wealthier sectors of the population: Tyson found that couples in Aberdeen assessed at over 500 merks baptised nearly twice as many babies as those taxed below that threshold.²² Finally, evidence from other towns suggests that the more established, wealthier elements of the community were likely to have enjoyed a somewhat lower mortality rate as well as a higher fertility rate.²³

IV The Distribution of Taxable Wealth

Great disparities of wealth and income have been found to have been the norm amongst the inhabitants of cities and towns around the world, pre and post-industrialisation, and early modern Aberdeen was no exception. Assuming that tax assessments provide a reasonable approximation of a householder's relative financial standing in the community, surviving tax rolls enable us to examine the concentrations of wealth among the tax-paying public in particular

years. The data set out in Table 2.2 gives the results of such a breakdown of the poll tax returns of 1695.

Table 2.2

Concentrations of Taxable Wealth in Aberdeen
1695

Category	Households	% of Polled Households	% of Polled Population*	Tax Paid	Average Payment	% of Total Tax
I:a) Freedom: Stock under 500 mks.	155	20.0	14.7	£142	£0-18-0	5.8
b) Town: Stock under 500 mks.	290	37.3	33.2	£349	£1-04-0	14.2
II. Widows	61	7.9	8.2	£232	£3-16-0	9.5
III. Stock under 5,000 mks.	134	17.2	18.1	£573	£4-05-0	23.4
IV. Gentlemen	28	3.6	4.7	£134	£4-15-0	5.5
V. Stock under 10,000 mks.	57	7.3	9.7	£356	£6-05-0	14.5
VI. Stock over 10,000 mks.	52	6.7	11.3	£666	£12-16-0	27.1
Total Polled Pop.	777	100	99.9	£2452	£3-03-0	100

Source: *List of Pollable Persons Within the Shire of Aberdeen, 1696.* Stuart, ed. 1844.

* Estimate only. Calculated after allowing added 33% to population in categories I a) and I b) to compensate for missing under-16's.

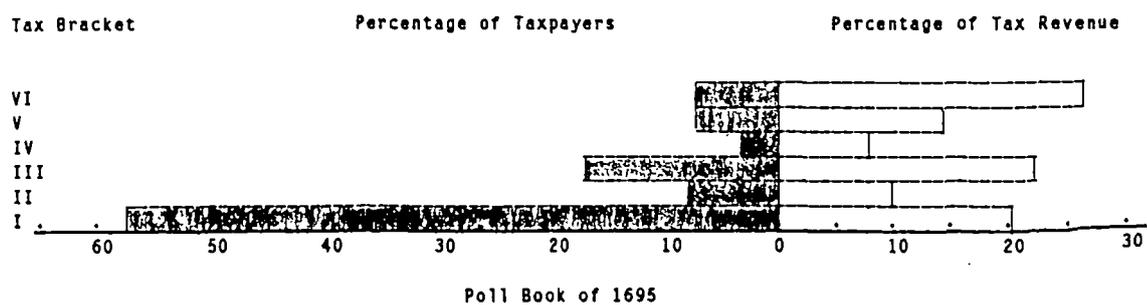
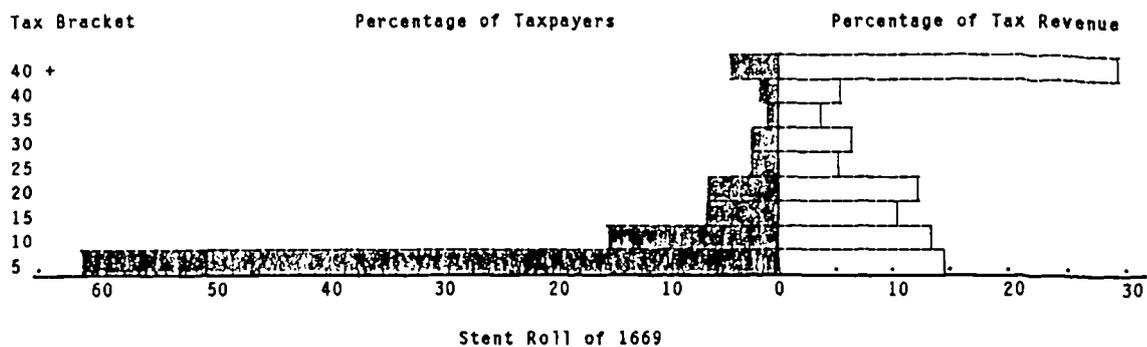
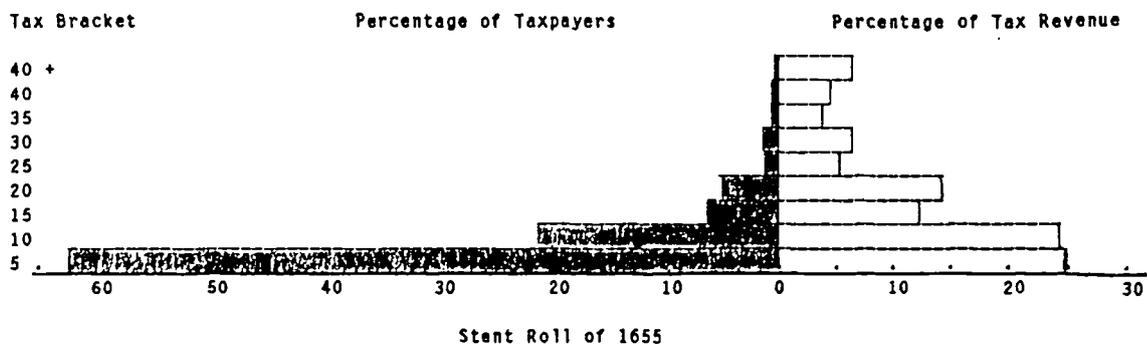
In the freedom lands and among the poorer of the town's pollable population, many householders paid only the minimum poll of six shillings per adult occupant, having no other taxable property or holdings. As for the rich, the 52 householders with stock worth more than 10,000 merks paid one-and-one-third times more tax than did all 445 households polled in categories I a) and I b). One man alone, former provost Sir George Skene of Fintray, although unmarried and living in his great stone house on the Guestrow with just one nephew and two servants, paid £25-4-8 - more than one percent of the burgh's total assessment of £2,452.¹

How does the distribution of taxable wealth revealed in the poll book of 1695 compare to that of earlier years? Municipal tax or 'stent' rolls for 1655 and 1669 provide an opportunity to examine tax returns for the burgh near the beginning and middle of our period, in the midst of the Cromwellian occupation and as the town approached its modest peak of post-war prosperity.² The broad distributions of taxable wealth in each of the three tax rolls are illustrated in Figure 2.2. Considerable care must be taken, however, in drawing comparisons between the three sets of returns. To begin with it must always be remembered that the data concern only those householders who paid tax in those years. It has sometimes been assumed that virtually all households missing from the tax rolls were poorer than those who did pay, but this was not necessarily the case.³ It is also important to note that the poll tax and stents were assessed for different purposes and according to quite different criteria. The poll tax of 1695, like the hearth tax of 1691, was intended to support the military in Scotland, and like the hearth tax it was meant to be a general tax on virtually all householders.⁴ The stent, on the other hand, was a regular taxation intended to meet Aberdeen's fiscal obligations to the state as well as the various financial requirements of local government.⁵ Whereas all but the very poorest households were meant to pay the poll, a fairly stiff financial qualification of £100 rent or £1,250 portable property was meant to apply to the stent.⁶

To a certain degree these differences were more apparent in theory than in practice. 'Taxtars' (assessors) and taxpayers moved

Figure 2.2

The Distribution of Taxable Wealth in Aberdeen*



* After Hsia, R. Po-chia, *Society and Religion in Münster, 1535-1618* (New Haven, 1984), Figure 1.2, p.28.

Sources: Stent Rolls, 1655 and 1669: Aberdeen Town House, Charter Room, Stent Roll Bundle. Poll Book, 1695: *List of Pollable Persons Within the Shire of Aberdeen, 1696*. John Stuart, ed., 1844.

N.B.) The tax brackets listed for the stents of 1655 and 1669 refer to increments of less-than-or-equal-to £5 Scots. See also Table 2.5. For the poll of 1695 the brackets are those set out in Table 2.3.

in mysterious ways. While it is clear enough that people of very modest means did pay the poll, it seems that many of the more substantial householders did not pay, just as those with only a fraction of the income and wealth expected of municipal rate-payers were routinely included in the stent rolls.⁷ In the end the three taxes were paid by roughly similar numbers, and so far as we can tell roughly similar proportions, of householders. The population of the town was probably close to about 7,500 in 1655, as in 1695, and assuming a mean household size of 4.3 throughout the period we would expect there to have been about 1,750 households in those years. A total of 744 households paid the stent of 1655, and 777 the poll of 1695. We may suppose that the population was somewhat higher, perhaps closer to 8,000, in 1669, with roughly 1,850 householders, of whom 998 paid the stent.⁸

The stent rolls reinforce the impression of polarisation and inequality made plain in the poll book, as does an earlier tax roll from 1608.⁹ Much the same basic imbalances in the social structure emerge. These are perhaps best seen if we compare the percentage of total revenue paid by the percentage of taxpayers at the top and the bottom of the taxpaying ladders.

Table 2.3

The Polarisation of Taxable Wealth			
Aberdeen 1608	Aberdeen 1655	Aberdeen 1669	Aberdeen 1695
6.6 paid 24.4	5.0 paid 24.7	6.4 paid 39.1	6.7 paid 27.1
57.6 paid 26.0	61.7 paid 24.5	61.6 paid 13.4	57.3 paid 20.0

N.B.) All figures in percentages.

The most striking feature of the data presented here and in Figure 2.2 is the apparently heightened concentration of taxable wealth suggested by the tax returns of 1669. It has generally been held that the proportion of taxable wealth accounted for by the top 5-10% of a town's population provides a useful indication of the economic fortunes not only of the elite, but of the community as a whole, since the tax rolls of thriving urban economies are held to exhibit greater concentrations of wealth.¹⁰ Although Aberdeen was almost certainly better off in 1669 than it had been in 1655 or was to be in 1695, there is no evidence to suggest that this was an era of more than quiet prosperity for the dominant merchant community. It could well be that the dramatic change in the tax profile had at least as much to do with the fact that nearly twice as much tax revenue had to be raised in 1669, just under £9,000 as opposed to less than £5,000 in 1655.¹¹ The proportion of taxpayers paying £5 or less was virtually the same in 1655 and 1669. It may turn out that Aberdeen's tax burden, over which the civic elite had little control, had simply grown beyond a certain critical point after which only the middling and better-off classes could afford to contribute more.

Given the difficulties inherent in comparing tax rolls generated by a single burgh, it might seem rash to draw comparisons with other early modern towns. To do so is to risk running roughshod across all manner of temporal, spatial, demographic, administrative, political, fiscal, and economic considerations, not to mention the differing methodological approaches adopted by historians. Nevertheless, the evidence from elsewhere indicates

that Aberdeen's was by no means an exceptionally polarised society in the seventeenth century. Thomas Devine has suggested that Edinburgh and Aberdeen sported roughly similar pyramids of wealth in the 1690's, although the Edinburgh profile was likely to have been rather more top-heavy owing to the undeniable presence of larger numbers of extremely wealthy men in the capital.¹² Michael Lynch's preliminary comparison of the two burghs a century earlier found much the same situation: in Edinburgh in 1583 the top 10% of taxpayers paid 56% of the tax, as compared to just 30% for the same proportion of Aberdeen's elite in 1592.¹³ In 1669, however, 10.7% of Aberdeen taxpayers accounted for 52% of the stent. Broadly similar patterns can be detected in a number of sixteenth and seventeenth century English and European towns. In the southern German town of Nördlingen in 1670, for example, the top 10% of the taxable population contributed 54% of the total tax revenue; in Lyon in 1543 the same proportion of taxpayers accounted for 53% of the town's taxable wealth; while in Leicester in 1544 the richest 7.7% of the taxpaying public paid 33.2% of tax.¹⁴

We have seen that both the stent and the poll taxes provide the means to examine the distribution of wealth in the burgh. Unlike the poll tax, however, the stent rolls contain no lists of household occupants, rendering them of little or no value for calculations concerning population or household size and composition. Yet the stent rolls of 1655 and 1669 do have at least one major advantage over the poll tax, in that for the purposes of organizing, collecting, and recording the stent the burgh was divided into the four administrative quarters - Futtie, Crooked, Green, and Even. In

the case of the 1669 assessment taxes uplifted in the freedom, although registered under the Futtie, Crooked, and Green quarters, can easily be separated out. In Table 2.4, below, then, a detailed breakdown of the tax returns for 1669 provides a rough guide to the geographic as well as the socio-economic distribution of wealth in the town.

Like most towns of the period, Aberdeen was very compact. 'It is of circuit 2141 double spaces [strides]', explained Alexander Skene: in more modern terms the burgh proper occupied roughly 800 acres.¹⁵ Although the boundaries between the four quarters of the town were not specified in James Gordon's map of *circa*. 1660, the basic divisions are known.¹⁶ The two southern quarters, Green and Futtie, extended to the banks of the Dee, with the Green including the parish kirk of St. Nicholas and the area bounded by the streets Upper Kirkgate, Broadgate, and Green. The Futtie quarter, to which the separate fishing village of Footdee was sometimes appended for administrative purposes, formed the south-west quadrant, and was bounded by St. Catherine's Hill and the south side of the Castlegate. Across the Castlegate and extending east of the Broadgate to the Windmill Hill was the Even quarter, while the Crooked quarter covered the north west quadrant wedged between the Gallowgate and the marshlands known as the Loch.¹⁷

The figures in Table 2.4 confirm that the freedom lands, with extended four miles to the west of the city, were home to quite humble members of the urban community: none of the fifty-seven taxpayers known to have resided in the town's suburban fringe paid

Table 2.4

Concentration and Distribution of Wealth
Aberdeen 1669

Category	Futtie		Crooked		Green		Even		Freedom		Burgh	
	#	£	#	£	#	£	#	£	#	£	#	£
£0 - £5 ^a	82	= 177 ^c	181	= 355	161	= 288	143	= 274	48	= 82	615	= 1176
% of q/b. ^b	46.9	= 8.9 ^d	58.4	= 12.6	75.2	= 19.1	59.1	= 12.0	84.2	= 53.9	61.6	= 13.4
£6 - £10	38	= 285	55	= 412	19	= 142	32	= 243	7	= 47	151	= 1129
% of q/b.	21.7	= 14.4	17.8	= 14.6	8.9	= 9.4	13.2	= 10.7	12.3	= 20.4	15.1	= 12.9
£11 - £15	15	= 188	21	= 267	7	= 88	18	= 233	2	= 23	63	= 799
% of q/b.	8.6	= 9.5	6.8	= 9.5	3.3	= 5.8	7.4	= 10.2	3.5	= 15.1	6.3	= 9.1
£16 - £20	13	= 231	18	= 316	10	= 181	21	= 362	-	= -	62	= 1090
% of q/b.	7.4	= 11.6	5.8	= 11.2	4.7	= 12.0	8.7	= 15.9	-	= -	6.2	= 12.5
£21 - £25	6	= 137	4	= 119	7	= 159	5	= 117	-	= -	22	= 532
% of q/b.	3.4	= 6.9	1.3	= 4.2	3.3	= 10.5	2.1	= 5.1	-	= -	2.2	= 6.1
£26 - £30	9	= 252	6	= 176	-	= -	6	= 170	-	= -	21	= 598
% of q/b.	5.4	= 12.7	1.9	= 6.2	-	= -	2.5	= 7.5	-	= -	2.1	= 6.8
£31 - £35	2	= 68	4	= 130	-	= -	2	= 68	-	= -	8	= 266
% of q/b.	1.1	= 3.4	1.3	= 4.6	-	= -	.8	= 3.0	-	= -	.8	= 3.0
£36 - £40	4	= 150	5	= 186	2	= 76	4	= 157	-	= -	15	= 569
% of q/b.	2.3	= 7.6	1.6	= 6.6	.9	= 5.0	1.7	= 6.9	-	= -	1.5	= 6.5
£41 - £45	1	= 44	5	= 211	-	= -	3	= 133	-	= -	9	= 388
% of q/b.	.6	= 2.2	1.6	= 7.5	-	= -	1.2	= 5.8	-	= -	.9	= 4.4
£46 - £50	1	= 50	3	= 144	2	= 99	2	= 100	-	= -	8	= 393
% of q/b.	.6	= 2.5	1.0	= 5.1	.9	= 6.6	.8	= 4.4	-	= -	.8	= 4.5
£51 - £180	4	= 403	8	= 509	6	= 476	6	= 421	-	= -	24	= 1809
% of q/b.	2.3	= 20.3	2.6	= 18.0	2.8	= 31.5	2.5	= 18.5	-	= -	2.4	= 20.7
Total	175	= 1985	310	= 2825	214	= 1509	242	= 2278	57	= 152	998	= 8749
% of total	17.5	= 22.7	31.1	= 32.3	21.4	= 17.2	24.2	= 26.0	5.7	= 1.7	-	= -

Source: *Aberdeen Stent Roll, 1669* Aberdeen Town House, Charter Room, Stent Roll Bundle.

Key: a - category or tax bracket, *eg.*, 0-£5 Scots
 b - percentage of quarter/burgh
 c - number of taxpayers in quarter/burgh and amount of stent paid by them: *eg.* 82 taxpayers in Futtie quarter paid £177.
 d - percentage of taxpayers in quarter/burgh and percentage of quarter's/burgh's stent paid by them: *eg.* 46.9% of taxpayers in Futtie quarter paid 8.9% of tax collected in that quarter.

more than £14 in stent, and fully 84% paid in the lowest tax bracket. Within the burgh proper both the taxable population and the taxable wealth of the community appear to have been quite evenly distributed. The Green hosted the least well-off body of taxpayers, with 75% paying in the bottom 0-£5 category - 15-20% more than in the other three quarters. The very rich, the top 2.4% of taxpayers, were distributed evenly through the four quarters.¹⁸ In fact they probably tended to live close to the center of the city, with their houses fronting along the Guestrow, Broadgate, and Castlegate - at least one of which each quarter bounded on.¹⁹ Although it had its share of the urban elite, the Green was home to fewer of the moderately wealthy classes, those stented at roughly £15-£40. The Futtie quarter, in contrast, had the lowest proportion of its taxpayers in the bottom bracket, and the highest in nearly every bracket between £6 and £30. It hosted the smallest and on average the wealthiest proportion of taxpayers, with 17.5% of the taxable public contributing 22.7% of the total revenue. The largest body of taxpayers - 31.1% - lived in the Crooked quarter. A nearly identical distribution of taxpayers and wealth is revealed in the 1655 stent.

What the tax returns do not and cannot tell us, of course, is how the untaxed majority of the population were distributed around the burgh. The records of the justice court, however, provide a rough guide as to the proportions of the total population living in each district. Every year approximately 30-35 constables were appointed to serve the court, each of whom was assigned to a particular precinct within the freedom lands or one of the four

quarters.²⁰ A typical year was 1668/9, when of thirty-two constables, five were assigned to the Futtie quarter, six to the Green, seven to the Even, and eight to the Crooked. One man was to patrol the adjacent fishing village of Footdee, two were assigned to the Hardgate, and three were given jurisdiction over the remaining area of the freedom lands. Owing to the distances involved, the districts outside the burgh proper were probably provided with a disproportionately high number of constables. Within the four quarters, the distribution of constables corresponds reasonably closely to the distribution of taxpayers, and, in all likelihood, with the distribution of the total population.

V Occupational Patterns

Urban historians have tended to rely upon records detailing admissions to town freedom for their studies of occupational patterns.¹ Aberdeen's *Burgess Register*, complete and in print for the entire late medieval and early modern period, provides a most valuable record of developments within the burgess community, but like other records of its type it tells us little or nothing of the activities undertaken by the unfree majority.² Tax returns, where these include an individual's occupation, can provide a much broader, if by no means complete, sample of the working population. For the well-documented year of 1669, for example, it seems likely that approximately 600 burgesses, 350 merchants and 250 craftsmen, enjoyed the freedom of the burgh: the stent roll for that same year, in which 369 (62%) burgesses appear, provides some inkling of the occupations undertaken by no less than 793 of the 998 householders

recorded in the roll - 424 of whom would not have belonged to the hallowed ranks of the merchant guild or the incorporated crafts.³ The stent of 1655 and the poll of 1695, which list the occupations of 599 and 586 taxpayers respectively, also provide a more comprehensive picture of occupational patterns than would have been possible using the burgess register alone.

Using the information contained in the tax rolls, then, the occupational profiles of the taxpaying population of the burgh in 1655, 1669, and 1695/6 are set out in Appendix III. The occupational classifications used are based upon those devised for sixteenth century Norwich by J.F. Pound, and are 'essentially descriptive of the raw material used and the subsequent product manufactured'.⁴ This (mainly) 'type-of-product' classification has been shown by John Patten to be best suited to detailed analyses of individual towns.⁵ For comparative purposes a more generalised 'type-of-activity' classification is to be preferred - as exemplified by Ian Whyte's survey of occupational patterns across thirty-seven Scottish burghs.⁶

The Aberdeen tax rolls may provide a better than usual means of examining the occupational structure of an early modern town, but it is important to remember that the records still fall far short of providing all the information we might wish. Little more than half of the estimated numbers of householders were represented in any one tax roll, and even after careful checking against the *Burgess Register* we cannot know the occupations of all those who were listed. As the proportion of burgesses taxed would seem to suggest, a considerable number of individuals who probably ought to have

been taxed somehow managed to avoid payment. A great many householders, however, were simply not wealthy enough to be taxed. As Michael Lynch has recently said, 'tax was not meant to fall on the urban poor'.⁷

Some of those who were not taxed will have been young men, petty merchants and journeymen craftsmen, who might someday be worth enough money to attain the somewhat dubious civic honour of being counted among the taxable population. Others were at or near the end of their working lives, and had fallen below the taxable threshold.⁸ Any number of factors might conspire to bring ruin upon even some of the wealthiest inhabitants: a list of tax defaulters from 1676, for example, includes Robert Cruikshank, who having been assessed at £120, twenty or more times the average, was subsequently declared 'poor' by the taxtars.⁹ For many more men and women, however, paying taxes was never likely to be an issue. There were probably many low-waged day-labourers in the town, moving in and out of employment according to the established rhythms of an economy still tied to the land and to the sea, and to the vagaries of the natural and commercial climates. Prominent by their complete absence or clear under-representation in the tax rolls were such people as the shore-porters who pushed, pulled, rolled, and heaved all manner of goods up and down the steep roads leading to the harbour; the dozens of workmen who laboured to rebuild Aberdeen's precarious shoreworks; many of the several hundred inhabitants who relied for part or all of their income upon a license to brew ale; most of those involved in the extensive freshwater and inshore fisheries; the drummers and pipers who signalled the turning of the

tide or the start of the working day; the 'carriers' who humped the slaters' raw materials up ladders; the private schoolmasters and mistresses who taught 'young ons' to read, write, and sew; the 'scurger' who chased vagabonds, thieves, and unwed mothers out of town; or the woman employed as a 'cow feeder' whose job it was to keep the town's dairy herd out of carefully tended back gardens.¹⁰

Just as serious as the absence from the tax registers of workers in the lowest-paid occupations is the under-representation of womens' role in the urban economy.¹¹ The poll book of 1695 reveals the presence of a large core of (mainly young) female servants in the town, approximately one per household, perhaps as many as 2,000 in the burgh as a whole.¹² Yet working women were by no means restricted to domestic service. Women of all ages and degrees are known to have engaged in a wide variety of activities intended to supplement the income of a household headed by a father or husband, or, in the case of single women or widows, to support a household which they themselves headed. Yet few hints of these activities are to be found in the three tax registers, even though between 9 and 14% of taxpaying householders were female.¹³ In common with most civic records, it was generally considered sufficient to identify women by name and marital status alone. Thus, of the 101 women who paid the stent of 1669, 24 appear to have been unmarried, 76 were widowed, and only one, a midwife, is listed as having had a particular occupation. No occupations are specified for any of the female householders listed in the stent of 1655 or the poll of 1695.

Fortunately, stray references found in court records, customs and excise rolls, and the council minutes provide some glimpses of the economic activities undertaken by women in the civic workforce. In the late 1690's, for example, of 142 Aberdeen brewers claiming to have been driven out of business by a 1693 increase in the excise, 29 (20%) were women - most of them widows.¹⁴ Of the seven bakers found guilty by the burgh court of selling underweight loaves in 1668, three were women.¹⁵ Later that same year two women were among five people convicted of preparing to export out-of-season salmon, and another, Margaret Moir, widow of former master of mortifications Patrick Gellie, was fined for being caught attempting to net salmon without civic approval.¹⁶ A number of women, mainly widows, were shopkeepers in their own right, and the Aberdeen customs book for 1690/91 reveals that Rachel Johnston, described as a merchant, imported vinegar, sugar, a fruit tree, a gallon of 'sweet oyle', and 150 lbs. of French barley from Holland.¹⁷

A chance entry in the council minutes of 1671 suggests that the involvement of women in the upper reaches of the economy might have been much more extensive than the administrative records relating to trade and property-holding suggest. When Provost Gilbert Gray died in office in 1667, he left behind a number of debts, including a large sum owed to John Douglas, burgess. Douglas did not live to recoup his money, but his widow Margaret Jack came to an understanding with Gray's heirs, in which they agreed to turn over to her a considerable package of lands and fishings. Her problem was, however, that she could not accept title to the property in her own name - she would instead have to find a number of burgesses of

guild 'to be enterit and Infest severallie' on her behalf, 'ane woman not being capable of being infest therin'. It is not altogether clear why more than one burgess would be required to stand in for her, but the fact was that a separate entry fee would have to be paid for each transfer of title. She therefore petitioned the council to allow her to pay a single fee, since it was understood that the burgesses involved were merely front men and that she would be paying all the fees herself anyway. The council agreed to her request, but no record of her involvement in the transfer of property would have found its way onto the public record had she not happened to have raised the matter before the magistrates.¹⁸

It was not just that even the best lists of occupations were incomplete: all too often they were also woefully imprecise. There is no sure way of judging from the tax returns whether, for example, one of the forty-nine men described simply as 'cordiner' was an itinerant, journeyman cobbler who spent most of his time patching and repairing everyday footwear, or one of the master shoemakers involved in the manufacture and sale of 'double sollit shoes maid of forraine Lether, timber or Lether hellit' for a more discerning, and, indeed, well-heeled clientele.¹⁹ The most common designation of all, that of 'merchant', was also the least informative, applying as it did to virtually anyone who was involved, or had ever been involved, in retailing or distribution, of whatever sort and to whatever extent - whether he be a wealthy *rentier* who had retired from commerce, a busy overseas trader in regular touch with continental markets, a man who concentrated on the inland trade with

Aberdeen's large north-eastern hinterland, or the humblest of urban shopkeepers.²⁰

The indiscriminate use of the term merchant is a particular issue in Aberdeen, where a higher proportion of burgesses and taxpayers were involved in trade, as opposed to manufacturing, than in most other Scottish burghs.²¹ Another problem, identified by Ian Whyte and others, was that a considerable proportion of the working population engaged in more than one occupation over the course of the year: Edinburgh's labour force is said to have moved *en masse* into the countryside at harvest time, and there is every reason to suppose that much the same thing happened in Aberdeen.²² Some of those listed as 'weavers', 'cordiners', 'fleshers' and the like may well have spent much of their time tilling small market gardens or carrying out a variety of jobs as wage-labourers, but preferred to be known by the more specialized part-time activities which supplemented their income and set them apart from their neighbours.²³

For all their limitations, the tax rolls do nevertheless provide a valuable guide to the basic occupational structure of the predominantly male, tax-paying sector of the population. The range of occupations set out in Appendix III was much the same as that found to have prevailed among similar samples of working populations in other Scottish, English, and European towns, though of course the proportions employed in each field of endeavour varied from place to place.²⁴ In addition to the distributive sector, the usual array of industries were represented in Aberdeen: clothing, textiles, leatherworking, metalworking, woodworking, building, and food and

drink. These will in the main have been presided over by 'artisan-retailers'.²⁵ As one would expect there were a number of men involved in some aspect of marine or overland transportation, while a similarly small proportion of taxpayers made their living in agriculture of one form or another, or by providing the citizens with various professional services - legal, medical, educational, and ecclesiastical. Finally, there was also a small residual category of identifiable taxpayers whose minority or specialised occupations do not easily fit into any of the main categories.

The problems of incompatibility which applied to comparisons drawn between the distributions of taxable wealth indicated by the three tax rolls must also apply to comparisons of their occupational profiles. There is another important variable to take into account, however, and that relates to the proportion of taxpayers whose occupations happen to have been identified in the different registers and to our ability to track down the occupations of those not so identified.²⁶ Apart from the fact that the very small pool of Christian and surnames in the town makes for easy confusion, the real problem is that experience shows that some occupations were more likely to be reported than others: in particular, merchants were far more likely to have their occupation cited than were craftsmen.

Bearing in mind the various difficulties relating to the different criteria and circumstances surrounding the collections, certain comparisons between the three sets of returns might still be ventured. Appendix III lists the ninety-two different occupations referred to in the registers. Differences between one register and

another tended to be restricted to specialist, minority vocations: thus watchmakers and a tobacco spinner found their way into the poll book but not the stent rolls; the only trumpeter appeared in the records of 1655; and the lone cutler to be taxed payed the 1669 stent. It must be stressed once again that a lack of representation in the tax rolls need by no means imply that a given occupation was not practiced in the town: Aberdeen might have been a dim place indeed if, for example, there had really been only one candlemaker in the burgh in 1669, and none at all in 1655 or 1695.²⁷

It was the food and drinks sector of the economy which registered the most drastic changes over the years: having supplied over 13% of identified taxpayers in 1655, the figure slipped to 8% in 1669 and just over 4% in 1695, progressing from the largest of the seven manufacturing sectors to the fifth in the process. The robust showing in the earlier stent was due in no small part to the presence in the burgh of the English garrison. The army maintained its own supply lines throughout the 1650's - importing its own wheat for the use of its own bakers, for example - but it must surely have turned to local suppliers for a goodly portion of its victualling needs.²³ Among those who appear to have benefited most were the town's brewers. A vital source of meagre support for many urban widows, a means of generating extra revenue for the better-off, brewing alone was seldom sufficient to generate a taxable income. In 1655, however, spurred by tax-exempt sales to a new, captive, and enthusiastic clientele, no less than twenty-four taxpayers gave brewing as their main occupation - as compared to one in 1669 and none in 1695.²⁸

The departure of the English troops marked the end of the bonanza for Aberdeen's brewers, but in the relatively buoyant economy of 1669 the leading bakers, fleshers, and fishermen who made up the bulk of those assessed in the food and drinks trade maintained or even improved their standing among the taxable population. Between 1669 and 1695, however, the percentage of taxpayers in the sector halved. The final onset of dearth, famine, and disease was still some months off at the time the poll tax was assessed, but the natural and man-made preconditions for disaster were already in place, and these were clearly reflected in the depressed state of the food and drink trades.²⁹

The burgh had already suffered a taste of what was to come in 1690/91, a year of above-average fiars prices and exceptionally high mortality, with a surge in pauper burials attesting to the hard times.³⁰ Having enjoyed years of stable prices prior to 1690, the bakers found it difficult to make ends meet in the newly straightened circumstances.³¹ In the spring of 1695, ten bakers were fined for making 'insufficient and light bread', and when the poll was collected six months later only one of their calling was made to pay, the others having given over the trade or slipped below the poverty line.³² Aberdeen's fleshers managed to uphold their somewhat more exalted place among the ranks of civic taxpayers, at least for the time being, but the fishermen, even the most prosperous of whom were invariably enrolled among the poorest taxpayers, saw their numbers fall from twenty-nine in 1669 to four in 1695.³³ As with the dearth of 1659, the weather which damaged crops on land seems to have wrecked havoc with the marine

environment as well.³⁴ Late in 1691 the tacksman of one of the town's fishings complained of the 'great loss he hade sustained,... the expense in fisheing of here exceeding the product therof'.³⁵ Heavy flooding in the fall of 1692 is likely to have damaged the vital spawning grounds of the salmon, and the following summer the town council expressed alarm at the news that the hard pressed fishermen of Futtie had turned to 'takeing up the mussels'.³⁶

Turning to the manufacturing sector as a whole, the overall proportion of craftsmen in the three tax rolls dropped from 47.4% of identified taxpayers in 1655, to 39.7% in 1669, and 32.4% in 1695. The figure for 1669 may be distorted by the fact that those serving in the newly appointed civic militia, most of whom appear to have been journeymen or craftsmen, were entitled to tax exemption. As revealed in Appendix III, 49 militiamen claimed the exemption. Counting them as craftsmen would bring the proportion of taxpayers engaged in manufacturing in 1669 close to the level indicated for 1655, which might suggest in turn that a decline in industry set in between 1669 and 1695. Any apparent decline in the importance of manufacturing would contrast with the distributive sector, which held steady at almost exactly one third of all identified taxpayers in each of the three years tested.

The more interesting contrast, however, is between any or all of these tax rolls and the stent of 1637, an analysis of which has recently been published by Michael Lynch.³⁷ Just 569 individuals were taxed that year, from a population which was almost certainly much more prosperous and considerably larger than was the case at any point in the second half of the seventeenth century. Only the

most rudimentary comparisons can be made based on the available information, but what is immediately apparent is that merchants made up a far higher proportion of the taxpaying population in 1637 than at any known point thereafter.³⁸ A total of 370 out of 569 taxpayers were merchants in 1637, about 65%, whereas in 1669, for example, merchants accounted for 253 out of 998 taxpayers, 25.3%. This would seem to suggest a substantial decline in both the number and the prosperity of merchants in the town - a development very much in line with what is known about Aberdeen's changing fortunes before and after the outbreak of hostilities in 1639.

Appendix IV provides a breakdown of the distribution of taxable wealth among Aberdeen's various occupational groupings in 1669. However much it may have declined, Aberdeen's distributive sector still held a commanding position within the urban economy. Of the 253 merchants stented that year, 155 (61.3%) payed more than £10 stent, while among the 745 non-merchants stented, only 79 (10.6%) were assessed above the £10 threshold. Similarly, 77.7% of those listed as being other than merchants paid in the bottom category of 0-£5, as opposed to just 19.0% of merchants. The tax records of course say nothing about how a man's income was actually earned, and at least some of those non-merchants who managed to accrue significant amounts of taxable wealth can be expected to have done so, like some of the wealthier merchants, by engaging in activities having little or no direct bearing upon the actual occupation listed: modest success in business, a fortuitous inheritance, or an advantageous marriage might provide the wherewithal for lucrative speculations in the money-lending or property markets.

It is nevertheless worth noting that the trades whose members stood the best chance of attaining real wealth were those with very close ties to the overseas export trade. These included the skippers who managed the town's shipping, many of whom had in any case taken out membership in the merchant guild so as to have the right to trade extensively on their own behalf; the litsters whose stock rose during the first half of the century when plaiding exports boomed and whose members were actively engaged in buying and selling exotic diestuffs from abroad; the coopers in whose barrels all but the bulkiest trade goods were transported and who presided over the curing and packing of pickled salmon and salt pork; and the fleshers, whose richest colleagues may well have been involved in the aforementioned salt pork trade, which, according to Daniel Defoe, expanded greatly in the years leading up to the Union and eventually attracted large orders from as far afield as Italy.³⁹

The tax returns can also provide a rough guide to the geographic distribution of Aberdeen's occupational groupings, as revealed in Appendix V. A more precise analysis of residential and industrial patterns of the sort attempted for some English towns of the period would require evidence relating to street names and various civic landmarks which is not included in the registers, but the stent rolls, as we saw in Table 2.4, do at least indicate which district of the town each taxpayer lived in.⁴⁰

Representatives of most of Aberdeen's more popular occupations could be found in all or nearly all of the town's four urban quarters. Some distinct concentrations can however be discerned: not surprisingly, for example, the majority of those who earned a

taxable living from the sea dwelt in the Futtie and Green quarters, with the skippers and sailors tending to live in the former, and the poorer fishermen in the latter. Most of Aberdeen's medical and legal practitioners resided in the Crooked quarter, while two-thirds of the merchant community lived in the Crooked and Even quarters, well away from the hurly-burly of the harbour. The Futtie quarter was absolutely bereft of taxable weavers, nearly two-thirds of whom lived in the poorer Green quarter.⁴¹ The freedom lands, whose small proportion of taxpayers accounted for an even tinier proportion of the burgh's taxable wealth, hosted no taxpaying woodworkers, none of those involved in the building trades or transportation, no representatives of the town's professional classes, and less than one percent of Aberdeen's large community of merchants. Not surprisingly, taxpayers living on the outer fringes of the burgh tended to pursue trades closely related to the rural economy, even if the fruits of their labour were destined for the city: there were fleshers, millers, blacksmiths, weavers, and cordiners in the freedom, and many of the thirty-four 'outdwellers' listed are likely to have been involved in farming.⁴²

I The Population of the Town

1. Jan de Vries, *European Urbanization: 1500-1800* (London: 1984), p.175-79.
2. Michael Flinn, ed., *Scottish Population History From the 17th Century to the 1930's* (Cambridge: 1977). See also Robert E. Tyson, 'The Population of Aberdeenshire, 1695-1755: A New Approach', *Northern Scotland*, vol.6, 1985, p.113.
3. See for example Jaffray, *Diary*, p.97, 117, 138, and the discussion of a Catholic baptismal register in Chapter 5. See also Tyson, p.113-14, and Flinn, p.207. On Catholic and Quaker burials, see Chapter 5.
4. de Vries, p.176.
5. *Ibid.*, p.179-187. See also Peter Clark, *Country Towns in Pre-Industrial England*, p.3-4.
6. See for example Rab Houston, 'Geographical Mobility in Scotland, 1652-1811: the Evidence of Testimonials', *Journal of Historical Geography*, vol. 11, 1985; and Ian Whyte, 'Population Mobility in Early Modern Scotland', in Houston and Whyte, eds., *Scottish Society: 1500-1800* (Cambridge: 1989).
7. White, *ibid.*, p.45.
8. Ian White and Kathleen White, 'The Geographical Mobility of Women in Early Modern Scotland', in Leah Leneman, ed., *Perspectives in Scottish Social History: Essays in Honour of Rosalind Mitchison* (Aberdeen: 1988), p.97.
9. de Vries, p.176. For a good example of this approach see Penelope Corfield, 'A Provincial Capital in the Late Seventeenth Century: The Case of Norwich', in Clark and Slack, eds., *Crisis and Order*, p.263-270.
10. Tyson, *op. cit.*, p.126.
11. de Vries, p.176.
12. *Ibid.*, p.176-77.
13. See Tyson, p.114.
14. Kennedy, i, p.186. See also Tyson, p.126, and Leneman and Mitchison, 'Scottish Illegitimacy Ratios in the Early Modern Period', *Economic History Review*, 2nd. ser., xl, 1987, p.48.
15. Kennedy, i, p.186-87, 274-75. These figures seem to have been accepted by Kenneth Walton, 'Population Changes in North-East Scotland: 1696-1951', *Scottish Studies*, v, 1962, p.176. Note that although Kennedy based his calculation on the records of the single urban parish of St. Nicholas, we will assume that the estimates pertain to the slightly wider urban community, which also included the inhabitants of the surrounding freedom lands and the fishing village of Footdee. See Tyson, 'The Population of Aberdeenshire', p.125. The estimates do not include the population of the separate burgh of Old Aberdeen.
16. See for example Christopher Smout, *Scottish Trade on the Eve of Union*, p.4; Ian Whyte, *Agriculture and Society in Seventeenth Century Scotland* (Edinburgh: 1979), p.9.
17. Tyson, p.114.
18. Tyson, 'Famine in Aberdeenshire, 1695-1699: Anatomy of a Crisis', in David Stevenson, ed., *From Lairds To Louns* (Aberdeen: 1986), p.49.

II Economic Trends

1. MacNiven, *Thesis*, p.200-224.
2. Flinn, p.114-15, 131, 132.
3. Lynch, 'Continuity and Change in Urban Society', p.116.
4. *Ibid.*, p.102. *Letters*, ii, p.155. It is also conceivable, however, that Aberdeen's increased tax assessment was a punitive measure inflicted upon the town for its reluctance to side with the covenanters.
5. Lynch, *Ibid.*, p.116.
6. *Letters*, v, p.17-20.
7. Lynch, *op. cit.*, p.107, 114.
8. On the scale of public indebtedness in the 1640's see Chapter 1, Part I. For a good summary of the ongoing nature and scale of the problem see Kennedy, i, p.246-252.9.
9. Dundee was also very slow to recover. A recent study by N.R. Goose emphasises 'the underlying *resilience* of urban economies' in the early modern period, and questions the assumption that plague and other mortality crises had a long-term negative impact on demographic and economic growth. See 'In Search of the Urban Variable: Towns and the English Economy, 1500-1650', *The Economic History Review*, 2nd. ser., vol. xxxix, no.2, May 1986. Paul Slack points out that in those few English towns which did not recover more or less fully from the plague there were always other factors contributing to their decline. *The Impact of Plague in Tudor and Stuart England* (London: 1985), p.190.
10. See for example *Letter*, iv, p.421-22.
11. On the size of the weaving trade see Chapter 3, Table 3.3, and Appendix I.
12. Skene, *Memorials*, p.101-104.
13. MacNiven, *Thesis*, p.222. See also Christopher Smout's review of Louise Taylor's edition of the *Aberdeen Shore Works Accounts*, in Northern Scotland, vol. 1, 1972, p.236-7.
14. Smout, *ibid.* MacNiven, *ibid.*, gives a figure of 120,000 ells for 1639, which his estimates also suggest was a peak year.
15. Skene, *Succinct Survey*, p.50.
16. The almost immediate downturn in the trade which seems to have occurred after 1639 might help to explain why the next tax roll of 1645 saw Aberdeen back at its former level of about 8%.
17. Skene, *Succinct Survey*, p.50.
18. Michael Reed, 'Economic Structure and Change in Seventeenth Century Ipswich', in Peter Clark, ed., *Country Towns in Pre-Industrial England* (Leicester: 1981), p.94, 104, 123. MacNiven noted a decline in Aberdeen's Baltic trade in the 1630's, and his figures for plaiding suggest that 1636 and 1639 were both bumper years. *Thesis*, p.212, 222.
19. *Letters*, iii, p.43, cf. David Stevenson, 'The Burghs and the Scottish Revolution', p.180. Thomas Cunningham, the Scottish factor at Veere, informed the provost of Aberdeen in 1648 that 'the Marchands of Aberdene are very much damnified especially at this tyme when the pryces of plidding ar beginning to fall'. *Letters*, iii, p.106.

20. Kennedy, (i, p.258) cited exports of 73,000 ells in 1650/51. See also Smout, *Review*, p.237.
21. Skene, *Memoriaills*, p.105. On problems of quality control see also *Letters*, iv., p.421-22 (4 October 1669), where the council went so far as to suggest that armed men be employed at regional markets to discourage false measurements and slipshod quality.
22. Smout, *Scottish Trade*, p.142, 234-37, 242-43; Devine, 'The Cromwellian Union and the Scottish Burghs', p.7; Lynch, 'Introduction', *The Early Modern Town*, p.8.
23. Smout, *ibid.*, p.235-36.
24. *Ibid.*, p.234-35; Smout, 'Review', p.236-37. Note that the pack and weighhouse appears to have operated at a consistent loss in the 1670's. David Jaffray, the tacksman, and his widow who inherited the tack, had to be granted a remission from the town council in 1672 when the last Anglo-Dutch war disrupted trade, and again in 1678 and 1680, when no specific reasons were cited. *Council Register*, lv, p.426 (25 September 1672), lvi, p.358 (13 November 1678), lv., p.505 (18 August 1680).
25. 'Plaiding and Fingrams are become to be sold at the half of the value which they did formerly, neither is the half exported.' Skene, *Memoriaills*, p.104.
26. See Skene, quoted at the end of Chapter 1, Part II. The middle years of the 1670's were in fact marked by severe dearth and suffering. See the discussion of poor relief in Chapter 4, Part I.
27. Aberdeen's economy was intimately tied to that of the surrounding rural area, particularly with regard to the manufacture of plaiding. When that trade began to fail, the entire region suffered, from the part-time rural workforce whose income fell to the lairds who had come to rely on these people being able to pay their rents with money rather than in kind. The final collapse of plaiding in the 1690's and the subsequent impoverishment which followed was an important factor in rendering the population more vulnerable to famine of 1695-1700. See Harald Booton, 'Inland Trade: A Study of Aberdeen in the Middle Ages', in Lynch, ed., *The Scottish Medieval Town*; Skene, *Memoriaills*, p.104; and Tyson, 'Famine in Aberdeenshire', p.35.
28. Skene, *Memoriaills*, p.104-5; Smout, *Scottish Trade*, p.236.
29. A.P.S., viii, p.63. See also Gordon Donaldson, *Scottish Historical Documents*, (Edinburgh: 1970), p.237-38.
30. *Letters*, iv., p.159-61 (10 July 1672).
31. William Mackay Mackenzie, *The Scottish Burghs* (Edinburgh: 1949), p.146-153; Smout, *Scottish Trade*, p.16-18.
32. 'The spread of trade outside the walls of royal burghs, therefore, often accompanied an expansion and not a contraction of the activities of the royal burgh merchants.' Smout, *Scottish Trade*, p.77.
33. See Chapter 3.
34. *Council Register*, lv, p.545 (7 January 1674).
35. Skene, *Memoriaills*, p.108.
36. Ian Whyte, 'The Occupational Structure of Scottish Burghs in the Late Seventeenth Century', in Lynch, ed., *The Early Modern Town in Scotland*, Table 10.1, p.224-25.

37. A.M. Munro, 'List of the Inhabitants of Old Aberdeen, 1636', *Scottish Notes and Queries*, vii, June-July 1693, p.1-2, 20-22; Tyson, 'Population of Aberdeenshire', p.125. I am grateful to Bob Tyson for alerting me to Old Aberdeen's apparent expansion.
38. A.M. Munro, *Records of Old Aberdeen*, 2 vols. (Aberdeen: 1899, 1909), i, p.292-95.
39. *Letters*, vi, p.91 (9 July 1677). Much work remains to be done in order to determine just how closely the fortunes of Old and New Aberdeen were tied one to another, but it seems safe to conclude that the act of 1672 will have brought down many of the commercial barriers which had existed between the two communities. In 1692 the Aberdeen town council added a magistrate from Old Aberdeen to its list of tax collectors so that he might uplift payments due by citizens of Aberdeen living in and around the Old Town. *Council Register*, lvii, p.391 (2 November 1692). See also Munro, ed., *Records of Old Aberdeen*, ii, p.387-89.
40. See Tyson, 'Famine in Aberdeenshire', *passim*.

III Household Size and Composition

1. Jeremy Boulton, *Neighbourhood and Society: A London Suburb in the Seventeenth Century* (Cambridge: 1987), p.102.
2. In Aberdeen as throughout early modern Britain there is little evidence to suggest that extended or multiple family households were at all common. See for example Richard Wall, 'The Household: Demographic and Economic Change in England, 1650-1970', in Wall, Jean Robin, and Peter Laslett, eds., *Family Forms in Historic Europe* (Cambridge: 1983), p.493.
3. Boulton, p.138.
4. Aberdeen householders' responsibilities in this regard were spelled out, for example, in the course of a 'visitation' of each parish arranged by the Aberdeen synod in 1674. *Synod Extracts*, p.303-4 (8 October 1674). See also James Cameron, ed., *First Book of Discipline*, p.185. For one of many good discussions of the role of the household in early modern society see David Underdown, *Revel, Riot and Rebellion: Popular Politics and Culture in England: 1603-1660* (Oxford: 1985), p.9-11.
5. John Stuart, ed., *List of Pollable Persons Within the Shire of Aberdeen, 1696* (Aberdeen: 1844), i, p.595-632.
6. *Ibid.*, p.xv-xviii.
7. Apprentices were not labelled as such, but appear to have been included amongst the list of servants. A great many of the male servants were designated 'no fee' which may well indicate that they were apprentices, although it should be noted that female servants were also sometimes referred to in this way. Unfortunately the names cannot be checked against the *Register of Indentures*, which is of little use after 1680. This is an acknowledged grey area, but work with English tax rolls tends to show that apprentices, being dependents of the householder, were listed with the servants. See Boulton, p.134, n.43. For the London borough of Southwark lodgers made up a very small proportion of the population, though it could be that only the more permanently settled lodgers were listed. Boulton, p.132. The Aberdeen poll book contains little evidence of lodgers, but there is some: Alexander Collie, for example, living alone in the freedom lands, paid the poll for himself and 'William Kenedy and John Findlator, two poor men that beg, they have wives'. *Poll Book*, p.608.
8. See Chapter 3.
9. Tyson, 'The Population of Aberdeenshire', p.116; Wrigley and Schofield, *The Population History of England*, p.218; Flinn, *Scottish Population History*, p.257; N.J. Alldridge, 'House and Household in Restoration Chester', *Urban History Yearbook*, 1983, p.45, suggests that children accounted for 40% of the urban population, but findings for Southwark suggest 34.5%. Boulton, p.18.
10. Ian Whyte gives a figure of 3,740 for Aberdeen's pollable population, though it is not clear how this figure was arrived at. 'The Occupational Structure of Scottish Burghs', in Lynch, ed., *Early Modern Town*, p.224. The population estimate is from Tyson, 'Population of Aberdeenshire', 125.

11. This is a figure well in line with those for other early modern towns, which tend to range from just under 4 to around 5. See for example Boulton, p.15-18, and Friedrichs, *Urban Society in an Age of War: Nördlingen, 1580-1720* (Princeton: 1979), p.38. Michael Lynch has suggested that the mean household size in urban areas of Scotland was 'certainly well in excess' of 4.7, and Walter Makey has suggested a figure of close to five for Edinburgh. Lynch, 'The Scottish Early Modern Burgh', in *History Today*, vol.35, 1985, p.11; Makey, 'Edinburgh in Mid-Seventeenth Century', in Lynch, ed., *Early Modern Town*, p.206. The figure of 4.3 is very close to Tyson's mean household size of 4.24 for the whole of Aberdeenshire, and 4.11 for Old Aberdeen. Note that he found that the burgh's crude birth rate was also very similar to that of the shire. 'Population of Aberdeenshire', p.116, 126.
12. See Table 2.1. .
13. *Poll Book*, p.629.
14. The figure of 86 single male householders, 11% of the total, is very similar to the findings for late seventeenth century London and other English cities. Boulton, p.129, n.26.
15. Alldrige, *op. cit.*, p.49, 51. See also Lutz K. Berkner, 'The Stem Family and the Development Cycle of the Peasant Household: an 18th Century Austrian Example', *American Historical Review*, vol. 77, 1972, p.417-18.
16. Boulton, p.136. Charles Phythian-Adams, *Desolation of a City: Coventry and the Urban Crisis of the Late Middle Ages* (Cambridge: 1979), p.241.
17. See above, n.7.
18. Boulton, p.132, 135 n.46.
19. Whyte and Whyte, 'The Geographical Mobility of Women in Early Modern Scotland', p.97.
20. See table 2.1.
21. Boulton, p.126. This process has been described as a 'transfer' of children from poor to rich households, but of course once in service children counted as servants in the lists. A.L. Beier, 'The Social Problems of an Elizabethan Country Town: Warwick, 1580-90', in Peter Clark, ed., *Country Towns in Pre-Industrial England*, p.61.
22. Tyson, 'Population of Aberdeenshire', p.125.
23. de Vries, *European Urbanization*, p.183-84.

IV The Distribution of Taxable Wealth

1. *Poll Book*, p.633. George Skene was by this time a knight, which placed him in an elevated tax bracket. He was nevertheless known to be one of the wealthiest men in the burgh. See Chapter 4.
2. Both stent rolls are to be found in the *MSS. Stent Roll Bundle*, Charter Room, Aberdeen Town House.
3. See for example W.G. Hoskins, 'An Elizabethan Provincial Town: Leicester', in J.H. Plumb, ed., *Studies in Social History: A Tribute to G.M. Trevelyan* (London: 1955), p.44-5. The 'doom and gloom' view of urban society, of which this interpretation of the evidence of the tax rolls was a key plank, has dominated much of English historiography and has been questioned only in fairly recent times. See Valerie Pearl, 'Change and Stability in Seventeenth-Century London', *London Journal*, vol. 5, 1979, esp. p.4-5. See also the discussion in Boulton, p.105. On the likelihood that some of those who could have afforded to pay tax in Aberdeen did not do so, see above, Part III n.8.
4. Tyson, 'Population of Aberdeenshire', p.114; Flinn, p.51-7. Three poll taxes were levied, in 1693, 1695, and 1698, though only the records for 1695 have come to light. Only a brief summary of the Aberdeen hearth tax returns of 1691 has come to light. This does not include the names of any householders or inhabitants, but does give a figure of 2,282 paid hearths, though as we do not know what proportion of the urban population paid the tax or how many hearths the average dwelling contained, this figure is of limited use in attempting to gauge the population. The figure for Aberdeen is provided in Duncan Adamson, *West Lothian Hearth Tax, 1691* (Edinburgh: Scottish Record Society, 1981).
5. See Chapter 4.
6. These figures are very close to those set for Edinburgh. See Michael Lynch, 'The Social and Economic Structure of the Larger Towns: 1450-1600', in Lynch, ed., *The Scottish Medieval Town* (Edinburgh: 1988), p.262-63.
7. In the 1669 stent, for example, the rate for either £100 of rent or £1,250 stock was set at £6, yet many taxpayers paid as little as £1 or less. See also Lynch, *ibid.*, p.263.
8. For the population of the town in the early 1650's and in 1695 see above, Part I. The evidence of the baptismal register suggests that the most frantic period of post-plague natural increase was coming to an end by the mid-1650's. The dearth of the period immediately surrounding the Restoration and the apparent outbreaks of smallpox in 1656 and 1660/61 can be expected to have swept away part of the growth of preceding years. There were no obvious mortality crises between 1661 and 1669, and with prices relatively stable we can suppose that these were years of modest recovery and growth.
9. The 1608 stent is published in *Letters*, i, p.392-406. Note that Allan White found that in 1576 7% of Aberdeen taxpayers contributed 25% of the stent, though he does not give figures for the lower proportion of taxpayers. White, *Thesis*, p.52.

10. See for example Thomas Devine, 'The Merchant Class of the Larger Scottish Towns in the Later Seventeenth and Early Eighteenth Century', in George Gordon and Brian Dicks, eds, *Scottish Urban History* (Aberdeen: 1983), p.99; Lynch, 'Whatever Happened', p.11.
11. The stent roll of 1655 does not include the scale according to which the tax was assessed, so that the total presented was derived by counting the amount collected.
12. Devine, 'The Merchant Class', p.99.
13. Lynch, 'Whatever Happened', p.10-11.
14. Friedrichs, *Nördlingen*, Figure 4.5, p.122; Gascon, cf. Carlo M. Cipolla, *Before the Industrial Revolution: European Society and Economy, 1000-1700* (London: 1976), p.10; W.G. Hoskins, *op. cit.*, p.42. Many other examples could be cited. See especially the discussion in Hsia, R. Po-chia, *Society and Religion in Münster, 1535-1618* (New Haven: 1984), p.28-30.
15. Skene, *Succinct Survey*, p.16. See also Judith Cripps, 'Establishing the Topography of Medieval Aberdeen: An Assessment of the Documentary Sources', in J.S. Smith, ed., *New Light on Medieval Aberdeen* (Aberdeen, 1985), p.24.
16. Evidence of the boundaries comes from the descriptions of particular precincts assigned to the officers of the various districts which were very occasionally included among the lists of kirk session and justice court personnel. See Chapters 5 and 6.
17. For modern descriptions of the topography of early modern Aberdeen see, in addition to Cripps, J.A. Stones, ed., *A Tale of Two Burghs: The Archaeology of Old and New Aberdeen* (Aberdeen: 1987), p.2-3, 8-10; and J.S. Smith, 'The Physical Site of Historical Aberdeen' in Smith, ed., *New Light*, p.1-9.
18. In a list of 131 'poor and decayed Householders' drawing regular pensions from the kirk in the famine year of 1697, 62 were identified by the quarter they lived in. Of these, 4 (6.5%) lived in the Futtie quarter, 7 (11.3%) in the Even, 20 (32.3%) in the Crooked, and 31 (50%) in the Green. *Kirk Session Records*, CH2/448/24 (1 February 1697). See also Chapter 5.
19. See for example James Gordon's map of 1660, on which some of the larger houses are shown, and his accompanying *Description*, p.13.
20. See Chapter 6. The elders and deacons of the kirk session were distributed in a virtually identical fashion within the town, but because the bounds St. Nicholas parish did not extend beyond the burgh proper they were not concerned to supply officials in the freedom.

V Occupational Patterns

1. See John Patten, 'Urban Occupations in Pre-Industrial England', *Transactions, Institute of British Geographers*, new ser., ii, 1977, p.297.
2. A.M. Munro, ed., 'Aberdeen Burgess Register, 1631-1700', in *The Miscellany of the New Spalding Club, Vol. II* (Aberdeen: 1908).
3. On the number of burgesses in the burgh, see Chapter 3.
4. J.F. Pound, 'The Social and Trade Structure of Norwich, 1525-1575', *Past and Present*, number 34, 1966. This same scheme was applied to the seventeenth century by John T. Evans in *Seventeenth Century Norwich: Politics, Religion, and Government, 1620-1690* (Oxford, 1979), Table 4, p.20-21. The quotation is taken from Patten, p.307.
5. Patten, p.307-311.
6. Whyte, 'Occupational Structure', p.222-229. In applying Patten's schema, Whyte has presented both 'type-of-product' and 'type-of-activity' models of occupational structure.
7. Lynch, 'The Social and Economic Structure of the Larger Towns, 1450-1600', p.263.
8. For a good discussion of the urban economic life cycle, see Boulton, p.154-165.
9. *The Rolls of the rests of the taxatione from Apryll 1675 to Apryll 1676 (desperate)*, MSS. Stent Roll Bundle, Charter Room, Aberdeen Town House. I would like to thank Judith Cripps for bringing this document to my attention.
10. Evidence for these occupations is to be found in the *Council Registers*.
11. I am indebted to Dr. Rab Houston of the University of St. Andrews for allowing me to see an early draft of his study 'Women in the Economy and Society of Scotland, 1500-1800', now published in Houston and Whyte, eds., *Scottish Society 1500-1800*.
12. This is to assume, among other things, that the polled households were representative of the burgh as a whole, which may not have been the case.
13. This proportions of women householders paying tax would seem similar to those for Aberdeen in earlier stents as well as for Edinburgh and London, but somewhat lower than for some other English towns. See MacNiven, *Thesis*, p.101; Lynch, 'Social and Economic Structure', p.263, 277 and n.13; Boulton, p.127-28.
14. S.R.O., CS96/1/113. Note that of 157 brewers listed in Aberdeen in 1509, 80% were the wives of burgesses. Lynch, 'Social and Economic Structure', p.277. Note also that when in 1665 the town ran into severe difficulties trying to fill its quota of fourteen conscripted mariners for the Second Dutch War, able-bodied seamen refusing to register with the council were warned that 'they and their wyves should be depryved of all benefite and libertie of brewing within this burgh', with the dean of guild ordered to 'sease upon the brew loomes' of those failing to comply. *Council Extracts*, p.215 (15 March 1665).
15. *Burgh Court*, (22 January, 1668). Aberdeen Town House, Charter Room.
16. *Ibid.*, (2 September and 1 March, 1668).

17. There were several shops built into the ground floor of the tolbooth. This was a prime location, and the shops were regularly let by the town council to widows. See for example *Council Register*, lvi, p.314 (22 May 1678). See also Booton, 'Inland Trade', p.150. The reference to Rachel Johnston is from S.R.O. E72/1/20, (15 July, 1691). It is interesting to note that Margaret Moir was the widow of a prominent Quaker, and there were also some Johnstons among the Quaker community, which from an early stage seems to have allowed its women a wider role in daily life.
18. *A.C.M.*, lv, ff.327. (20 September, 1671).
19. The phrase is taken from the burgh statutes. See for example *A.C.M. liv, ff.110 (13 October, 1659)*.
20. See Lynch, 'Social and Economic Structure', p.262; Devine, 'Social Composition of the Business Class', p.164.
21. Lynch, *ibid.*, p.273-74; Whyte, 'Occupational Structure', p.223-24.
22. See Whyte, *ibid.*, p.228, and William Howatson, 'The Scottish Hairst and Seasonal Labour 1600-1870', *Scottish Studies*, 1982, p.13-21.
23. Patten, *op. cit.*, p.305, refers to the 'rather charming self-aggrandizement' on the part of those concerned with 'what they hoped posterity would think they did, rather than the exact truth'.
24. Compare Appendix III with, for example, Whyte, 'Occupational Structure', p.220-221 and *passim*; Patten, Table I, p.308-309; Friedrichs, *Nördlingen*, p.78-84.
25. The term is taken from Patten, Table II, p.310.
26. Apart from the *Burgess Register*, lists of justice court and kirk session personnel and a variety of stray references allowed the occupations of some additional taxpayers to be identified.
27. Civic statutes concerning the price and safe handling of molten tallow suggest that candlemaking was practiced in the town, presumably as a sideline for fleshers. It seems it had not emerged as a separate full-time occupation - or at least not one at which someone was likely to earn a taxable income. See Makey 'Edinburgh in Mid-Seventeenth Century', p.213; *A.C.M. liv, ff.110 (13 October, 1659)*.
28. In 1654, for example, 'the inglish backers' stationed in the burgh imported a shipment of their own wheat. *Shore Works Accounts*, p.380.
29. For a detailed account of famine, see Tyson, 'Famine in Aberdeenshire'.
30. See D. Littlejohn, 'Some General Observations on Aberdeenshire Fiars Courts and Prices', *Miscellany of the New Spalding Club, Vol. II* (Aberdeen: 1908), p.20-21. For pauper burials see below, Appendix I.
31. For changes in the price of bread see below, Appendix II.
32. *A.C.M.*, lvii, ff.478 (10 April, 1695).
33. The fleshers may well have suffered heavily in the later years of the crisis, as the scarcity of grain and fodder had its belated effect on the livestock population. Stocks were low and prices high, but the impoverished customers could ill afford to buy meat. See Appendix II. See also James Grant, ed., *Seafield Correspondence, 1685-1708* (Edinburgh, 1912),

iii, p.331, where it was reported from Cullen in July 1701 that 'The victuall is fallen extraordinarily ... There is some meall and some bear of yor Lordships unsold, but wee can gett no buyers for it. All kind of cattell sell extraordinarily deer, and the country commodities are farr beyond the former pryces, but money is the only thing scarce'.

34. See Chapter I, Part IV.
35. *A.C.M.*, lvii, ff.366, (23 December, 1691).
36. *Ibid.*, ff.390, (26 October, 1692), and ff.412, (19 July, 1693).
Mussels were probably a normal part of the local diet, so the concern may have been that they were being taken out of season.
37. Lynch, 'Social and Economic Structure', p.274.
38. See Chapter 3 for a discussion of the size of Aberdeen's merchant guild and incorporated craft community.
39. G.H. Healey, ed. *The Letters of Daniel Defoe* (Oxford, 1969), p.178 (21 December, 1706).
40. See for example John Langton, 'Residential Patterns in Pre-industrial Cities: Some Case Studies From Seventeenth-Century Britain', in John Patten, ed., *Pre-industrial England: Geographical Essays* (Folkestone, Kent, 1979), p.163-189.
41. Michael Lynch has noted that more than half of the twenty-three weavers stented in 1637 lived in the Green. Lynch, 'Introduction', p.13.
42. On the issue of agricultural employment in the burghs see Whyte, 'Occupational Structure', p.228.

CHAPTER THREE

ACCESS TO PRIVILEGE

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I The Unfree

Any cross-section of early modern Aberdonian society would reveal, upon close examination, a finely-striated pattern with many subtle, often overlapping gradations of social strata and substrata. Seen at some remove, the finer details would be lost, submerged in a simpler pattern of stark contrasts in which just four basic divisions remained. Much the same pattern of a few broad social divisions superimposed upon a myriad of finer distinctions was to be found in virtually all medieval and early modern towns.¹ Everywhere, however, a continuous, if variable, ferment of social and geographic mobility helped to ensure that the frontiers between these categories were never entirely closed. And it was not just that the boundaries were permeable. A spate of recent research has shown that the structures of 'the' medieval and 'the' early modern burgh in Scotland were remarkably flexible, and could be constricted, stretched, and otherwise adapted to suit different and changing circumstances.² This resilience, though it was perhaps wearing thin by the last quarter of the seventeenth century, ensured that the traditional structures and divisions within Scottish urban society remained at the centre of urban life.

For the most part, the distinctions between the four main groups comprising burgh society were so marked as to become apparent regardless of the criteria chosen to illustrate civic status. Household size, wealth, and occupation were but three scales which could be employed. Another, the one from which the four tiers

emerge with greatest clarity, was access to statutory privilege, to the social, political, and commercial privileges or rights which were of the essence of civic life. In royal burghs like Aberdeen all such privileges flowed down from Heaven via the Crown: the very ground the town stood on, the streets and houses, shops and mills, the fertile freedom lands and the vestiges of the nearby forests, the harbour and the fishings - all of these were, in theory, held by the people of the town 'immediately of the king'. So too were the powers to elect their own magistrates and council, create their own civic statutes, manage their own churches, band together in guilds and crafts, hold a public market, administer the law of the land within their bounds, and, most valuable of all, participate in inland and overseas trade.³

In practice these rights and privileges were conferred on the townsfolk only indirectly: to all intents and purposes they resided not in the people themselves but in their institutions. It was from this custodial role, from their position as privilege brokers, that Aberdeen's incorporated and unincorporated institutions derived much of their power and influence. The least exclusive civic institution, the one to which all native Aberdonians and established residents belonged by right, was the burgh itself, and the privileges which membership conveyed were, if not quite negligible, correspondingly slight. In broad terms, then, the population of the burgh can be divided on the basis of statutory privilege into four main camps: the altogether unprivileged unfree migrants, the minimally privileged unfree townsfolk, the partially privileged free

burgesses of craft, and the comprehensively privileged free burgesses of guild.

Geographic mobility is now known to have been an ever-present factor in early modern Scottish society, and like other towns Aberdeen attracted large numbers of people from the surrounding countryside.⁴ The first and perhaps the most fundamental division in urban society was that between these migrant incomers and established residents, between those who were acknowledged members of the burgh community, and those who were not. From a distance of three centuries it is difficult or impossible for us to know precisely who was and was not of the town at any given point, but we can be sure that the townsfolk themselves knew. Civic officials were in fact required to record the names and check the credentials of all incomers.⁵ The citizens of Aberdeen, like people everywhere, were jealous of what they had - of their property, their prospects, their privileges, and perhaps above all of their collective, local identity. It follows that they saw to it that one could not claim a share of these things, one could not be considered an Aberdonian, simply by virtue of residing or working in the town. In order to be counted among the official, recognised inhabitants it was generally necessary, as evidenced most clearly in the allocation of poor relief, either to have been born of at least one Aberdonian parent, preferably within the bounds of the burgh, or to have lived in the town for at least seven years.⁶

Like other communities, Aberdeen attracted two main types of migrants. Betterment migrants were people drawn to the town in expectation of employment and improved opportunities.⁷ They were

mainly young, and the majority were probably female.⁸ Some were itinerant seasonal workers, but most will have been apprentices, journeymen, labourers, and above all domestic servants who may or may not have planned to settle in the town but probably expected to remain for a few years at least. We cannot be at all certain of their numbers, but if we accept the poll book figure of 1.23 servants or employees to every household in 1695, and suppose that perhaps half of these were people who came to the burgh from outside, then we would expect there to have been something in the order of 1,000 working migrants amongst the total population of roughly 7,500.⁹ Whatever their exact numbers, we can be certain that they formed an accepted and integral part of the urban scene.

Subsistence migrants were an equally integral part of the urban scene, but they were never accepted as such by the civic authorities. Their presence in Aberdeen, as in virtually every sixteenth and seventeenth century town, was a source of continual, and at times frantic concern on the part of the city fathers. They were people who, through misfortune, ill health, old age, disability, or, as the magistrates would often have it, disinclination, could or would not work, and so were likely to be 'burthenable to the toune'. Most years they came and went in a steady trickle, greatly outnumbered by the upwardly mobile migrants seeking and finding work. In times of dearth, however, they flooded into the town in search of shelter and sustenance and alms. Before the onset of famine in the 1690's times were relatively good on the land in the second half of the seventeenth century, but severe dearth at the time of the Restoration and again in the mid-1670's

drove distressed rural folk into Aberdeen, and the beleaguered burgh authorities, with their own poor to think of, did their level best to drive them out again.¹⁰

Subsistence migrants were liable to be driven from the town at any time. Betterment migrants, too, were in a vulnerable position. At the first sign of trouble they could expect to be expelled. Female servants were perhaps in a particularly exposed position. A girl from outside Aberdeen who lost her job was expected to find another quickly or to leave town. The magistrates were loath to tolerate young women living alone in the burgh: in 1660 Elspet Rany was ordered to go into service or move on, 'hir husband being gone for Swedon'.¹¹ Male 'extranians' who gave offence could also face expulsion. In 1665 the deacon of the cordiner trade complained to the burgh council, as the deacons of all the trades had long been wont to do, of the harm suffered by his members through the illicit activities of outside journeymen based in and around the town: 'ther ar certaine personnes who hes no enterest to leive in this place, nather by tounne, trade, birth, nor breeding, and hes all chopos upon the forstreitt to the prejudice of the calling contrair to the antient practise, and sells old shoos with new Leddar, coft [bought] out the merchandis chopos.'¹² Eight journeymen cobblers named in the complaint were subsequently 'discharged the toune'.

It was this fundamental lack of security which most distinguished Aberdeen's migrant inhabitants from the established unfree population of the town. It has been said that the many social, economic, and political privileges to be had in the Scottish burghs were the exclusive preserve of freemen and their families:

'to the burgesses alone belonged the privileges of being members of a burgh: the rest of the inhabitants were mere indwellers, with no more right to elect the magistrates, to trade or belong to a craft than a country bumpkin from the landward pairts.'¹³ This is something of an overstatement. For Aberdeen's unfree majority, for all those could not claim an affiliation with one of the various private, corporate institutions dedicated to keeping 'destitution and competition from the door', it was a matter of vital practical concernment that they at least qualify as *bona fide* members of the community.¹⁴ While it was true that settled but unfree inhabitants were never likely to vote, trade extensively, or belong to an incorporated craft, at the very least they enjoyed an unquestioned right to live and work and remain in the town - they could not be driven out in hard times.¹⁵ More important still, when in need they had the right to fall back upon the relatively expansive safety net of public poor relief.¹⁶ These were considerable, potentially life-saving benefits to which no 'country bumpkin' or other unestablished indweller was entitled.

On the basis of statutory privilege, therefore, the unfree majority in Aberdeen should be seen to have comprised two distinct groups, migrants and established residents, much as the free community consisted of burgesses of both craft and guild. We might suppose that most migrants tended to hold lowlier positions in the town - to serve in poorer households, for example - and to be generally less well-off than the resident underclass, but much further research will be needed to establish the extent to which this was the case. It was certainly true further up the social

scale, amongst burgesses of guild, that first-generation arrivals tended not to match the commercial and political achievements of native Aberdonians, though there were always a few exceptions.¹⁷ The most important division within the urban population was not, however, that which existed between the migrants and established indwellers, nor was it, as earlier generations of burgh historians sometimes imagined, that between freemen of craft and guild.¹⁸ The great divide in urban society was that which separated the unfree as a whole from the entire body of free inhabitants.

Taking the unfree as a whole, they formed a broad and loosely knit coalition of people united not so much by common interests as by their shared exclusion from the most significant social, political, and commercial privileges to be had in the burgh. Leaving aside the handful of nobles and lairds who maintained residences in the burgh but remained aloof from its institutional life, the ranks of the unfree included the abject poor, wage labourers, skilled and semi-skilled journeymen, and a great many servants - nearly all those in a subservient economic position.¹⁹ Altogether they probably accounted for about 60% of the burgh population.²⁰ Some among them, mainly apprentices, journeymen, and students born outside the town, might go on to attain their civic freedom, but for most of Aberdeen's unfree inhabitants the chances of significant social advancement were at best slight.²¹ Many, perhaps most of them enjoyed no sort of affiliation with any of the private, occupationally-based organizations which could be expected to provide some degree of relatively discreet private assistance in times of hardship - they had to rely instead upon mendicancy and, if

they were established residents, the public poor relief programmes administered by civic and church authorities.²² Similarly, with no private corporations to educate, discipline, and protect them they were left fully exposed to the harsh workings of Aberdeen's public machinery of social control. A hugely disproportionate share of those brought before the civic and church courts were drawn from amongst the unfree.²³

In a society founded upon institutional affiliation, unfree inhabitants lacked any formal organizations to reflect their corporate image or represent their interests in the public arena. This is not to suggest that the records of the town council or the incorporated trades necessarily represented the views and aspirations of all guildsmen or all craftsmen. The attitudes expressed there were essentially those of the corporate elites. Yet we lack even this imperfect record for the unfree. There were in effect no elite groups, no spokesmen among the genuinely unfree people of the burgh. If they balked at the restrictions and impositions placed upon them, we seldom hear about it directly. Few voices emerge from the records to join that of Issobel Rutherford, a servant fined by the magistrates in 1666 for remarking that 'if shee had been ane man shee should have shot ane of the tounes officers thorow the head'.²⁴

We have only one tantalizing piece of evidence to suggest that elements among Aberdeen's unfree underclasses might sometimes have banded together for political, social, economic, religious, or purely disruptive ends in the way similarly disadvantaged inhabitants in other, usually larger towns often did.²⁵ On 19 July

1665 the town council noted with some horror 'the louse and uncivill cariage and behavior of certaine prentices and şervants in this burgh in convocating and combyning together in armes for certaine seditious ends and purposse contrar to acts of parliament and all good order and to the great prejudice of ther masters in deserting ther service'.²⁶ The disturbances may have been connected with public celebrations scheduled to have been held in the town on 13 July to mark an English naval victory in the unpopular Second Dutch War.²⁷ To what extent they really were 'seditious' or even meant to be taken seriously we cannot say. What is clear is that the council responded quickly and harshly and seemingly successfully to suppress any further gatherings. Those found to have attended any additional armed gatherings were to have been 'scurget throw the toune by the hangman and banished furth of this burghe and freedome for the space of sevin yeirs' - thereby effectively depriving them of any rights of residency should they return. In addition, standing fines of 6/8d were to be levied on any servant or apprentice found outside his master's home past 9 p.m., or double that amount if they stayed out all night. Each unexcused day-long absence from work was to result in an additional two days service being tacked onto the end of his period of indenture. These threats seem to have had the desired effect, as no further eruptions of this sort were reported.

II The Free

Turning to the burgesses, Scotland's urban historians have traditionally devoted a great deal of attention to the statutory differences between merchants and craftsmen, differences which, however much they may have been overstated elsewhere, brooked large in the lives of Aberdeen's most politically and economically active, not to say litigious classes, and which had been the subject of considerable friction through much of the fifteenth and sixteenth centuries.¹ Even in the seventeenth century issues relating to the precise nature and extent of merchant and craft privileges still continued to arise periodically in the council chamber.² The sheer weight of well-documented administrative and legislative attention paid to this undoubtedly vital distinction in burgh society has, however, tended to obscure the prior and ultimately more important divide between freemen of both classes and the unfree. Yet if historians have sometimes been misled by the lack of attention paid in the civic records to the unfree-free distinction, contemporaries could not help but have been aware of the yawning gulf of privilege and opportunity which bisected their community. Indeed, the very magnitude, the almost entirely unambiguous nature of the divide contributed to its low profile within the historical record. No long and involved legal proceedings were necessary to distinguish the rights of the unfree from those of the free. No rights and privileges pertained to the unfree which did not also pertain to the free. Despite the fact that every man, woman, and child born or settled in Aberdeen was imbued with certain minimal civic rights, it

was still the case that all privileges worthy of the name were the sole prerogative of the freemen of the burgh.³

The freedom of Aberdeen *per se* was seldom granted separately, but was instead conferred jointly on or about the occasion of a man's acceptance, normally in his early or mid-twenties, into the senior ranks of the merchant guild or a craft.⁴ The merchant guild was not only the most powerful organization in the burgh, it was also by far the largest, with a membership that was approximately one-third larger than that of all the incorporated crafts combined. In addition to merchants and merchant-lairds, the guild included within its ranks many of the town's professional people, though their status within the corporation is not altogether clear. All thirty-eight lawyers identified as having been based in Aberdeen between 1650 and 1700 bought into the guild, even after their own society of advocates was formed in 1685, yet they seem never to have held elective office and may not have been eligible to draw from the guild's poor relief funds.⁵ Some academics, clerics, and apothecaries also joined the guild, one or two of whom did serve on the town council. Altogether, professionals accounted for rather less than 10% of guild burgesses.⁶

Approximately nine out of ten of Aberdeen's burgesses of craft belonged to one of the town's seven incorporated trades.⁷ The fortunes of the individual trades fluctuated markedly, but the *Burgess Register* suggests that over the years they ranked in size as follows: weavers, tailors, amalgamated coopers and wrights, cordiners, hammermen, fleshers, and baxters.⁸ Six of the incorporated trades - the fleshers being the odd men out - between

them controlled all of the formal political influence allowed to the craftsmen.⁹ There were also three unincorporated trades in the burgh. Senior members of the litsters trade, whose members were normally among the wealthiest craftsmen, and of the united barbers, surgeons, and periwigmakers, were commonly enrolled as craft burgesses. The masons were a special case. They kept to themselves: between 1542 and 1700 no stonemasons were enrolled as burgesses of craft.¹⁰ David Stevenson's recent study of Scottish freemasonry seems to show that by the late seventeenth century the Aberdeen masons trade had come to include both 'operative' stonemasons and 'speculative' freemasons, the latter possibly including noblemen, lairds, merchants, and other craftsmen in its ranks.¹¹

The particular package of commercial, social, and political privileges to which an individual burghess was entitled depended upon the particular fellowship to which he belonged. In general, however, Aberdeen's burgesses both of guild and craft, like their counterparts in towns and cities across early modern Europe, could count on at least two and usually three broad types of freedom. The first and most fundamental was freedom from competition. The urban economy continued throughout the period to be dominated by the monopolistic, protectionist impulses from which the guild and crafts sprang and to which they remained, some four centuries later, utterly devoted. Second was freedom from extreme want, for each private corporation was dedicated to providing some degree of private assistance to its needy members. Finally, for all but a few burgesses there was the freedom to participate in public affairs and

to hold public office - to directly exercise formal authority. Even in their most limited forms these freedoms set each and every burghess well and truly apart from the majority of his unfree neighbours.

Variations in legal status and privilege did not invariably coincide with economic and other measures of social standing, but in Aberdeen as in other early modern towns the fit was normally a close one. There can be no doubt, for example, that a very real material gulf existed between most free and most unfree Aberdonians. To give but one illustration, the stent roll of 1669 makes it clear that virtually all comfortably-off and well-to-do households were headed by freemen: of 998 householders stented, 368 paid £6 or more in stent, of whom at least 334 (91%) were craft or guild burghesses or the widows of burghesses.¹² Small wonder that the burghesses came to think of themselves almost as a race apart, as if they alone constituted the burgh. Alexander Skene had no qualms about declaring that 'a Common-Wealth or Citie, consists of severall Degrees of men of different conditions and imployments, some Merchants [and] some considerable Heritors that live upon their Rents, some Tradesmen and Handicrafts, the want of which would make a great defect in the Common-Wealth, all the Members are useful, and make but one Body.'¹³

This sense of common purpose, of collective identity, was engendered in no small part by the shared duties and responsibilities which formed the inevitable price of freedom and privilege. Needless to say the burdens of citizenship were spread rather more evenly than the privileges. These burdens were spelled

out in the oath which entrant burgesses of guild and craft alike were required to swear. They were to bear allegiance to the king, and to be 'leal and true to the said Burgh and Freedom'.¹⁴ This latter promise involved obeying the magistrates, voting none but burgesses into public office, giving civic officials sober council and advice when asked, keeping all such deliberations secret, and agreeing never to appeal over the heads of the magistrates to an extra-burghal authority. Between 1669 and 1686 the oath was amended to include a promise to 'maintain the true Reformed Protestant Religion, denying the Heresies of Popery and Quakerism'.¹⁵ Each man also pledged to do nothing to undermine local business interests, to 'own no Unfreemens Goods under Colour of mine', and to bear his fair (or at least his assigned) share of the fiscal, military, and policing responsibilities of the burgh - to 'Scot, Lot, Watch, Wake and Ward with the inhabitants of this Burgh'.¹⁶ In addition, burgesses of craft were made to swear to obey all civic statutes, and to adhere to the terms of the Common Indenture of 1587.

It was a measure of the balance of power within the burgh community that the craftsmen alone were required to swear adherence to the Common Indenture, or 'Decreet Arbitral' as it was also known.¹⁷ In the summer of 1587 Aberdeen's burgesses of guild and craft, setting aside 'those private enmities and popular commotions which had subsisted so long' between them, chose commissioners from amongst their ranks to attend a conference held in the kirk of St. Nicholas under the aegis of Mr. Alexander Cheyne, parson of Snaw and Commissary of Aberdeen.¹⁸ The resulting agreement, modelled closely

on Edinburgh's much copied decret arbitral of 1583, was intended to establish once and for all the respective privileges of the two groups.¹⁹ Although the craftsmen gained some useful concessions, the document came down so heavily in favour of the merchants (that had never been in doubt) and placed so few practical restrictions upon them that their adherence to it could apparently be taken for granted.²⁰

The Common Indenture confirmed the merchant guild's commanding position in burgh society. Much of the wealth, power, and prestige of the guild derived in the first instance from widespread economic and commercial privileges, and these the agreement did little to undermine. Above all, the merchants were confirmed in their exclusive and longstanding right to trade overseas. For centuries this had amounted to a virtual monopoly within a monopoly, for Scotland's foreign trade was reserved to the royal burghs, and within the royal burghs it remained almost wholly in the hands of guild merchants. Even after the monopoly was suddenly broken in 1672, guild brethren within the individual towns continued to dominate both local and overseas trade.²¹ The exclusive right to participate in the most challenging and lucrative field of urban endeavour might have been the jewel in the guild's crown, but it by no means represented the full extent of their commercial privileges, which effectively knew no bounds: 'all kynd of merchandrice quhatsumevir is fre to the said bretherene of gild without questioun or contraversie'.²² Such license would have had little meaning, however, had it not been for the restrictions imposed on the mercantile activities of all other classes of Aberdonians.

Needless to say the unfree were altogether barred from any involvement in foreign trade, and from all but the most mundane forms of retail domestic trade. As for burgesses of craft, while upholding their monopolistic rights to practice their arts and to manufacture and sell their products within the town, the Common Indenture also reiterated that they 'sall not meddle with na kynd of forane nor overseis waris' except with regard to specific types of raw materials (such as timber and salt) necessary to their legitimate manufacturing activities, and then in quantities sufficient only for their own use.²³ An era of controversy was brought to a close, however, by conceding to the craftsmen the right to trade in Scottish goods within Scotland 'als frely as merchandis bretherene of gild dois'.²⁴ Or nearly as freely: the craftsmen were still not to meddle with 'ony steppell guidis ... quhidder the same be scottis or forane wairis'.²⁵ This was a considerable restriction, for staple goods included most of Scotland's key exports: skins, hides, woolen textiles, salmon, tallow, and beef.²⁶ There is no evidence to suggest that Aberdeen's craftsmen greatly expanded the scale and scope of their trading activities after 1672.

The most cursory glance at any tax register of the period would be sufficient to confirm the merchant guild's economic dominance. Turning again to the 1669 stent roll, of the 122 wealthiest taxpayers (those assessed at £21 or more) roughly 90% belonged to the merchant guild. Economic dominance translated easily into political control. Within society at large burgesses of guild outnumbered burgesses of craft by a factor of three to two: within the council chamber the ratio was seventeen to two.²⁷ Craft

councillors were not eligible for selection to senior offices on council, they could not serve concurrent terms, 'and as concerning the bearing of offices of magistrates...na craftisman sall aspyr thairto.'²⁸ Comparisons with other burghs are made difficult by the fact that the terms 'merchant' and 'craftsman', already ambiguous enough, meant different things in different places.²⁹ Michael Lynch has shown that in Edinburgh, where burgesses of craft greatly outnumbered guildsmen, the 'craft aristocracy' bought into the merchant guild in numbers from the late sixteenth century.³⁰ Even so, the less exalted craft rump enjoyed eight places on a twenty-five man town council.³¹ In Perth, where craftsmen outnumbered merchants by a considerable margin and where leading craftsmen had been joining the guild from at least the middle of the fifteenth century, by the seventeenth power was shared fairly evenly between guild and craft.³² In Glasgow, too, the crafts enjoyed near parity on the council.³³ Dundee was rather more like Aberdeen, although the craftsmen there were probably slightly more numerous and prosperous, and enjoyed slightly better representation on council.³⁴ Aberdeen, perhaps more than anywhere else in Scotland, was a merchant's town.

So close were the connections between guild and council that the two organizations were essentially one and the same: although ostensibly a public institution, the town council served as the *de facto* governing body of the guild. This is of particular relevance with regard to the process by which craftsmen came to be admitted to the freedom of the city. Each prospective craft burgess had first to be presented to the magistrates. Upon their approval, the

applicant appeared before the deacon and masters of the craft in question. If found by them to be suitably qualified, he was then sent back to the council with a testimonial from the craft, (which could be held liable for his credentials). At that point the freedom of the burgh was conferred upon the applicant by the council, but he was not entitled to practice his trade until his name had been entered in the *Burgess Register* by the town clerk. This in turn was not to happen until the dean of guild had received from the craft, on behalf of the town's common good, a two-thirds share of the applicant's composition fee.³⁵ Thus the council, and therefore the guild, was in a position to block, and therefore control, access to craft burgess status and to the craft corporations themselves. Nor did their influence over the crafts stop there. The council had the power to remove troublesome craft deacons from office; in the Michaelmas elections the choice of craft councillors was left overwhelmingly in the hands of merchants; and the council it was which set the economic parameters, the wages and prices, within which the craftsmen operated.³⁶

III The Size of the Burgess Community

How many free burgesses of guild and craft were there? How many unfree? And what proportion of the burgh population might they have represented? Given the quality of the Aberdeen records it should be possible to arrive at unusually firm estimates for the number of craft and guild burgesses in the town, particularly in and around the particularly well-documented year of 1669. Estimates concerning the essentially residual category of the unfree, however,

take us further into the realms of speculation, and must depend, as does so much demographic analysis, upon a prior estimate of the total population of the burgh. As discussed in Chapter 2, there are likely to have been fewer people living in Aberdeen in 1669 than in 1639, when the population has been estimated at about 9,000, and slightly more people than in 1695, when the population was probably close to 7,500. For the sake of argument, therefore, the population of the town in 1669 will be presumed to have been somewhere in the region of 8,000.

Four different listings of guild burgesses survive from the period October 1668 to October 1669. No single list is anything like complete, but by carefully matching and checking the names against those in the other lists and in other civic records, notably the *Burgess Register*, an inventory can be built up of guild burgesses known to have been based in Aberdeen in that year. This composite list is itself bound to be incomplete, but does at least serve to provide an absolute lower limit for the number of guildsmen, and to remove some of the doubt from subsequent estimates as to the real figure for guild membership. It is the closest we are ever likely to come to actually counting guild members.

As we saw in Chapter 2 the stent roll of October 1669 provides the most complete listing of householders yet found for the seventeenth century, recording the names of 998 of an estimated 1,850 heads of households, among them 251 burgesses of guild.¹ A second, hitherto unknown list was compiled a year earlier in conjunction with the town council election of 1668. 'The Roll of the Brethren of Guild', as it is known, contains the names of 238

merchants.² The forty or so lawyers and other professionals belonging to the guild were excluded since, not being 'actual traffiquers' or maintaining even a notional interest in trade, they were ineligible for civic office. Yet a comparison of these two main lists soon reveals numerous other unexpected omissions and inconsistencies: no less than 46 names recorded in the guild roll do not appear in the stent, bringing the total number of guildsmen to 296. Two shorter lists taken from the customs accounts of 1668/9 and the election leet of 1669 provide 21 additional names and help to sort out those cases - all too numerous amongst such a limited pool of Christian and surnames - in which a name might belong to two or more men.³ The guild of 1669, for example, sported at least three James Skenes, four John Andersons, and no less than six Alexander Burnets.

Using all four lists we can identify a total of 318 burgesses of guild. How many more might there have been? There were no doubt some guildsmen who, whether through an extended absence from the town or for any number of other reasons failed to find their way onto any of the four lists examined for that year. Allowing for approximately 10% under-representation brings the total to 350. This is in reasonable accord with the figure derived from what has come to be the accepted formula for gauging the size of Scotland's merchant guilds, whereby the average annual number of guild entrants is multiplied by the average number of years each newly minted guild brother could expect to live from the time of his entry.⁴ As Table 3.1 reveals, in the generation leading up to 1669 an average of 15 new burgesses of guild were enrolled each year. Assuming that they

Table 3.1

Annual Recruitment Of
Merchant and Craft Burgesses:
Five-Year Averages
1640-1669

Year	Merchant	Craft	Total
1640-44	12	6	18
1645-49	15	22	37
1650-54	12	8	20
1655-59	18	13	31
1660-64	15	9	24
1665-69	19	8	27
Mean:	15	11	26

Source: *Burgess Register*, A.M. Munro, ed.

would each live on average a further 25 years, this suggests a total of 375 guild brethren - a not implausible 15% above the known minimum of 318. For the sake of argument, however, we will assume the more cautious figure of 350 to be closer to the mark, and will base subsequent calculations upon that number.⁵ From this estimate of the number of guild members it is possible to extrapolate the likely number of craft burgesses in Aberdeen. The *Burgess Register* has been found to be a reliable record of the names and occupations of entrant burgesses of both guild and craft. When between 1640 and 1669 an average of 15 men a year joined the merchant guild, craft enrollment averaged 11 *per annum*. There should, therefore, have been just under three-quarters as many craft as guild burgesses in the town.⁶ Given a guild membership of approximately 350, we would expect there to have been about 250 craft burgesses. This in turn suggests that a total of approximately 600 freemen of guild and craft lived and worked in Aberdeen in 1669.

How stable were these figures over time? Looking back from 1669, Aberdeen's merchant guild has been said to have numbered just over 318 men in 1576, 350 in 1623, and about 370 in 1637.⁷ Unfortunately these estimates are based on a single, uncorroborated source, in each case a stent roll, a source which in 1669 has been proven to have understated the number of guildsmen by a minimum of 21% and probably by as much as 30% or more. Only careful cross-referencing of the sort made possible by the multiple listings of 1669 would reveal the true or likely extent of under-representation in these earlier tax registers. For the time being we can only presume that the merchant guild of 1669 was no bigger, and probably much smaller, than it had been earlier in the century, particularly in the prosperous decades of the 1620's and 1630's.

The size of the merchant guild and the pattern and rate of guild recruitment, however, could be affected by a great many factors, and should not necessarily be taken as a straightforward indicator of the relative fortunes of the town over time.⁸ We have every reason to believe, for example, that having hit its modest post-war peak of population and prosperity about 1669, Aberdeen slipped into a steady decline over the next twenty-five years, before five years of famine and disease brought the town to its knees as the century closed.⁹ The figures set out in Table 3.2, however, seem at first to belie this, for they reveal that the guild increased its intake by one-third in this period, from an average of 15 men a year in the thirty years to 1669, to twenty a year in the thirty years after. This was a 33% increase, and can be expected to

Table 3.2

Annual Recruitment Of
Merchant and Craft Burgesses:
Five-Year Averages
1670-1669

Year	Merchant	Craft	Total
1670-74	24	10	34
1675-79	16	7	23
1680-84	12	11	23
1685-89	28	13	40
1690-94	24	13	37
1695-99	18	7	25
Mean:	20	10	30

Source: *Burgess Register*, A.M. Munro, ed.

have produced a merchant guild numbering at least 450 members by 1695.

The seemingly anomalous pattern of guild recruitment after 1669 can be accounted for in a number of ways. The brief lifting of the ban on Catholics and Quakers in 1686 may have spurred enrollment, for example, as did the political machinations associated with the Glorious Revolution.¹⁰ No less than 50 burgesses of guild were enrolled in 1689, and 30 the next year, as first the Stuart loyalists and then the supporters of William and Mary tried to pack the guild with their allies.¹¹ Many of those enrolled - such as the five sons of Burnet of Leys, all pupils - can be expected to have shown little interest in exercising their new commercial privileges.¹² It is interesting to note that guild intake actually rose sharply in the aftermath of the 1672 act depriving royal burghs of their trading monopolies, perhaps reflecting the fact that the

guild was still regarded as a useful commercial base from which to make contacts and locate lines of credit, which could then be used to exploit the new opportunities opening up in the smaller towns of the region. This may help to account for the fact that more than twice as many sons of the north-east gentry joined the guild in the 1670's than in the previous two decades combined.¹³

The expansion of the Aberdeen merchant guild in the latter part of the seventeenth century did not occur in isolation. In Edinburgh, for example, the number of merchants enrolled in the burgess guild rose by a very similar proportion, 31%, between 1670 and 1700, and there is evidence from Stirling and Dundee to suggest that trading privileges became more widely available in those towns as well.¹⁴ Taken together, these changes were indicative of a wider trend in Scottish urban society towards a gradual dismantling and abandonment of the barriers to trade which the merchant guild traditionally represented.¹⁵ Michael Lynch has shown that this was a process conducted in fits and starts over a great many years, but the act of 1672 seems to have marked a definitive turning-point.¹⁶ By the 1720's guild status in Aberdeen and Glasgow is said to have been regarded in almost purely social and political terms, having ceased to convey meaningful commercial privileges.¹⁷

As for burgesses of craft, stent-based estimates of their numbers seem decidedly low: 80 in 1608, 114 in 1623, 127 in 1637.¹⁸ Because craft enrollment, and presumably craft membership, remained steady in the long-term, averaging 10 or 11 *per annum* in each quarter of the seventeenth century, the true figure should be roughly double that of the estimates, in line with the 1669 total

which cannot have been much under 230 and was probably nearer 250. It would seem, then, that Aberdeen's manufacturing sector, while still comprising a smaller proportion of the burgh population than was the case in the other major burghs, was nevertheless much larger than has been supposed.¹⁹

Returning to the figures for 1669, we can assume that virtually every one of the 600 or so burgesses was also the head of a household. The poll book of 1695 suggests that this figure should be augmented by about 10% to take into account households headed by widows of burgesses.²⁰ If we accept that the total number of households in the town was roughly 1,850, then slightly more than one-third of these will have been free households, and slightly less than two-thirds will have been unfree.²¹ The proportion of unfree people in the town was probably somewhat lower than this, not only because unfree households tended on average to be poorer and smaller than free households, but also because many of the servants and apprentices employed by well-to-do free households are likely themselves to have been daughters and sons of freemen.²² We cannot be certain of the exact figure, but the proportion of unfree people in Aberdeen is perhaps unlikely to have exceeded 60%.

How do the figures compare to those for other towns? As always such comparisons are fraught with methodological difficulties, but some rough conclusions can be drawn from the existing literature.²³ Turning first to Glasgow, on the basis of an average annual guild intake of 16 the merchant community has been estimated at between 400 and 500 strong in the 1680's.²⁴ Applying the same formula to Aberdeen produces an estimate of from 375 to 470 guild members in

1669, and no less than 500 to 600 toward the end of the century. So far as Aberdeen is concerned these figures almost certainly overestimate the size of the guildry by a considerable margin. They do, however, allow us to compare like with like and make plain the fact that Aberdeen, with a population roughly two-thirds that of Glasgow's, harboured a far higher proportion of men with full guild burgess privileges.²⁵ Edinburgh, with a population at least three times that of Aberdeen, is estimated to have had little more than twice as many merchant burgesses in the second half of the seventeenth century.²⁶ Both Glasgow and, especially, Edinburgh had far higher numbers of craft burgesses than Aberdeen, however, with the interesting result that in each of the three cities the total number of burgess households, guild and craft, appears to have accounted for about one-third of all households.²⁷ In this most salient of facts concerning social structure, then, Aberdeen, Glasgow, and Edinburgh were quite closely aligned, each of them granting the all-important freedom of the burgh to about one-third of their householders while consigning the remaining two-thirds to the unenfranchised ranks of the unfree.²⁸

It was once believed that freemen of guild and trade comprised a small and exclusive circle within English towns, and that burgess status in Scotland was comparatively common and easy to come by.²⁹ A whole array of urban histories have shown, however, that the freedom of English cities tended to be far more widely distributed than once thought. In both Norwich in the first half of the seventeenth century and Exeter in the second freemen accounted for between 30 and 40% of all householders.³⁰ In mid-sixteenth century

York the figure was closer to 60%, in Coventry 80%.³¹ Even for early modern London, long regarded as a bastion of narrowly prescribed privilege, it is now believed that up to three-quarters of male householders held the freedom of the city.³² Of course civic freedom meant different things in different places, but in none of these cities was possession of the civic freedom 'a mere honorific'. As in Aberdeen, burgess status was a prerequisite for full participation in the political, economic, and social arenas of urban life, and as in Aberdeen the local guilds and crafts enjoyed the exclusive power to determine who would and would not be granted 'the freedom'.³³ Access to real wealth and real power, to the urban elite, however, is a somewhat different matter, and the question of how 'open' the doors to Aberdeen's corridors of power really were is one to which we will return in the next chapter.

IV Becoming a Burgess

How did one come to be included among the free population of Aberdeen? To begin with we must distinguish between what Christopher Friedrichs has termed 'active' and 'passive' burgess status.¹ With few exceptions, only independent adult male heads of households were eligible for direct or 'active' membership in a guild or craft.² The wife and children of a burgess were 'passive' burgesses. They perched alongside him on his rung of the social ladder, and enjoyed many of the benefits of his station. Apart from basking in reflected social prestige, the burgesses' sons could count on easy access to burgess status, his daughters could convey that easy access to prospective son-in-laws, his wife could be

empowered to oversee his business affairs in his absence, and if it came to it his widow and children would be looked after by the corporation. It should be noted, however, that virtually all women and children held indirect or passive claims on their place in society: regardless of degree, their civic status depended upon that of their nearest adult male relation. This is well illustrated by the forms of address used for women appearing in the civic records. Only unemployed immigrant women of low status and unknown origins were normally referred to in the civic records solely by their own names. For a townswoman the clerks preferred to provide not just her name, but her marital status and the name and occupation of the man to whom she owed her place in society: thus 'Jean Webster, daughter of James Webster, burgess'; 'Issobell Davidson, spouse of John Hendersone, indweller'; and 'Marjorie Patersone, relict of Adam Smith, weaver'.³

Having inherited the social milieu of their fathers, the majority of native Aberdonians lived their whole lives within the basic socio-economic strata to which they were born. Many contemporaries, especially those from the upper ranks of urban society, preferred to think of their community as something of a closed system, in which each individual had and knew and kept to his or her place. Yet they also realized that theirs was a society not in stasis but in dynamic equilibrium, sustained by a steady pulse of geographic and social mobility. A slow, relentless turnover in population is evident throughout Aberdeen's history, and at every level of society.

While a straightforward surname analysis is liable to overstate the true level of change, it is nevertheless striking to note that of the eleven families said to have dominated civic affairs in the fifteenth and early sixteenth centuries, only four featured at all prominently in the early seventeenth century burgh.⁴ They each made James Gordon of Rothiemay's 1660 list of eight leading families, but by the 1690's an altogether different set of surnames had come to the fore, and they had in their turn given way by the middle of the next century.⁵ 'After the city grew', wrote Parson Gordon, 'many other men, sprung from no obscure families, came thither, and being presented with the rights of citizenship left rich descendants at Aberdeen'.⁶ As often as not these new dynasties rose to prominence as old families vacated their places in the burgh: in Aberdeen as in Glasgow 'the bath water changed slowly but surely over time.'⁷ The seemingly inexorable turnover in population was a consequence of many factors, but had much to do with the high levels of mortality endemic in pre-modern towns. As numerous studies have shown, it was simply not possible for the population of a town, or for any one group within a town, to reproduce itself without regular infusions of new blood from outside.⁸ And in any case surviving members of succeeding generations could not always be relied upon to share the particular ambitions and aptitudes, or lack thereof, of their fathers.

There was, then, an inherent tension built into the structure of the early modern town. On the one hand there was the intense conservatism of the genuinely privileged minority, anxious to protect and perpetuate their own positions and those of their

progeny. As they saw it, their way of life depended upon the maintenance of a complex web of social, economic, and political 'exclusion zones' to which access had by definition to be restricted. The privileges around which their lives and livelihoods were built would cease to be meaningful if extended too widely. Unregulated, promiscuous social mobility could bring only chaos and competition and the end of civilization as they knew it. On the other hand, it was beyond their power to guarantee the self-perpetuation of their clique. Corporations, like families, would wither on the vine unless new members could be introduced. In response to this dilemma city fathers everywhere erected and maintained barriers to corporate and civic membership which could be raised to block the entry of all but the most determined or desirable of outsiders, or lowered so as to help perpetuate established families and businesses.

Financial barriers were periodically adjusted to take account of changing circumstances in the town. In 1665 the Aberdeen council reissued its guidelines for rank outsiders seeking to become burgesses of craft or guild.⁹ Those who were neither the son nor the apprentice of an Aberdeen burgess were expected to produce proof of having completed an apprenticeship elsewhere of not less than six years and to satisfy the magistrates, dean of guild court, and if necessary the appropriate craft deacon as to their moral rectitude and competence in their chosen field. Those seeking entry to the merchant guild were also required to demonstrate 'abilitie of stock' to the tune of at least £1,000, and to procure lodgings in the town worth no less than 500 merks. Having negotiated these hurdles the

successful candidate was invited to pay a stiff admission charge for entry to full burgh status. The 'guild wyne' or composition fee was set at 400 merks for a merchant, 200 merks for a craftsman.¹⁰ A further payment of £10 or £4 respectively was to be contributed towards maintaining the civic arsenal.

These were rather stringent conditions: the £1,000 stock qualification, for example, was three times the amount asked of equivalent candidates in the booming city of Glasgow at about the same time.¹¹ Judging by the guildry accounts, however, which reveal that a wide and clearly discretionary range of composition fees was actually uplifted from entrant merchants and craftsman, the figures set by the council were treated as upper ceilings.¹² It seems doubtful whether even rank outsiders were ever made to pay much more than half the full statutory fee. In practice men like Alexander Fraser, a merchant from Fraserburgh, paid up to 200 merks to join the guild, while such as Alexander Bruce, a baker from Edinburgh, were charged 100 merks for entrance to a craft.¹³ As for the better connected, the act of 1665 ended with the reminder, as if any was needed, that the stipulations laid down were 'not to extend to the prejudice of the privilege or favour grantit to the sones of Burgesses of gild and craftsmen or prentises of whatsoever kynd or to them who sall marie the daughters of Burgesses of gild or craftsmen'.¹⁴ Those who served an apprenticeship - normally of 5 or 6 years - in the guild were eligible for reductions of at least 50%, as were those who married a burghesses' daughter or widow.¹⁵ Those who managed to do both could expect to pay even less. The truly favoured, however, were of course the burghesses' own sons. Whether

to craft or guild, the eldest son was admitted free of charge, and subsequent sons paid just £2 - rates unchanged from the Common Indenture of 1587, since which time the composition fees for outsiders had gone up tenfold.¹⁶

Table 3.3

Entry to the Merchant Guild:
1640-1699

Year	Paternity		Marriage		Apprentice		Extranian		No Indication Other		Total
1640-44	25	44%	4	7%	0	0%	11	19%	17	30%	57
1645-49	26	33%	10	14%	3	4%	6	8%	29	45%	74
1650-54	19	33%	5	9%	5	9%	3	5%	26	45%	58
1655-59	45	50%	6	7%	7	8%	15	17%	17	19%	90
1660-64	33	45%	8	11%	5	7%	13	18%	14	19%	73
1665-69	54	56%	12	12%	5	5%	8	8%	18	19%	97
1670-74	56	47%	14	12%	6	5%	14	12%	28	24%	118
1675-79	33	41%	13	16%	4	5%	3	4%	27	34%	80
1680-84	26	43%	5	8%	3	5%	2	3%	25	41%	61
1685-89	71	51%	10	7%	14	10%	8	6%	35	25%	138
1690-94	45	38%	0	0%	11	9%	5	4%	59	49%	120
1695-99	44	48%	0	0%	3	3%	5	5%	40	44%	91
Total	477	45%	87	8%	66	6%	93	9%	335	32%	1058

Source: *Burgess Register*, A.M. Munro, ed.

The figures set out in Table 3.3 indicate the routes into the guild taken by entrant merchant burgesses in each five-year period between 1640 and 1699. Unfortunately, although the *Burgess Register* from which the data is derived can be relied upon to provide the name and date of admission for each burgess, in a considerable number of cases (varying from 19 to 49% over the years) no indication is given as to how the applicant qualified for guild membership.¹⁷ Nevertheless, it seems safe to assume that virtually all those claiming entry to the guild via paternity would have been identified. The town clerk was likely to know from personal experience who was whose son, and in any event the discounts in

composition fees available to burgesses' sons were so substantial as to make it highly unlikely that anyone would fail to take advantage of them. Cross-checking the register against the guildry accounts confirms the reliability of the register in this regard. We cannot, unfortunately, be quite so certain of the exact numbers of those entering the guild via the marriage bed, apprenticeship to an Aberdeen merchant, outright purchase as in the case of 'extranian' outsiders trained elsewhere, or by some other more exceptional route such as a sterling service rendered the town or a powerful magnate whose favour the town wished to curry.¹⁸ The columns to the right of 'Paternity' do at least indicate the minimum number of entrants in each category, but far more important is the fact that their combined totals reveal the full extent to which new blood from outside the guild establishment was flowing into the corporation.

Between 1640 and 1699 1,058 men joined the merchant guild, 477 (45%) of them following in their father's footsteps.¹⁹ The other 581 (55%) had their origins outside the guild community.²⁰ This was a marked change from the past when insiders had consistently outnumbered outsiders, and by a considerable margin: MacNiven's figures for earlier in the seventeenth century reveal that 64% of all entrants claimed the right of paternity, precisely the same proportion found by Harold Booton for the period 1399-1510.²¹ The late seventeenth century trend toward a more open merchant community was to become even more pronounced after 1700.²²

The impact which the influx of new men had upon the guild and the town in general was softened considerably by a number of factors.²³ To begin with, outsiders were not uniformly successful

in penetrating all levels of the guild's internal hierarchy. As one would expect, those of the financial and political elite and other established members of the community were in a better position than most to ensure that their sons succeeded them. This is borne out by the figures. Whereas the sons of burgesses of guild made up 45% of all guild entrants, they accounted for 60% of the well-to-do, 65% of those who served on the town council, and 75% of all magistrates.²⁴ A first generation burgess, then, was more likely to fill out the lower ranks of the guild than to scale the civic heights, though there were always some who managed to do just that.²⁵ It was much the same story with burgesses of craft. Most craftsmen had less money - 'every one hath not a competency of Money to be a Stock for Merchandising' was the way Skene put it - and seem to have enjoyed less security than most of their guild brethren.²⁶ Turnover amongst the craft population was that much higher, with the sons of craftsmen accounting for just 28% of craft entrants. Amongst those who became trade deacons and trade councillors, however, the figure was, at 58%, more than twice as high.

A second factor which militated against outsiders causing undue disruption to the established rhythms of corporate life was that the great majority of them appear to have come from backgrounds which were not so very different from those raised within the guild and craft communities.²⁷ A wealth of evidence concerning the geographic and social origins of a broad sample of outsiders seeking burgess status in Aberdeen is to be found in the *Register of Indentures*.²⁸ In it are recorded the names and prospective occupations of no less than 80 guild and 154 craft apprentices enrolled between 1650 and

1693: in 192 of the 234 cases the register also provides the place of origin and the name and occupation of the father.²⁹ Of the apprentices whose beginnings can be traced, the vast majority hailed from the north-east, 90% of them from Aberdeenshire.³⁰ Only a handful of young men ventured in from outside the region: it is worth noting that whereas Edinburgh, which drew apprentices from all over Scotland, enrolled twenty Aberdonians between 1666 and 1700, Aberdeen attracted just one young man from the capital, and none from any of the other major burghs.³¹ Of those native to the region, approximately half were drawn from the town itself and the surrounding freedom lands, with a further 10% from Old Aberdeen and four adjacent parishes.³²

Most of the new blood flowing into Aberdeen's guild and craft corporations, then, was fairly local in origin. And as with any successful transfusion, it tended to match the old blood type closely. The histories of 76 young men aiming at the merchant guild reveal that just 7 (9%) of those enrolled in formal apprenticeships were the sons of guild burgesses, while a further 3 (4%) were the sons of craftsmen, and two of them were the sons of Charles Dun, a wealthy litster who would later renounce his trade so as to join the merchant guild.³³ As for the sons of the unfreemen who accounted for two-thirds of Aberdeen's householders, there were none. Fourteen merchant apprentices (18%) were the sons or brothers of lairds, while 8 (11%) were sons of the manse. Lawyers and academics, themselves given to considerable nepotism, do not appear to have sent their sons into trade. Three apprentices (4%) were the sons of merchants in other towns.³⁴

All of these young men would appear to have come from backgrounds roughly equivalent to those of well-to-do burgesses of guild. We cannot be quite so certain of the origins of the remaining 41 merchant apprentices (54%), whose fathers were simply listed as being, for example, 'in Auchlunies' or 'in Old Deer'. Most of these men were probably farmers of one sort or another, small landowners or considerable tenants. Others may well have carried out a variety of occupations in the smaller royal burghs, burghs of barony, and small market centres which dotted Aberdeenshire.³⁵ Some probably owned or operated mills, for a number of apprentices came from places designated 'milne' or 'milnetoun'. In an era when so much depended upon personal contacts, we may suppose that a goodly proportion had done business with the men to whom their sons were indentured. Some will have been able to place their boys with kinsmen in the town, or perhaps with a friend made good in the city. It may be fairly safe to presume that most of these landward men were relatively prosperous and successful, if we consider that Aberdeen was the capital of a region of well over 100,000 people and that it must have been something of a coup to place one's son in an apprenticeship with a member of the urban elite.³⁶ All in all, the impression gained would seem to confirm Thomas Devine's assertion that social mobility within the merchant communities of Scotland's larger burghs tended to be a 'movement within a middle stratum consisting of small landowners, lawyers, ministers, teachers, craftsmen and merchants rather than one which absorbed all ranks'.³⁷

To the extent that there was space in the burgess community for those from more humble beginnings, it was to be found in the incorporated crafts rather than the merchant guild. Of the 154 craft apprentices enrolled in the register between 1650 and 1693, 58 (38%) were native to the town. In 50 of these cases some indication of the father's status is given. Twenty-one apprentices (42%) were the sons of craft burgesses, about half of whom were enrolled in their fathers' trades. Another 8% were the sons of merchant burgesses. The remaining 25 (50%) were the sons of unfreemen. Given that the great majority of those enrolled in the register came from outside the burgh, however, the urban unfree represented just 16% of all craft apprentices.

These figures would seem to confirm that despite the relatively high and increasing rate of turnover within both the merchant guild and the incorporated crafts there was little scope for genuine upward social mobility within the civic community, for movement from one main tier of urban society to another. Judging by the *Register of Indentures* it was uncommon for the sons of craftsmen to be taken on by merchants, and all but unheard of for the sons of unfreemen.³⁸ Craftsmen were not entirely averse to recruiting apprentices from unfree households, but only at the rate of less than one a year from a pool of boys that would have been roughly three times that of all burgess sons. Rather than engage someone from lower down the civic ladder, merchants and craftsmen alike preferred to bring in young men of roughly equivalent social and economic standing from outside the town. This had the advantage of preserving intact the unseen boundaries within urban society, but brought with it the potential

problem of molding outsiders into suitable members of the community. Hence the lengthy period of apprenticeship, with tradesmen, much like merchants, indentured for an average of six years. Those who went on to become full burgesses of craft (about half) normally took two more years to do so.³⁹ As Mack Walker has said of craft apprentices in German home towns, 'the stranger upon whom these conditions were imposed was a stranger no more by the time he had fulfilled them... Familiarity and community acceptance was the real purpose of it all.'⁴⁰

So far as Alexander Skene was concerned, however, no amount of training and conditioning could turn an extranian into a model citizen to compare with the best of the burgh's own progeny. Writing in 1685, he may well have been alarmed at the rising proportion of outsiders entering the guild and crafts. Having warned that 'it hath been the ruin of Burgers Children that they followed not their Fathers Trade', he went on to explain that

it is without all doubt, that when Inhabitants are born and bred in the Town, and it may be, descended of several Generations of Ancient Citizens, they will not onely be more ready to lay out their pains and labour for the Credit and good of the Town, but will more readily spend and be spent, yea, lay down their lives if called thereto, then probably can be expected from New-incomers, who cannot have that natural love, and respect to the place which others cannot but have.⁴¹

It stood to reason that established burgesses of guild and craft would tend to be wary of outsiders seeking to join their privileged ranks. In a hostile and unpredictable world the essence of corporate life had always been mutual support and interdependence. Invisible chains of kinship, friendship, fraternity, and perhaps

above all credit bound the members one to another, and the rash introduction of even a single weak link could jeopardise the livelihoods of all concerned.⁴² Aberdeen's overseas merchants, in particular, depended upon a succession of fluid short-term partnerships, banding together to charter a vessel, pooling their capital, sharing their contacts and expertise, and spreading the risk.⁴³ The *Aberdeen Customs Books* for 1690-91 reveal that it was not uncommon for ten or more merchants to own shares in a single cargo: in July 1691 no less than 34 guild merchants came forward to pay the customs and excise on a cargo from Danzig.⁴⁴ A spectacular failure, such as the loss of a ship, could have far-reaching repercussions. When two ships were confiscated by the English in 1652 the magistrates complained that 'the greatest part of the toune' was affected, and 'they haveing turnit *non solvendo* will mak the rest bankrupt.'⁴⁵

One consequence of the inherent risks involved in trade, particularly of the potentially lucrative overseas variety, was to drive those who could afford it to place some of their wealth in more secure investments, notably land. Money-lending was another option, but here again personal contacts were all-important, and much depended upon the welfare and honesty of others. The sense of mutual dependence and vulnerability which permeated all aspects of the early modern economy may have served to draw communities and corporations together, but it could also manifest itself in a hearty mistrust, and at times mistreatment, of outsiders.⁴⁶ In January 1677 George Mathieson was admitted to the merchant guild.⁴⁷ We do not know where he was from, but as an extranian burghess his

composition fee was set at the *de facto* maximum of 200 merks.⁴⁸ John Cruikshank, a merchant of no great account, was allowed to stand as cautioner for the sum. No sooner had Mathieson joined the guild, however, than disaster befell him. 'Since that time', he explained to the council in February 1678, 'any small stock he hade wes stollin and takein from him wherby he wes rendered uncapable not onlie to pay the said composition and undergoe the (fiscal) duetie of ane burger but also to doe any thing for his owne maintenance'.⁴⁹ As if that was not enough, at the instigation of the dean of guild he had been languishing in prison for seven wintery weeks for non-payment of his composition fee.

Mathieson had run afoul of the final and perhaps one of the most formidable barriers confronting outsiders approaching the guild, for the dean of guild was personally liable for all monies, including composition fees, owing to the corporation.⁵⁰ While this may have had a certain unofficial moderating effect upon composition fees, thereby lessening the dean's potential liability, it must also have made officials think long and hard before agreeing to admit those with less than air-tight credentials. And, as in Mathieson's case, it encouraged them to take ruthless measures to secure what was in effect their investment. Cruikshank was 'ane meine man' with a family of his own to support, and appears to have been allowed to renege on his guarantee to an outsider with impunity. The hapless Mathieson declared that he was 'lyke to die in ane flux', and craved release from prison that 'he might not die in the same but if possible may obtaine cure of the forsaid maladie'.⁵¹ The council grudgingly agreed to his release, but only on condition that he pay

50 merks and renounce all claims to burghship. The dean of guild who had admitted him the previous year was assured that the council would see to it that he was not a loser in the affair. What became of Mathieson, or whether he remained in the burgh, we cannot say.

The maintenance of regulations prejudicial to outsiders, the expressions of a civic pride tainted by xenophobia, the steely lack of compassion for those outsiders who, having been given a chance, failed to make the grade - these were all manifestations of a certain 'laager mentality', born of insecurity, common wherever guilds and crafts continued to flourish.⁵² They suggest the ongoing, unifying sense of inclusiveness which the corporations inspired in their members, for the more closely they identified with each other the easier it was to disregard the needs and aspirations of outsiders.⁵³ Above all, they provide evidence of just how important Aberdeen's private corporations still were in the lives of the townsfolk, and just how seriously they were still taken. The merchant guild and the incorporated crafts were the main pillars upon which Aberdeen's essentially four-tiered social structure rested: a structure which, as we have seen, remained fundamentally sound into the third quarter of the seventeenth century. An individual's social, economic, and political horizons continued to depend to a very considerable extent upon access to statutory privileges which remained in the more or less exclusive gift of these key corporations. In 1669 as much as in 1469, a man could not expect to partake fully of civic life unless he belonged to a craft or guild.

V The Craft Corporations

As we have seen there were other, mainly occupationally-based associations and fellowships in the burgh: the society of advocates was the most prestigious of these, but there was also the shipmasters society, the litsters craft, the barbers, surgeons, and periwigmakers, and at least one association of unfree labourers, the 'pynors' or shore-porters who banded together in 1666 to establish a poor box into which those in employment would each contribute a 'weeklie pennie' to be set aside for that rainy day 'when they should become auld and not able to work'.¹ The freemasons, who also managed a poor relief system for their members, represented both an ancient trade craft and a newer form of fellowship or club of the sort which developed all over Britain in the second half of the seventeenth century.² Kennedy refers to the 'Narrow Wynd Society', of which nothing is known except that it was a charitable or 'friendly society' said to have been started about 1660.³

The records for these organizations are generally scant, where they exist at all, but it is clear that most were set up along lines similar to those of the incorporated guild and crafts.⁴ Their first priority was to provide, so far as they were able, a measure of charitable support for 'decayed brethren', their families, and next of kin. Some groups managed to provide a range of support and facilities to rival if not exceed those of the dominant corporations: the litsters even maintained their own hospital.⁵ Most were also concerned to organize, regulate, and protect the economic affairs of the membership, concentrating their efforts as

always upon beating down any threat from outside competitors. What they could not do, however, was to bestow upon their members the political legitimacy which membership in an incorporated guild or craft alone provided. Thus we find members of the more prosperous of Aberdeen's unenfranchised corporations taking out individual memberships in the guild and craft establishments: lawyers and shipmasters bought into the merchant guild, while litsters and male medical practitioners acquired craft burgess status. The fact that such men, despite having gained the freedom of the town, were still not eligible to hold civic office only confirms that burgess status in Aberdeen continued to convey a certain social *cache* and, more pragmatically, a degree of access to city leaders which those with a vested interest in public affairs could not afford to do without.⁶

The records of the merchant guild and the incorporated trades provide an embarrassment of riches. The activities of the guild, so closely bound up with those of the town council, form the subject of the next chapter. As for the incorporated crafts, an excellent volume of selected extracts culled from the statute books of all seven trades was published by Ebenezer Bain in 1887.⁷ Subsequent scholars have however been denied access to the apparently voluminous craft archives, though there have been rumours of late that the embargo may soon be lifted. Judging from Bain's selection the full records will warrant an intensive investigation. For our current purposes, however, a brief examination of the material available in print can provide some indication of the role played by the crafts in the lives of their members and in the life of the wider urban community.

Table 3.4

Craft Burgess Entrants:
By Corporation
1640 - 1669

Corporation	Total Entrants 1640-1669	% of All Craft Entrants	Projection For 1669
Weavers	81	25.4	64
Hammermen	49	15.4	39
Tailors	47	14.7	37
Cordiners	43	13.5	34
Coopers & Wrights	38	11.9	30
Baxters	16	5.0	12
Fleshers	16	5.0	12
Others	29	9.1	22
Total	319	--	250

Source: *Burgess Register*, A.M. Munro, ed.

In Table 3.4 an attempt has been made to estimate the size of the seven incorporated crafts in 1669, based upon known figures for craft enrollment derived from the *Burgess Register* and upon our own earlier projection of a total craft burgess population for that year of about 250.⁸ Though it was to diminish in size considerably by the end of the century, the weavers trade was still far and away the largest of the crafts in 1669, with a membership more than five times that of the two smallest crafts, the baxters and fleshers.⁹ Even so, it is well to remember that merchants outnumbered weavers by a similar factor: unlike the larger and more heterogeneous guild, however, none of the crafts were so large that one would not expect to be on familiar terms with all of one's peers in the corporation. Most crafts, in fact, appear to have been closely knit, somewhat

collegial organizations, eliciting a degree of interest and involvement on the part of the membership that went far beyond the immediate commercial concerns which first brought them together.

The 'active' constituency of each trade was held to consist not only of the freemen of the craft, but also of the unfree apprentices and servants employed by them, while the wives, widows, and children of the freemen made up the 'passive' ranks of the craft. The crafts were each governed by an annually elected council consisting of the craft deacon, a 'boxmaster' whose job it was to oversee the collection, management, and distribution of poor relief funds, and up to six masters.¹⁰ The deacon was a powerful figure, expected to fulfill a range of ceremonial, administrative, and political duties: leading the craft into church and in all civic processions, adjudicating in all internal disputes and breaches of discipline brought before the craft, representing the craft at town council elections and in any business brought before the magistrates, conferring with other deacons as a member of the convener court, and perhaps himself serving as deacon convener or craft councillor.

A popular and successful craftsman could expect to serve at least one term as deacon of his craft: over the last forty years of the seventeenth century 23 different men were elected deacon of the tailors trade.¹¹ With the other craft officials also elected annually, it is likely that virtually every burgess of craft was at some point appointed to the governing body of his trade. And as we shall see, once having held a responsible position within the craft there was every chance that a burgess would go on to hold public

office as a constable of the justice court, a deacon or elder of the kirk, or even as a member of the town council.¹²

Although they enjoyed considerable autonomy over their own affairs, the crafts maintained close (if not always friendly) relations one with another, united in no small measure by a variety of institutional links. Any controversies arising between the trades, for example, were to be dealt with by the deacon convener and his court of senior officials drawn from each craft: severe censure and heavy fines awaited any craftsmen who appealed directly to the magistrates over the heads of the craft authorities.¹³ Religion was a more positive force which continued to bind the craft community together. A century after the Reformation, the craft corporations strove to retain a distinct, collective religious character, the precise nature of which is a topic deserving of further attention.¹⁴ Since 1633 the refurbished Trinity Chapel had served as both an assembly hall and a place of worship for the craftsmen.¹⁵ Although they attended the burgh kirk on Sundays the trades made repeated efforts to hire a catechist and reader to conduct weekday services in the chapel, and in 1688 sought to hire their own chaplain.¹⁶ Next door to the chapel stood the trades hospital, a neo-monastic hospice for elderly craft burgesses run jointly by the seven incorporated trades.¹⁷ Several bursaries intended to maintain the sons of tradesmen at college were also administered jointly, and contacts with the church and the university were further encouraged by the practice of inviting the professor of divinity at Marischal College to be craft patron.¹⁸

In addition to these formal links, the corporations shared, alongside a common set of fundamental interests relating to economic matters, poor relief, and civic government, a marked similarity in terms of their organizational structures and bye-laws. The records of one particularly well-documented craft, then, can be taken to be fairly representative of all the others. The baxters trade was small in size, of average wealth in 1669, and distinctly feisty in character.¹⁹ Baxters enjoyed much less economic security than most other occupational groups in the burgh, for their livelihood was directly tied to the volatile grain market: they were always among the first to feel the pinch when crops failed and prices rose. This enhanced vulnerability may have contributed to an unusually strong corporate spirit, manifest most spectacularly in the wake of a sudden subsistence crisis in the wet summer of 1659.²⁰ Eight baxter burgesses were convicted by the magistrates of having usurped council authority by unilaterally decreasing the size of a standard loaf of bread. This alleged act of defiance was followed by another, for none of the men were willing to offer the abject apology the council demanded, as a consequence of which they were severely rebuked, fined, imprisoned, and deprived of the freedom of the town.²¹ With a majority of the craft thus incapacitated, cooler heads began to prevail, and a compromise both sides could live with was eventually reached, though not before an extraordinary scene took place in the council chamber when the magistrates and councillors themselves were called upon to assist the town sergeants in subduing the unruly baxters, who 'did with violence resist till

such tyme that they wer laid hands on and takin one by one and comittit to prisone.²² These, then, were the baxters.

Two overriding concerns emerge from Ebenezer Bain's selection of baxter bye-laws, and these were common to all the trades. The first centred on the problem of unruly and disobedient apprentices and servants. The craft was an integral part of the great chain of authority and discipline which, anchored in the household, wound its way throughout the community.²³ Indeed, given the often unstable and inherently transitory structure of the household and the nuclear family, one could argue that for many young men, particularly perhaps those from outside the town, the more permanent, enduring structure of the craft fellowship exerted a more powerful formative influence.²⁴ It was certainly the case that individual freemen and the craft as a whole were considered responsible *in loco parentis* for the moral and spiritual as well as the physical and professional welfare of the adolescents and young adults in their charge.²⁵

Both the number of statutes relating to the behaviour of the craft's junior members and the frequency with which they were reissued attest to the ongoing nature of the problem, as each new generation chafed at the efforts to make them conform to adult expectations. One obvious strategy recommended to all burgesses was to keep the youths in their employ busy and under as constant a state of supervision and surveillance as possible. In 1663 the baxters ordained that no apprentice or servant was to be absent from his master's service for more than one hour without leave.²⁶ Neither were they to be found outside their masters' home past nine o'clock at night.²⁷ Even when work was set aside for the Sabbath,

master's were expected to remain vigilant, guarding against 'drinking and debauching' on the eve of the Sabbath, and indeed 'drinking in tyme of divine service': there were to be no excuses, 'health of bodie' excepting, for failing to accompany the master and his family to both morning and afternoon services in the kirk.²⁸ Even after church apprentices and servants were not to stray 'heir and there be playing at lynks, kyillies, bou'lls, and other unlawful games, so that they neglect their dewtie towards God and their masters.'²⁹ At no time was the apprentice to carry any weapon other than 'ane big knyff for eating of his meat', preferably one 'laiking a poynt'.³⁰ Not surprisingly, those found to have stolen from or otherwise harmed ('skaithed') their masters were to be expelled from the trade.³¹ Most seriously of all, the craft was determined to do all in its power to encourage its junior members to remain chaste: 'it sall not be leasom to no prentiss within his prentisship to marie nor spouse hym to ane wyff, nayther to commit fornication nor adulterie within their prentisship, and wha contravenis hereintill to begin of new again and serve over the whole years contained in his indenture.'³²

It is important to note that none of these injunctions or restrictions were peculiar to the craft corporations: the records of the kirk session and justice of the peace court make plain the fact that no inhabitant could confidently expect to break the Sabbath, to steal, or to fornicate with impunity.³³ Each set of craft statutes, however, reinforces the impression that the incorporated trades, individually and collectively, formed communities within a

community. In matters of discipline as in poor relief, they looked after their own.³⁴

The youth of the craft posed by no means the only threat to the commercial and moral fibre of the corporate community. If the craft fellowship was indeed a social as well as an economic institution, 'it was so only because of the bonds of mutual economic interest.'³⁵ The second main area of concern revealed in the craft statutes, then, related to unfair competition. The root of the baxters' problem lay not in the activities of the unfree journeymen known to have worked in and around the town, though these were of course condemned, but in a variety of practices adopted by the more aggressive craft brethren themselves.³⁶ Injunctions were repeatedly issued, for example, against those who broke rank with the craft and bought wheat directly from merchants or other suppliers instead of participating in collective purchasing at an agreed price under the auspices of the deacon.³⁷

At the heart of many of the trade's statutes was a fundamental belief on the part of the civic and craft establishment that theirs was a closed economy in which one burgess could only increase his business at the expense of all the others.³⁸ Thus, there were strict penalties for those who attempted to undercut their colleagues by selling baked goods at below an established price or weight.³⁹ An excess of entrepreneurial zeal was likewise frowned upon: in 1665 Alexander Innes, by the unanimous consent of his peers, was ordered not to 'goe through the streets crying with pyes'.⁴⁰ Not only was it improper to lure customers away from a colleague, it was against craft regulations to take on a new

customer without first checking to see that they had cleared their account with their previous baxter.⁴¹ Given these attitudes and restrictions, it is hardly surprising that members of the craft were prohibited, by an act of 1685, from owning more than one shop or selling from more than one location.⁴² Finally, so as to limit both current production and future competition baxters were prohibited from taking on more than one apprentice.⁴³

During the whole of the second half of the seventeenth century Aberdeen's incorporated trades continued to function much as they had always done. The fortunes and memberships of some crafts waxed and waned, but the overall number of craft burgesses, and with it the overall size of the town's victualling and manufacturing sector, appears to have remained surprisingly stable over most of a century of repeated demographic, social, political, and economic upheaval. The same could not be said of the merchant guild, nor indeed of urban society as a whole. Over the course of the past two chapters much of our analysis of Aberdeen's social structure has focussed upon the year 1669. A unique confluence of documentary material makes this by far the best-recorded year in the town's early modern history, and has made it possible to piece together a statistical 'snap-shot' which, given the quality of the evidence, will hopefully have provided a more complete and accurate image of the social structure of an early modern Scottish burgh than has hitherto been presented. Apart from falling pleasingly close to the mid-point of the period 1650-1700, the year 1669 has the added advantage of enabling us to examine the structures of burgh society on the eve of what was to prove a period of long-term, fundamental change,

announced if not altogether initiated by the 1672 *Act Anent Trade of Burghs*.

I The Unfree

1. Some sort of division along the lines of poor, middling, and rich is usually adopted, with the migrant population, also referred to as 'temporary' or 'floating', sometimes included among 'the poor', and sometimes, as here, accorded a tier of its own. See for example Paul M. Hohenberg and Lynn Hollen Lees, *The Making of Urban Europe: 1000-1950*, p.45; Peter Clark and Paul Slack, *English Towns in Transition: 1500-1700* (Oxford: 1976), p.112.
2. For the most recent and fullest expression of this view see Michael Lynch, 'Continuity and Change In Urban Society, 1500-1700', in Houston and Whyte, *Scottish Society, passim*.
3. The nature and origin of Aberdeen's privileges were set out in great detail in Charles I's charter of 1638, in force for most of the period under review. See P.J. Anderson, ed., *Charters and Other Writs Illustrating the History of the Royal Burgh of Aberdeen* (Aberdeen: 1890), p.155-198.
4. Ian Whyte, 'Population Mobility in Early Modern Scotland', in Houston and Whyte, *Scottish Society*, p.45-46.
5. After 1657 this was one of the responsibilities of the constables of the justice of the peace court. See Chapter 6, Part II.
6. An unpublished *Council Letter*, vol. vii, no. 243, @ April 1699, entitled 'Overtures for the Poor', recommends that 'all persons not 7 years residenters be removed', and that 'all the poor that receive monthly pensions be conforme to the act of Councill (7 years residenters)'. The letter was written during a time of famine, but these rules were meant to be in effect throughout the period.
7. The terms 'betterment' and 'subsistence' migrants were first used by Peter Clark in 'The Migrant in Kentish Towns 1580-1640', in Clark and Slack, eds., *Crisis and Order*, p.134, 138. See also Whyte, 'Population Mobility', *op. cit.*, p.43.
8. The preponderance of women migrants, however, may not have exceeded the usual imbalance in the sex ratio of early modern society. See Rab Houston, 'Geographic Mobility in Scotland, 1652-1811', *Journal of Historical Geography*, 1985, p.383.
9. Ian and Kathleen Whyte have suggested that in Scotland's larger town's roughly half of the women between the ages of 15 and 24 are likely to have been migrants from the countryside. 'The Geographical Mobility of Women in Early Modern Scotland', in Leneman, ed., *Perspectives in Scottish Social History*, p.97. One study of migration to early modern English towns found that as many as one-half to two-thirds of the inhabitants of towns were migrants. David Souden, 'Migrants and the Population Structure of Later Seventeenth-Century Provincial Cities and Market Towns', in Peter Clark, ed., *The Transformation of English Provincial Towns*, p.139.
10. See Chapter 1, Part IV, and Chapter 4, and Chapter 5 for discussions of the town's response to subsistence migration in times of crisis.
11. *Justice Court Book*, i, ff. 45 (1 February 1660). See Houston, 'Women in the Economy and Society of Scotland', p.132-133.

12. Council Register liv, p.624 (6 September 1665). Printed in Bain, p.271-2.
13. T.C. Smout, *A History of the Scottish People*, p.148. See also p.163.
14. This phrase is also taken from Smout, *ibid*.
15. Scottish legal theory was not entirely clear on the point, but it does seem that the royal burgh was in fact commonly held to consist of the entire community of established residents, and not just of the free burgesses of the town. In Aberdeen successive royal charters, culminating in that of 1638, were addressed to 'the said provost, baillies, councillors, burgesses and community of our said burgh'. Anderson, *op. cit.*, p.155. For an interesting if dense and sometimes obscure discussion of this topic see R.L.C. Hunter, 'Corporate Personality and the Scottish Burgh: An Historical Note', in G.W.S. Barrow, ed., *The Scottish Tradition: Essays in Honour of R.G. Cant* (Edinburgh: 1974), p.239. Such imprecision as pertained in Scotland was virtually unknown in German towns, where the *Bürgerrecht*, or citizenship, was normally extended automatically, upon application, to nearly all adult male permanent residents. See Walker, p.138-9; Friedrichs, *Nördlingen*, p.38-45; Friedrichs, 'Capitalism, Mobility, and Class Formation in the Early Modern German City', *Past and Present*, no.69, 1975; Soliday, *A Community in Conflict*, p.40-53.
16. On poor relief see Chapters 4, 5 and 6. As always there was a price to be paid for these privileges, and as we saw in Chapter 2 those among the unfree who could afford to were expected to pay taxes. When in 1666 Thomas Collinson sought exemption from the stent on the grounds that he was a 'meer residenter and not a member of the (civic) Incorporatione actualle', the council acceded to his request only after impressing upon him the fact that neither he nor his children would be allowed to claim 'burger rights' at a later date. *Council Register*, liv, p.721 (28 November 1666).
17. See below, Part IV, n.25.
18. See for example Mackenzie, *The Scottish Burghs*, p.115-132. Lynch has gone so far as to say that 'The alleged wholesale friction between merchants and craftsmen in the Scottish burghs in the early modern period is largely a fallacy.' 'Whatever Happened to the Medieval Burgh?', p.14. For a summary of the disputes in Aberdeen see MacNiven, *Thesis*, p. 123-125. Allan White has highlighted the religious underpinnings of craft unrest in 'The Impact of the Reformation on a Burgh Community: The Case of Aberdeen' in Lynch, ed. *The Early Modern Town in Scotland*, p.97.
19. Lynch has pointed out that the free-unfree distinction was essentially that of employer-employee. 'Whatever Happened', p.14.
20. See below, Part III.
21. See below, Part IV.
22. Apprentices and unfree journeymen affiliated with a craft were eligible for some measure of corporate assistance. In 1674 for example the deacon of the cordiners complained to the town council against 'journey men and unfriemen' of their calling

who refused to contribute two pennies Scots a week, 'ane inconsiderable thing' in the deacon's view, to sustain 'the poore of the trade wherof themselves frequentlie wes ane part'. *Council Register* lv, p.596 (26 August 1674).

23. See Chapters 5 and 6.
24. *Justice Court*, i, ff.92 (February 1666).
25. See for example Natalie Zemon Davis, 'Strikes and Salvation in Lyon', in her *Society and Culture in Early Modern France* (Stanford: 1975).
26. *Council Register*, liv, p.613 (19 July 1665).
27. *Council Extracts*, p.220 (5 July 1665). Earlier that year Aberdeen had been required to supply 14 seamen to serve in the war, but in March it was reported that rather than serve all able-bodied mariners had fled the town, which left the magistrates facing the prospect of paying a penalty of 500 merks for each deficiency. *Council Extracts*, p.215 (15 March 1665). See also Smout, *Scottish Trade on the Eve of Union*, p.64.

II The Free

1. See Part I, n.18. For a traditional view of urban affairs in Aberdeen see Alexander Clark, *The Town Council and The Merchant Guild: A Study in Local Government* (Aberdeen: 1938), Chapter V, 'The Guild Brethren Supreme', p.38-48.
2. See especially *Council Register* lv, p. 277 (4 January 1671), p.610 (7 October 1674) & p.612 (19 October 1674).
3. Note: in the following study no account has been taken of honorary burgesses, local and passing dignitaries whose favour the city fathers wished to curry.
4. Smout, 'The Glasgow Merchant Community in the Seventeenth Century', *Scottish Historical Review*, 47, 1968, p.61.
5. The need to care for their widows and orphans was cited as the main reason for the creation of the society of advocates. See John A. Henderson, ed., *History of the Society of Advocates in Aberdeen* (Aberdeen: 1862), p.52.
6. In Edinburgh professionals made up 6% of the burgess guild. See Joyce K. McMillan, *A Study of the Edinburgh Burgess Community and Its Economic Activities, 1600-1680* (Edinburgh Ph.D., 1984), p.18, 30. It is difficult to be sure of the precise figure in Aberdeen because some professionals were not identified as such in the *Burgess Register*.
7. See Table 3.4.
8. *Ibid.* See also Part V, n.9, Table 3.5.
9. The two craftsmen on the town council were chosen from amongst the deacons of the six main incorporated trades. See Chapter 4. On the position of the fleshers see Bain, *History of the Aberdeen Incorporated Trades*, p.314.
10. David Stevenson, *The First Freemasons: Scotland's Early Lodges and Their Members* (Aberdeen: 1988), p.124-25. We might note, however, that stonemasons were covered by the town's wage and price statutes.
11. *Ibid*, p.127.
12. The stent of 1669, analysed in some detail in Chapter 2, is to be found in the *MSS. Stent Roll Bundles*, Charter Room, Aberdeen Town House.
13. *Memorialls*, p.20.
14. For an example of the basic burgess oath see A.M. Munro's introduction to the 'Aberdeen Burgess Register, 1631-1700', Munro, ed., *New Spalding Club Miscellany. Vol. ii* (Aberdeen: 1908), p.366-7. Note that property and residence requirements were often added to a burgesses' responsibilities (e.g. *Council Register* lvi, p.468 (21 January 1680).
15. See Chapter 5.
16. Munro, *op. cit.*, p.367.
17. See *Charters and Writs*, p. 345-351. The Common Indenture is also printed in Kennedy, ii, p.449-456; and Bain, p. 331-336.
18. Kennedy, i, p.150.
19. See Lynch, 'Introduction', p.14.
20. The main concession, in return for handing over to the dean of guild a two-thirds share of the craft's composition fee, was to legalise their trade in some Scottish goods.
21. See Chapter 2, Part II.
22. *Charters and Writs*, p.349.

23. *Ibid.* p.347.
24. *Ibid.*
25. *Ibid.* p.349.
26. These were the goods listed as the most important in the burgh's economy by Gordon of Rothiemay, *Description of Both Townes*, p.19.
27. See Chapter 4.
28. *Charters and Writs*, p.347.
29. See Lynch, 'Whatever Happened to the Medieval Burgh', p.13; and Lynch, *Edinburgh and the Reformation*, p.50-51.
30. Lynch, 'Whatever Happened to the Medieval Burgh', p.13; and Lynch, *Edinburgh and the Reformation*, p.11.
31. Lynch, 'Whatever Happened to the Medieval Burgh', p.11; Walter Makey, 'Edinburgh in Mid-Seventeenth Century', in Lynch, ed., *The Early Modern Town in Scotland*, p.214.
32. Lynch, 'Introduction', p.10-11; Mary Verschuur, 'Merchants and Craftsmen in Sixteenth Century Perth', in Lynch, ed. *The Early Modern Town in Scotland*, *passim*.
33. Smout, 'The Glasgow Merchant Community', p.69.
34. Warden, *The Burgh Laws*, p.104-5.
35. *Charters and Writs*, p.345-7. A dispute arose in 1671 when the council found that some crafts were admitting entrants secretly and making them swear not to divulge the true value of their composition fee, so as to avoid turning over the full two-thirds owed the council. *Council Register* lv, p.277-280 (4 January 1670).
36. See Chapter 4.

III The Size of the Burgess Community

- 1 Two of the 253 merchants listed in the stent seem not to have been guild burgesses.
2. This roll was discovered in the *MSS. Election Leet Bundles*, Charter Room, Aberdeen Town House. Two similar rolls for 1658 and 1678 were also found. I would like to thank Miss Judith Cripps, the archivist, for bringing these records to my attention.
3. The *Aberdeen Customs Book* of 1668/9 lists 77 merchant burgesses. S.R.O. E72/1/1. The election leet of September 1668 contains 56 names. *MSS. Election Leet Bundle*, Charter Room, Aberdeen Town House.
4. Smout, 'The Glasgow Merchant Community', p.61.
5. Using the dates of merchant deaths provided by Edinburgh testimonials, McMillan found that the average merchant lived 21-23 years after joining the guild. Applying these figures to Aberdeen in 1669 suggests a merchant guild of between 315 and 345 merchants. Given that the first figure is demonstrably low, the second seems more plausible. *Thesis*, p.35-6.
6. The assumption is that once enrolled in a craft a man would remain in the burgh. As discussed in Chapter 2, this may no longer have been the case for some merchants after 1672. Michael Lynch has suggested that from the 1590's Aberdeen's leading overseas traders spent much of the year in Dundee and Edinburgh, though no evidence from the period 1650-1700 has been found to support this. See for example Lynch, 'Urban Society', p.92.
7. White, *Thesis*, p.9; MacNiven, *Thesis*, p.101-2; Lynch, 'The Social and Economic Structure of the Larger Towns, 1450-1600', p.274.
8. Lynch, 'Urban Society', p.92-93.
9. See Chapter 2, Part II.
10. See Chapter 5.
11. *Burgess Register*, p.462-467.
12. *Ibid.*, p.462.
13. One laird's son joined the guild in the 1650's and three in the next decade. Eight joined in the 1670's, and many more in the final two decades of the century, though many of these seem to have joined for purely political ends. These figures do not include the sons of merchant heritors.
14. McMillan, *Thesis*, p.36; Devine, 'The Merchant Class', p.94-95; Lynch, 'Urban Society', p.113.
15. Devine, *ibid.*, p.93-97.
16. Lynch, 'Urban Society', p.110-114.
17. Devine, 'The Merchant Class', p.95.
18. *Letters*, i, p.392-406; MacNiven, *Thesis*, p.101; Lynch, 'Introduction', p.11.
19. See for example Lynch, 'Social and Economic Structures', p.274-5.
20. See Table 2.1.
21. The figure for the number of households is based on estimates for a population of @8,000 and a mean household size of @4.3. See Chapter 2, Part III.
22. See Leneman and Mitchison, 'Girls In Trouble', p.486.
23. See Lynch, 'Whatever Happened', p.12-13.

24. Smout, 'The Glasgow Merchant Community', p.61.
25. Smout, 'The Development and Enterprise of Glasgow, 1556-1707', in *The Scottish Journal of Political Economy*, no.7, 1960, p.195.
26. McMillan estimates that the Edinburgh guild numbered 700-800 merchants in the period 1670-1700. *Thesis*, p.37.
27. Brown estimates that about 30% of Edinburgh's householders were freemen. *Thesis*, p.11. See also Lynch, 'Urban Society', p.113. For Glasgow we have pieced together a speculative calculation based on a population of about 12,000; an estimated 400 merchants; a ratio of craftsmen-to-merchants (in 1604) of 1.7:1; and approximately 2,800 households (using Aberdeen's household size of 4.3). The result is an estimated 1080 free households, or 39% of the projection for the total number of households. See Smout, 'The Glasgow Merchant Community', p.54-5, 61; Lynch, 'Introduction', p.13.
28. See Lynch, 'Social and Economic Structures', p.262.
29. See Lynch, *Edinburgh and the Reformation*, p.10.
30. Evans, *Seventeenth Century Norwich*, p.12-13; MacCaffrey, *Exeter: 1540-1640*, p.73.
31. D.M. Palliser, 'The Trade Gilds of Tudor York', in Clark and Slack, *Crisis and Order*, p.87; Phythian-Adams, 'Ceremony and the Citizen: The Communal Year at Coventry, 1450-1550', in Clark and Slack, *Crisis and Order*, p.58.
32. Valerie Pearl, 'Social Policy in Early Modern London', in Lloyd-Jones, Pearl, and Worden, eds., *History and Imagination*, p.117-8; Steve Rappaport, 'Social Structure and Mobility in Sixteenth-Century London: Part I', *London Journal*, no.9, 1983, p.110-114; Boulton, p.151.
33. Rappaport, p.110.

IV Becoming a Burgess

1. Friedrichs, *Nördlingen*, p.39-40.
2. Roughly 10% of taxpaying householders were women, mainly widows. See Chapter 2 and Appendix ii.
3. Servant women were identified with their masters and heads of households, as in 'Janet Kaird, servant to James Williamson'.
4. Booton, 'Economic and Social Change in Later Medieval Aberdeen', p. 55. A surname analysis can only highlight patrilineal succession, and will tend to mask matrilineal and other lines of familial continuity. See Devine, 'The Social Composition of the Business Class'; and Friedrichs, *Nördlingen*, p.184-5.
5. Devine, *Ibid*, p.168. See also Tom Donnelly, 'The Economic Activities of the Members of the Aberdeen Merchant Guild, 1750-1799', in *Scottish Economic and Social History*, i, 1981.
6. Gordon of Rothiemay, *Description* (Latin version, translated in *Macfarlane's Geographical Collections*, ii, Scottish History Society, Edinburgh: 1907) p.495.
7. Smout, 'The Glasgow Merchant Community', p.68.
8. See for example de Vries, p.179-187, and Peter Clark, 'Introduction' to Clark, ed., *Country Towns in Pre-Industrial England* (Leicester: 1981), p.3-4.
9. *Council Register*, liv, p.597-8 (26 April 1665).
10. In 1685 Aberdeen's Society of Advocates set its composition fee for outsiders at 500 merks. See Henderson, ed., *History of the Society of Advocates in Aberdeen*, p.53.
11. Smout, 'The Glasgow Merchant Community in the Seventeenth Century', p.58-60. For Edinburgh see McMillan, *Thesis*, p.38-40.
12. *MSS. Guildry Accounts*, ii, 1650-1680, Charter Room, Aberdeen Town House.
13. See *Burgess Register*, p.440 (23 September 1673; 13 May 1674) and *Guildry Accounts*, *Ibid*. Note that Bruce's composition was soon waived by the council, on the grounds that due to the local bakers 'deficiencie of backing good bread and of not having good flour', the magistrates had been 'necessitat to send for the said A.B. to Edinburgh'. *Council Register*, liv, p.567 (29 April 1674).
14. *Council Register*, liv, p.598 (26 April 1665).
15. Guild apprenticeships lasted from 4 to 8 years, (including sometimes a final years service as a journeyman), with the average between 5 and 6 years. See A.M. Munro, ed., 'Register of Indentures of the Burgh of Aberdeen', serialised in *Scottish Notes and Queries*, 1897-1898. For a sample contract of indenture see *S.N. & Q.* July 1898, p.25.
16. See Smout, *A History of the Scottish People*, p.148, for rises in the Edinburgh fees from 1550-1654.
17. See the 'No Indication/Other' column of Table 3.3, which includes those who purchased guild membership outright, as well as those who acquired it by some more exotic means, such as service to the town (as in time of pestilence or war) or a local magnate.
18. This is because the discounts available under these categories were not fixed, so that the fee assigned is no sure clue to the conditions of entry. Note that in Glasgow at this time

virtually the same proportion (30%) of entrants joined via marriage as paternity. Smout, 'The Glasgow Merchant Community', p.69. For the early eighteenth century Devine found marriage was always the second most common path to the guild after paternity. Devine, 'The Merchant Class of the Larger Scottish Towns', p.103.

19. See Table 3.3.
20. The great majority of these came from outside the town altogether. See discussion below.
21. MacNiven, *Thesis*, p.256, and MacNiven, 'Merchants and Traders in Early Seventeenth Century Aberdeen', in David Stevenson, ed., *From Lairds to Louns*, p.65; Booton, p.49. Note that Aberdeen's late seventeenth century levels appear more or less in line with those which pertained throughout the century in both Edinburgh and Glasgow, where entrants born outside the guild consistently outnumbered the sons of guildsmen - as one would expect in larger, more prosperous, growing cities. Smout, 'The Glasgow Merchant Community', p.69; Devine, 'The Merchant Class of the Larger Scottish Towns', p.100.
22. See Devine, *Ibid.*, p.95; Donnelly, p.27.
23. Devine, 'The Social Composition of the Business Class', p. 170-1.
24. Based on cross-referencing lists compiled from the *Burgess Register*, *Stent Roll* of 1669, and *Council Register*.
25. A celebrated example was George Davidson of Pettans and Newhills, who began his adult life as a 'chapman' based in the parish of Inch, about 25 miles north-west of the burgh. He seems never to have married, but having eschewed this short-cut he nevertheless managed to acquire sufficient capital to enable him to settle in Aberdeen, where, against all odds, he was enrolled in the merchant guild in 1626. By 1632 he was in a position to contribute no less than £333 towards a fund established to support a minister at Footdee - only the magistrates contributed more. This was the beginning of a remarkable series of charitable projects and bequests for which he is remembered to this day. The diarist John Row recorded that Davidson paid for a stone bridge at Bucksburn, 'for when he was a chapman he saw a man droun there, whereupon he vowed to build a bridge over that burn, if ever the Lord did enable him to do it.' He built a second bridge at Inch, a church at Newhills, and 'guarded foottie Kirk-yaird with a dyck of stone and lyme'. In recognition of his benefactions and his standing in the community he was four times elected to the town council as master of the guild hospital. When he died he left his estates in the parish of Belhelvie to the burgh that their income (£1,440 for the crop of 1663) might pay the stipend of one of the town's ministers. See A.M. Munro, ed., 'Diary of John Row, Principal of King's College', serialized in *Scottish Notes and Queries*, August 1893-May 1894. See October 1893, p.70. See also *Mortifications*, p.93, 113-4, 115, 141-3, 144-5; and Fenton Wyness, *Spots From The Leopard: Short Stories of Aberdeen and the North-east* (Aberdeen: 1971), p.83-5.
26. Skene, *Memorials*, p.112.
27. Devine, 'The Social Composition of the Business Class in the Larger Scottish Towns', p.170-1; Devine, 'The Merchant Class

- of the Larger Scottish Towns', p.103.
28. A.M. Munro, ed., 'Register of Indentures of the Burgh of Aberdeen', *Scottish Notes and Queries*, April 1897 - September 1898.
 29. Very few apprenticeships were recorded in the register after 1680. The system of formal apprenticeship is said to have broken down at about this time. See Lynch, 'Urban Society', p.86; Devine, 'Merchant Class', p.95-96.
 30. 75% of Aberdeen's apprentices came from within a 40 km. radius of the town. Whyte, 'Population Mobility in Early Modern Scotland', p.45-46.
 31. C.B. Boog Watson, ed., *Register of Edinburgh Apprentices, 1666-1700*, Scottish Records Society (Edinburgh: 1929); Munro, ed., *Register of Indentures*. These records, of course, only cover the migration of those coming to the town to learn a trade - there were others who arrived in Aberdeen, like the Edinburgh baker Bruce cited above (n.13), having trained and qualified elsewhere.
 32. The adjacent parishes were Banchory-Devenick, Newhills, Old Machar, and Peterculter.
 33. *Register of Indentures*. Dun was one of only a very few craftsmen to renounce their trade and join the guild.
 34. These hailed from Inverness, Montrose, and Edinburgh.
 35. See Whyte, 'Agriculture in Aberdeenshire', p.19.
 36. See Tyson, 'The Population of Aberdeenshire', p.124.
 37. Devine, 'Merchant Class', p.103.
 38. In Edinburgh between 1666 and 1700 7% of merchant apprentices were the sons of craftsmen. Devine, 'The Scottish Merchant Community, 1680-1740', p.29. Turning to fully qualified guild entrants, in Aberdeen the *Burgess Register* reveals that just under 8% were the sons of craftsmen. In Glasgow, where sons of craft burgesses were eligible for a discount should they qualify for the guild, the figure was 15%. Smout, 'The Glasgow Merchant Community', p.69. Aberdeen's craft offspring had no clear right to the same preferential treatment. This was something of an issue during the unground malt controversy of the 1670's.
 39. A minority of those enrolled as apprentices, then, went on to gain their freedom and set up as masters in their own right. Of the rest, an unknown proportion failed to complete their terms of indenture (in mid-sixteenth century London the figure was 41.1%. Boulton, p.103). Some did complete but could not raise the capital to start their own businesses and so remained journeymen in the employ of others. Some will have left the town, perhaps returning to their places of birth: some may have intended this all along, choosing to come to the city to learn skills to take back home. The 'failure' rate among apprentices enrolled in Edinburgh was even greater - less than one-quarter became burgesses. Lynch, 'Introduction', p.16. See also Palliser, 'The Trade Gilds of Tudor York', p.97-8.
 40. Walker, p.85.
 41. Skene, *Memorials*, p.174. See also the entire Chapter XXVII, 'Concerning Some Considerations Laid Before the Youth, in Every City or Corporation', p.165-176.
 42. See Devine, 'Social Composition of the Business Class', p.166;

- Donnelly, p.31 (Figure 1). These ties could extend well beyond the burgh itself: see Winifred Coutts, 'Provincial Merchants and Society: A Study of Dumfries Based on the Registers of Testaments 1600-1665', in Lynch, *The Early Modern Town in Scotland*, p.156-7; Brown, 'Merchant Princes and Mercantile Investment', *passim*; and MacNiven, *Thesis*, p.225-245.
43. MacNiven, *Ibid.*, p.241-245.
 44. *Aberdeen Customs Books*, S.R.O. E72/1/20.
 45. *Letters*, iii, p.204. See Chapter 1.
 46. Walker found that throughout Germany hometowns men regarded outsiders of all estates and degrees 'with only slightly varied proportions of resentment and contempt - two emotions that were as one in the hometowns man's breast'. Walker, p.113.
 47. *Burgess Register*, p.445.
 48. *Council Register*, lvi, p.303 (6 February 1678).
 49. *Ibid.*
 50. See for example *Council Register*, lv, p.540 (15 September 1664); and especially *Council Register*, lvii, p.526 (10 September 1696).
 51. *Council Register*, lvi, p.303 (6 February 1678). At least one instance of a slightly more lenient stance has come to light: in 1670 an outsider by the name of John Norie joined the merchant guild - and promptly died. Having married the daughter of a craft burgess (for which he was initially given no discount) the guild graciously agreed to accept only half of his 200 merk composition from his heirs and cautioners. *Burgess Register*, p.431.
 52. For particularly good analyses of craft organization and craft life elsewhere see Charles Phythian-Adams, *Desolation of a city: Coventry and the Urban Crisis of the Late Middle Ages* (Cambridge: 1979), p.99-107; Soliday, *A Community in Conflict*, p.140-156; Palliser, *op. cit.*, *passim*; and especially Walker, p.73-107.
 53. Walker, p.76, 105. See also W. Croft Dickinson, 'Burgh Life From Burgh Records', *Aberdeen University Review*, 1946, p.216.

V The Craft Corporation

1. *Council Register*, liv, p.681 (23 May 1666).
2. Stevenson, *The First Freemasons*, p.10, 131.
3. Kennedy, ii, p.175.
4. A selection of records relating to the shipmaster society is available in Alexander Clark, *A Short History of the Shipmaster Society or the Seaman's Box of Aberdeen* (Aberdeen: 1911). Records, mainly accounts, from the litsters craft have recently come to light in West Register House, E870/4/29. I wish to thank Mr. Peter Vaisey for bringing these records to my attention.
5. See Skene, *Succinct Survey*, p.25. Some of the hospital accounts are among the records at West Register House, *op. cit.*
6. Participation on the town council was restricted to 'actual traffiquers' within the merchant guild - in practice those with at least some involvement in trade - and to members of six of the seven incorporated trades. See above p.20-21.
7. Bain, *Merchant and Craft Guilds: A History of the Aberdeen Incorporated Trades*, *op. cit.*
8. See above, Part III.
9. Table 3.5

Craft Burgess Entrants By Corporation: 1640-69 & 1670-99

Corporation	1640 - 1669		1670 - 1699	
	Total Enrolled	% Of All Entrants	Total Enrolled	% Of All Entrants
Weavers	81	25.4	40	13.2
Hammermen	49	14.4	41	13.6
Tailors	47	14.7	49	16.2
Cordiners	43	13.5	37	12.2
Coopers & Wrights	38	11.9	49	16.2
Baxters	16	5.0	18	6.0
Fleshers	16	5.0	27	8.9
Others	29	9.1	41	13.6
Total	319		302	

Source: *Burgess Register*, A.M. Munro, ed.

Note that the fortunes of the weavers and other crafts can also be charted in Appendix III.

10. See for example Bain, p.120.
11. The names of the deacons of the six main incorporated trades were included in the election leets for each year.
12. See Chapters 4,5, and 6.
13. Bain, p.129, 141.
14. Lynch, *Edinburgh and the Reformation*, p.55; and Lynch, 'Social and Economic Structure', p.261-262.
15. Bain, p.159-161. The crafts were in fact prohibited from meeting anywhere other than Trinity Chapel. Bain, p.128.
16. *Ibid.*, p.159-60; *Extracts*, p.269 (6 July 1670) and p.272 (22 March 1671).
17. Bain, p.166-73. The Trinity Hospital was run along similar lines

- to St. Thomas', the guild hospital. See Chapter 4.
18. On the bursaries see Bain, p.162-65. Dr. William Guild was the most important post-Reformation benefactor and patron of the trades. See Bain p.143-51. John Menzies and Patrick Sibbald both served as patron of the crafts while they were ministers in the town and held the chair in divinity at Marischal.
 19. See Chapter 2 for the relative standing of the baxters in the town.
 20. *Council Register*, liv, p.67-8 (21 July 1659); and p.73 (28 July 1659).
 21. After 9 days in prison the baxters offered to meet most of the council's conditions, and to swear an oath to the effect that they would in future obey the magistrates, though only 'according to reason'. 'Which supplication the Counsell fand not sufficient'. *Council Register*, liv, p.76 (30 July 1659).
 22. The baxters were readmitted to the freedom of the town and, having paid stiff penalties, released after a total of 15 days incarceration. *Council Register*, liv, p.80 (5 August 1659). The courtroom battle is recorded in the *Council Register*, liv, p.68 (21 July 1659).
 23. Lynch, *Edinburgh and the Reformation*, p.55.
 24. See for example Phythian-Adams, *Desolation of a City*, p.98.
 25. See for example *Ibid.*, p.99-117.
 26. Bain, p.225.
 27. *Ibid.*, p.225. Masters themselves were not to go out past 10:00. p.221.
 28. *Ibid.*, p.218-9.
 29. *Ibid.*, p.219.
 30. *Ibid.*, p.219.
 31. *Ibid.*, p.223-4.
 32. *Ibid.*, p.219.
 33. See Chapters 5 and 6.
 34. Note that each of the offences outlined above elicited a fine payable into the craft poor box. On corporate poor relief see Chapter 4.
 35. Phythian-Adams, *Desolation of a City*, p.98.
 36. On unfree baxters see Chapter 2.
 37. Bain, p. 220-1, 224.
 38. See for example Palliser, *op. cit.*, p.98.
 39. Bain, p.224, 225, 226, 227.
 40. *Ibid.*, p.224.
 41. *Ibid.*, p.224-5.
 42. *Ibid.*, p.227.
 43. *Ibid.*, p.220.

CHAPTER FOUR

THE TOWN COUNCIL AND THE URBAN ELITE

THE TOWN COUNCIL AND THE URBAN ELITE

I The Council and Its Concerns

O Eternal and ever liveing God
 Whe hes created mankind to societie
 In the which thow that is the God
 of order and hates confusione
 hes appoyntit some to rule and governe
 and others to be governed ...¹

These telling words are taken from a prayer read out each year as the outgoing town council gathered to choose its successors. In six short lines we have society presented as an extension of God's creation, the existing social order accorded celestial sanction, and the council itself provided with little less than a divine mandate. Be that as it may, it would certainly be difficult to exaggerate the importance of the town council in the life of the burgh community. In addition to its own direct responsibilities, which were legion, the council served as the dominant partner in a coalition of civic institutions, presiding over a comprehensive network of authority and discipline. To begin with, the council was itself the *de facto* governing body of the merchant guild, far and away the largest and most powerful corporation in the burgh. As we saw in the last chapter it enjoyed a good deal of control over the incorporated and unincorporated crafts. Not only did it own the churches and oversee the election of the ministers, in addition senior members of the council were automatically enrolled as elders of the kirk session. And from its inception in 1657 the justice of the peace court was managed exclusively by the magistrates of the town council. The sheer breadth of the council's concerns, the very scale of its

involvement, is perhaps the most striking feature of the early modern burgh, where in the course of a single weekly meeting the nineteen men in the council chamber could be called upon to contend with the weightiest matters of church and state, with the pressing needs of the local community, and with the most trivial cases of misbehaviour.

The broad range of the council's business would have been familiar to past generations of office-holders, but there is little doubt that the burdens of civic office had grown steadily from the middle of the sixteenth century, driven primarily by the ever-increasing fiscal demands imposed by central government.² And in Aberdeen the years 1650 to 1700 witnessed what must surely have been the high-water mark of civic authoritarianism: more than ever before no transgression was too trivial, no act too private, no detail too intimate to concern the city fathers.³ These fundamental features of urban government were by no means unique to Aberdeen, and appeared in various guises in towns across Scotland and throughout England and Europe. To both the wonder and the despair of urban historians civic leaders everywhere presided over the most minute details of urban life: as has been said of Germany's urban magistrates, 'we should have to use a great many words to describe the things they did'.⁴ Nor was it uncommon for the responsibilities of local government to multiply and become more onerous in the face of fiscally expansionist nation states.⁵ And everywhere the zeal to reform manners waxed and waned.⁶

This is just to say that certain overarching themes and trends tended to recur in the early modern town. The distinctive qualities

which set each community apart were to be found amidst the idiosyncrasies of institutions which evolved to suit local conditions, among the composition and character of the ruling establishment, and in the specific details of life in a particular time and place. With the records of virtually every aspect of civic administration having survived in copious quantities Aberdeen would seem a good place to observe the workings of a Scottish burgh. Particularly so since the documentary evidence can be reinforced by the thoughtful testimony of a former magistrate of the town, Baillie Alexander Skene, whose little-known *Memorialls For the Government of the Royall-Burghs in Scotland* of 1685 provides a wealth of informed contemporary opinion on the subject.⁷

Everything centred on the town council. As we have seen it consisted of seventeen merchant burgesses and two craft deacons, all of them elected at Michaelmas for one-year terms of office. Major decisions were taken jointly and issued in the name of the council as a whole, but the day-to-day administration of the burgh was divided into a number of particular spheres of responsibility. In Aberdeen there were eleven designated office-holders, and eight ordinary councillors if we include the two craftsmen. In other royal burghs the size of the council, the proportions of merchants and craftsmen, and the number and precise duties of office-holders varied somewhat.⁸ All of the larger burghs, however, were dominated by what amounted to an inner council of seven men, 'the settled Office-bearers that are fixed and constant in every Royall-Burgh'.⁹ The most powerful of these were the five magistrates, the provost and four baillies responsible for the executive and judicial

functions of local government - described by the no-nonsense Skene as the power to command and the power to punish offenders.¹⁰ The leading administrative officials on council were the dean of guild who managed the affairs of the merchant guild and oversaw the conduct of trade in the burgh and throughout its commercial jurisdiction, and the treasurer charged with the increasingly difficult task of balancing the burgh's public accounts.¹¹

Beneath these senior members of council came a number of lesser officers entrusted with more circumscribed duties. There were four such positions in Aberdeen: the master of kirk and bridgework devoted most of his time to managing the upkeep of the fabric of St. Nicholas' church; the master of mortifications saw to the income and distribution of the various charitable trusts left to the town; the master of hospital presided over St. Thomas' hospital for decayed brethren of guild; and the master of impost organized both the collection of dues owed by merchants and mariners for the use of the town's harbour facilities and the never-ending repairs to the fragile shore works.

The town council was an extremely hierarchical institution. A strict order of precedence, corresponding to the order in which the various offices were described above, pertained not only within the current council but also with regard to the career structures of office-holders. The career profiles of over 200 council members reveal that having served as a baillie it was virtually unheard of for a man to 'regress' to the position of dean of guild, for a former dean to become treasurer, for a master of mortifications to be master of hospital, and so forth.¹² It was however common for

distinguished or powerful former office-holders to move 'sideways', playing an essentially advisory role on council by serving an occasional term as an ordinary councillor alongside up-and-coming younger men starting out in public life and those for whom a place on even the bottom rung of the council ladder was the pinnacle of their political career.¹³

It is worth reflecting upon the workload undertaken by Aberdeen's elected officials. The town retained only a small clerical staff to assist them in their endeavours.¹⁴ Chief among these was the town clerk, an overworked lawyer and notary who acted as secretary to the council and with his two deputies presided over the civic bureaucracy. An experienced clerk could wield enormous influence behind the scenes: as Skene pointed out 'some young men are made Magistrates that are little acquainted with many such like things incumbent to his Office, which an intelligent and discreet Clerk may be often very instrumental to help'.¹⁵ The town also retained the services of two or three advocates, normally young men from well-connected local families, one in Aberdeen and one or two in Edinburgh where they were to manage the bulk of the town's legal affairs and keep a general eye on developments in the capital.¹⁶

The main burden of responsibility in local government fell upon the magistrates, though there were of course compensations in terms of honour, prestige, patronage, and sometimes subsidized travel. Apart from their multiple duties within the burgh they were chiefly responsible for representing Aberdeen's interests in Edinburgh, London, or elsewhere.¹⁷ Not all magistrates welcomed the prospect of being called away from the burgh for weeks at a time, even if it

did provide an opportunity to mix with the movers and shakers of Scottish society. 'I am sorie that ye ar so wearied of me to send me heir to this' wrote Baillie Gilbert Molleson from Edinburgh in 1673, pointing out that 'going about such bussines wold have provne long lyff' to his colleague Alexander Alexander.¹⁸ In and outside the town magistrates were expected to embody the pride and dignity of the 'Braif Toun' and to cut suitably impressive figures at head courts, church services, funerals, and all other public gatherings: writing from Edinburgh in 1681 Provost George Skene enthused about 'a new seute of strypt liverie' he had ordered for the opening of parliament, adding that 'everie persone is lyk to be more splendid as others and I shall not be wanting'.¹⁹ His constituents would have expected no less. He was accompanied however by Baillie David Aedie, who despaired of ever actually achieving anything amidst the 'huffie inkish business' of parliament.²⁰

When not away from the town on council business a magistrate's weekly round of public duties might commence as early as 9 a.m. Monday morning with an eye-opening meeting of the justice of the peace court, which existed to make life difficult for 'uncleane persons, drunkards, cursers and swearers, and breakers of the sabbath'.²¹ The court was usually attended by one or two magistrates, who may well have reassembled in the afternoon to help mete out complementary forms of justice to similar classes of sinners called to appear before the kirk session. The town council itself normally met on Wednesday mornings, when members were expected to assemble before 8:15.²² Those who missed a meeting without good reason were liable to be fined: attendance usually

averaged about 75% over the course of the year.²³ Upon completion of the regular council business the magistrates and other councillors sat as the burgh court, also known as the court of regraters and forestallers, to hear criminal cases - mainly to do with assault, slander, and commercial misdeeds - arising within the burgh and freedom.²⁴ As the senior magistrate, most provosts tended to be somewhat detached figures on council, adopting a supervisory role, casting the deciding vote in the event of deadlock, and generally leaving the bulk of the day-to-day administration to the baillies.

The baillies were the real workhorses of the council, the 'hands as well as the heads' in Baillie Skene's view.²⁵ For certain administrative purposes, primarily to do with tax collection, social control, and poor relief, each baillie was assigned to a particular quarter of the town. More often, however, the burgh was treated as a single unit with baillies sharing equal responsibilities and dividing the workload to suit themselves.²⁶ One of them, working a monthly rotation, convened the baillie court one or two mornings a week to hear civil cases, the overwhelming majority of which related to the nonpayment of debts.²⁷ Another working a similar rotation was to be available each weekday morning between 10 a.m. and 12 noon to hear complaints, examine parties, and take the depositions of witnesses before deciding which if any of the civic courts should hear the case.²⁸ In the event of a capital offence such as murder, theft, witchcraft, or, most commonly, adultery coming to light the details would be passed on to the high court of justiciary for trial

either in Edinburgh or in Aberdeen at the next sitting of the northern circuit.²⁹

A conscientious magistrate can surely have had little time left over from his council duties to see to his own affairs, especially when it is remembered that much of his work on the public account must have taken place outside official meetings. The dean of guild's many responsibilities probably took up at least as much of his time.³⁰ Other office-holders may have borne somewhat lighter loads, but they had every reason to be diligent for the simple reason that they were personally liable for balancing the books at the end of the year.³¹ The treasurer, being responsible for the lion's share of civic revenues, was in a particularly exposed position, leading Skene to recommend that 'it is alwise expedient he be a person who can command ready money', though he was quick to add that 'I never knew any a loser in their debursments for the Town, unless it had been through their own neglect'.³²

As for the full range of responsibilities undertaken by the town council, the depth, breadth, and sheer wealth of material contained in the *Aberdeen Council Registers*, which survive in their entirety for the whole of the period 1650-1700, could easily sustain a book-length study. For our purposes, however, it is necessary only to touch upon certain key aspects of council business. With regard to authority and discipline what matters most is not so much what the council did (though that is interesting and important enough), but the simple fact that it did so very much.

Not surprisingly, the majority of the council's time was devoted to the internal affairs of the burgh. A significant proportion of the council minutes, however, and five large volumes of council correspondence, attest to the importance attached to external affairs, to its relations with outside authorities - with parliament and the crown, the privy council and the high courts, the convention of royal burghs and the shire, the bishop and synod, and innumerable individual magnates and lairds.³³ In order to begin to make sense of the often labyrinthine complexities of these relations one must appreciate that Aberdeen was a very small player indeed on the national stage, and seldom carried any great weight in the region or even within the convention of royal burghs. The conduct of its external affairs, therefore, was marked by an understandably cautious, defensive pragmatism. Like any local authority the town council was responsible to the crown for seeing that the laws of the land were upheld within its jurisdiction, and for meeting the various fiscal and military demands of the state.³⁴ For its part Aberdeen's two overriding concerns in its dealings with central government remained constant: to protect and if possible extend its commercial interests and privileges, while at the same time seeking to reduce its financial obligations to the state. These proved somewhat contradictory goals, to be pursued doggedly if not altogether successfully by generations of town councils. Only when stricken by a sudden brainstorm, as when Provost Robert Patrie allowed himself to be duped into signing a letter calculated to insult the king in 1674, would a representative of the burgh risk

acting on raw principle.³⁵ Not for Aberdonians the treacherous waters of conviction politics.³⁶

With regard to matters rooted inside the burgh, one of the most distinctive aspects of early modern civic government was the degree to which the town council exerted direct and indirect influence on the urban economy. To begin with, the council held overall responsibility for maintaining the transportation and marketing infrastructure of the town, managing public buildings and properties, and supervising key service industries. Throughout early modern Europe trade was hampered by the inadequacy of the available forms of transportation and communication, but even by the standards of the day the facilities in Aberdeen were poor, and they became worse rather than better over the second half of the seventeenth century. Clogged by silt, battered by storms and quite likely mismanaged, the harbour and shore works on which the maritime trade that was the life-blood of the community depended continued to deteriorate over the period, becoming a black hole down which successive councils sank money, materials, and many men's labour, all to little effect.³⁷ There were frequent complaints about the state of the paved or 'calsied' roads in and about the town, essential if people and beasts and goods were to move in all weather.³⁸ As for communication, reliable contact with the capital was a must for politicians and merchants alike, and in 1667 the first regular postal link with Edinburgh was established. Riders were despatched from Aberdeen on Tuesday and Thursday afternoons, and from Edinburgh on Wednesdays and Fridays. The journey was intended to take three days, with overnight stops in Montrose and

Dundee. The council set the price at two shillings for each sheet of a letter and five shillings for each ounce of a package. The venture proved so successful that the service was soon wrested from them by the Earl Marischal: by 1674 the council had lost even its own right to free deliveries.³⁹

Bread and ale formed the foundation of the Scottish diet in the seventeenth century, and there were eight publicly owned mills in and around Aberdeen at which the townsfolk were obliged to have their grain and malt ground. The council farmed the mills out to local merchants who in turn hired millers and mill-wrights to operate them. The costs of any major repairs were borne by the council. There were five conventional water mills, two tidal mills, and a windmill completed in 1680.⁴⁰ The latter represented one of the civic leadership's more heroic failures. Although expensive to build, it was expected to nearly double Aberdeen's milling capacity and was intended to demonstrate the magistrate's determination and ability to establish an unground malt market. The idea was that all outsiders hoping to sell their malt in the town would have to pay to have it ground in the town's mills. The heritors of the shire, many of whom had their own expensive mills to maintain, were understandably opposed to the idea, and eventually succeeded in having it blocked by the court of session.⁴¹ To add insult to injury, the town council ended up with a costly piece of machinery which was not only unnecessary but which tended to break down.⁴²

Another of the council's main objectives was to provide a reliable and reassuring environment in which to conduct trade. The price of such reassurance was high, however, and came in the form of

supervision, intervention, regulation, and added costs. A good deal of time and effort went into regulating and policing the daily fish and flesh markets and the weekly general market. The latter was held on Fridays at the Mercat Croce situated at the north-east end of the Castlegate and was the scene of a rich blend of commercial and social intercourse, much of it illicit, between town and country folk. The dean of guild was the council member most directly involved in commercial matters. He was to see that all weights and measures were checked and to ensure that all civic and parliamentary statutes relating to such matters as regrating and forstalling, the strict observance of market hours, and health and safety standards were adhered to, and to report any infringements to the magistrates. It was his task to ensure that the commercial privileges of burgesses were upheld - by, for example, preventing outsiders from selling their goods in the town or by seeing to it that they paid dearly for the right to do so.⁴³ He was also responsible for the pack and weighhouse at dockside, where all plaiding coming into the town was to be measured and folded ('packed') and all 'weightable goods' such as salmon, pork, raw wool, butter, cheese, or tallow entering the town by land or sea, for sale in the burgh or for re-export were to be checked, supposedly by skilled and impartial civic employees.⁴⁴

Managing the burgh finances was a particularly daunting task for the town councils of the latter half of the seventeenth century. The heavy fiscal demands made by the Commonwealth were quickly matched and exceeded by subsequent governments, even as Aberdeen struggled to cope with a wartime legacy of public and private

debt.⁴⁵ The royal burghs were expected to contribute one-sixth of any taxation granted the crown, and the amount assessed each burgh was set according to a fixed rate established by the convention of royal burghs. A good deal of politicing went into the setting of these rates, but over the long-term they probably provide a fairly valid representation of a burgh's economic performance and standing relative to other towns. Aberdeen was asked to contribute 8% of the convention's share of tax throughout the first half of the century; 6.67 in 1649; 7 in 1670; 6 in 1683; 6.05 in 1692; and 4.5 in 1697.⁴⁶

What made the task of overseeing the town's financial affairs that much more daunting was the fact that the council had the unenviable role of a middleman who bore ultimate responsibility for seeing that the town's obligations were met. It had little say in the amount of money that had to be raised, and then turned the business of collecting the money over to others.⁴⁷ Customs, excise, and various other revenues in the council's gift were farmed to local merchants, though if they failed to fulfill their contracts there was little the council could do but cover the losses itself. General taxations were organized by a head court of the burgesses of the town. In August 1669 the burgesses agreed to a stent of £8,000, of which £1,487 was to go towards the overdue fourth installment of a tax granted the king in 1665, £1,200 was to cover a shortfall in the excise revenues, and £5,300 was to go towards paying the interest on sums borrowed by the treasurer on the town's behalf from funds mortified to the guild hospital and other charitable causes in the town, as well as to cover the minister's stipends, the expenses incurred by the town's commissioners to parliament, and 'other

incident charges'. Twenty-four prominent citizens, most of them merchants and all of them past or present council members, were appointed as 'taxtars' to oversee the collection of the stent. Once collected, the sum was to be turned over to the treasurer.⁴⁸

As we saw in the last chapter, one of the more direct ways in which the town council, in concert with the guild and trades, intervened in the local economy was by restricting and effectively controlling access to merchant and craft burgess status, to the most important social, political, and commercial privileges in the burgh. An equally direct influence was exerted through the maintenance of some of the most comprehensive wage and price controls in Scotland. In pursuit of the ideal 'just price' which would assure buyers of a sound article at a rate they could bear while granting sellers an income sufficient to maintain them in their station in life, civic officials provided themselves with yet another plank with which to shore up the existing social and economic order of the town.⁴⁹ Early in each council year a committee of assessors, normally comprised of two or three baillies and a handful of other past and present council members and trade deacons, met with the dean of guild to review and occasionally adjust the burgh's wage and price statutes.⁵⁰ These established the parameters within which a large sector of the urban workforce earned their livings, applying as they did to the masters and employees of six of the seven incorporated trades - the taylor's being excepted - along with slaters, masons, and the great majority of the female workforce of servants, 'tapsters' (barmaids), and nurses. The data contained in these statutes has been used to establish an index of wages and prices

over the second half of the century, set out in Appendix II. This reveals that wages remained fairly steady over the period, prices somewhat less so.

Some of the most colourful insights into urban life derive from the council's involvement in establishing and enforcing, both at the market and throughout the burgh, a wide variety of public health and safety standards. Steps were taken to protect small children from the hazards of abandoned wells and galloping horses.⁵¹ A bulging wall spotted in a house near the Futtie port was declared 'exceeding dangerous' and the owner ordered to effect immediate repairs.⁵² Slaters were warned not to leave their ladders out at night, lest they be put to use by 'theevish persons'.⁵³ Day-old fish and 'blowin up and insufficient' meat offered for sale in the market was to be confiscated and given to the poor. Fleshers were not to slaughter beasts in the street as this was 'verie unseemlie to be seene'.⁵⁴ Merchants were not to keep more than two pounds of gunpowder on their premises, and none at all was to be kept in booths on crowded or narrow streets or anywhere near the town's magazine in the tolbooth. Neither was gunpowder to be sold after dark, least of all by candlelight.⁵⁵ Chamber pots were not to be emptied out windows facing onto the street, and all those who washed clothes, cleaned fish, or dumped noxious dye-stuffs into the loch were ordered to desist, since 'the water wherof the Inhabitants of the Toune made use of for making ther meat and brewing ther drink wes much putrefied pestit and spoiled to the great prejudice of the Inhabitants of the Toune and Indangering of ther health and lyves'.⁵⁶

These everyday hazards were as nothing, however, compared to the threats to the community posed by periodic visitations of pestilence, famine, and war. On these occasions it was up to the council to direct and coordinate a civic response: imposing a strict regimen of hygiene and quarantine in an effort to combat the plague; buying in stocks of grain to help sustain the starving; procuring volunteers for military service, organizing the civic defences, and arranging to cope with troops quartered in the town. Community action might also be called for in less dire circumstances: by the seventeenth century the loch on the edge of town was little better than a marsh, and when a nearby heritor complained that the silting process occasionally left water backed up on his land, the council ordered 'the haill fermerors in the toune who have horses for carrying of the sand' to convene to help clear a passage for the water.⁵⁷ In the summer of 1690 the magistrates called out 'the wholl Inhabitants of the towne to send out one of a family for ditching of the loch and the shoar'.⁵⁸

Being the seat of a university Aberdeen was widely known as a place of learning, and the town council could take some credit for this, particularly through its involvement in Marischal College.⁵⁹ Long regarded as the town's college, five to ten percent of council members appear to have been enrolled at Marischal in their youth, though by no means all of them graduated.⁶⁰ Those who had been to college tended to do well in civic politics: of fifteen council members known to have had some university education, no less than eleven became magistrates, seven of them provosts. It could be that their success reflected the advantages which even a fleeting taste

of higher education could impart, but as most of these men were born into the upper reaches of Aberdonian society it was more likely the case that a spell at university was simply a fairly standard feature of a well-born city lad's upbringing, reflecting rather than establishing his forthcoming place within the urban elite.

The college was notoriously underfunded, and over the course of the seventeenth century the burgh received nineteen mortifications on its behalf.⁶¹ Through these bequests the city fathers came to control appointments to both the chair in mathematics and the chair in divinity, as well as having a voice in the selection of the principal and the librarian.⁶² As the least important of these positions the latter was naturally the focus of the greatest controversy.⁶³ The council set aside the beautiful Greyfriars church for the use of the college, provided most of the other (mainly dilapidated) college buildings, contributed to the construction of an astronomical observatory in 1694, claimed part ownership of the library, and maintained 20-30 bursars at any given time - for whom it set a particularly sombre dress code.⁶⁴ And on occasion the council was called upon to intervene in outbreaks of violence which erupted between rival gangs of Marischal and King's students.⁶⁵

The council's interest in education by no means began and ended with Marischal College. It exercised direct control over at least four established schools in the town, maintaining buildings, hiring and firing staff, setting tuition, approving the curriculum and conducting periodic inspections.⁶⁶ The grammar school dated from at least the fifteenth century and existed primarily to prepare

academically inclined boys for college and a career in the church or the law.⁶⁷ The music school, another ancient foundation, had seen better days but for much of the period still managed to provide 'such order and decorum of song devotion in the church, as you will admire to hear'.⁶⁸ There was an English school to teach reading, writing, and arithmetic to young boys, while from the 1640's a separate school existed where girls were taught to read, write, sew, and pursue 'anie other airt, or Science, wherof they can be capable'.⁶⁹

In addition to these established schools the council also endeavoured to regulate the activities of a whole host of itinerant teachers and private schools.⁷⁰ Sometimes these supplied a service not provided for in the burgh system, as when Robert Watson was given permission in 1661 to teach not only basic literacy skills but also logarithms, algebra, and the 'true and perfite maner of keeping books of merchants accounts efter the Holland order as also the art and studie of navigatione'.⁷¹ In 1687 a Huguenot was brought in to establish a French school.⁷² The Quakers established schools of their own in the town, including a girls school set up in 1682, for which the schoolmistress was instructed 'to get a good stocking weaver against the next term and otherwayes to seek to accomplish herselfe In writing and arithmetick for benefite of friends children'.⁷³ Education in the burgh may have enjoyed a wide reputation, for in 1689 Andrew Russell, a merchant from Stirling who had become the Scottish factor at Rotterdam, sent his youngest daughter to Aberdeen to learn reading, writing, sewing, and music on the virginals and viola da gamba.⁷⁴ The city fathers were anxious

to uphold standards: in 1677 one John Smyth was given permission to teach 'young childer in of about sevin yeirs of age to spell and read allonerlie and no wayes to meddle with writing, he not haveing ane hand convenient for that effect'.⁷⁵ Whether Smyth's deficiency was calligraphic or anatomical, we cannot say.

Nor shall we ever know the precise proportion of Aberdonians exposed to some measure of formal education. An entry in the council minutes of 1674 suggests, however, that elementary instruction in basic literacy skills was widely available: Thomas Forbes, having been appointed master of the English school, complained that he could not make ends meet owing to the number of unlicensed schoolmasters competing for students. No less than fifteen teachers were named in the complaint, five men and ten women.⁷⁶ After some deliberation the council decided to close ten schools while allowing five to continue, 'in respect of the distance from severall parts of the toune to the said (English) school and of the inconveniencie and hazard young children might incure thereby especiallie in the winter tyme'.⁷⁷

That some degree of schooling was considered a normal and essential part of growing up, at least for the children of established residents, is suggested by an entry in the kirk session records of 1675, when the session threatened to reduce a poor woman's pension unless she sent her daughter to school.⁷⁸ A variety of civic, corporate, and church funds were set aside to pay for the education, sometimes through college, of capable children from disadvantaged backgrounds.⁷⁹ For older boys best suited to vocational rather than academic training support was available to

help establish them in a suitable apprenticeship.⁸⁰ In 1650 the town council even paid to send an apprentice 'aff the cuntrie to Holland for attening sum perfectiounes of wyveing of stuffis, broad-cloath, etc.'⁸¹ The evidence, therefore, would seem to support Skene's proud assertion that 'There wants no opportunities in this city for youth, both male and female, to learn any manner of good and commendable skill or knowledge in such things as may best qualifie them.'⁸²

With regard to poor relief, Skene advised that 'though there may be many Duties incumbent upon Magistrates and Town Councils, there is one Dutie (which is none of the least) that all are bound to consider, ... and that is a tender care over, and a cordiall Charity towards the Poor.'⁸³ In practice the Aberdeen council applied two distinct approaches to poor relief. In its capacity as the governing body of the merchant guild the council was directly responsible for administering the most extensive and substantial relief program in the burgh, albeit one reserved for the guild brethren and their kin. Its involvement in assisting the rest of the population in need was in most respects indirect and intermittent. Needy craftsmen and their dependents looked to their own corporations for assistance, while the unaffiliated unfree turned to the kirk or the justice court. Only when called upon to intervene in cases where craft officials were accused of neglecting or mismanaging resources intended for poor relief did the council involve itself in craft affairs.⁸⁴ And only when conditions in and around the town had come to such a pass that the charitable

resources of the kirk and the justice court proved insufficient did the council take direct action to sustain the unfree.

The merchant guild's relief programme was managed by two council members, the dean of guild and the master of hospital. The most common form of relief appears to have been direct financial assistance, either in the form of emergency payments for those in short-term need, or as pensions for the more chronically disadvantaged. Two-thirds of these funds came from the guild box, which drew much of its working capital from fifteen mortifications established between 1631 and 1692. Ranging in value from 50 to 2,500 merks, the sums mortified to the guild box totalled £6,254 by the end of the century.⁸⁵ This stock of capital was 'employed upon bank', loaned out to local merchants, lairds, and institutions at the fixed interest rate of six percent (five after 1691) *per annum*. The interest thus earned was meant to supply the necessary disbursements from the guild box, but in the late seventeenth century institutional and private investors alike found it increasingly difficult to recover their money from defaulting borrowers and cautioners, and the town council was no exception. In 1665 office-holders were warned to take greater care with the funds entrusted to them, since too often these had been 'misimprovin through out giveing thereof to certaine persones who did prove non solvent'.⁸⁶ Six years later the magistrates complained of long delays in their legal actions against defaulters: no sooner were debtors imprisoned in the tolbooth than swarms of private creditors would launch parallel claims.⁸⁷

Apart from its investments, the guild box derived an annual income from a variety of other sources: the composition fees of newly enrolled apprentices and burgesses, sums uplifted by the dean of guild from outsiders seeking permission to sell their goods in the town, at least some of the fines levied by the burgh court, and occasional donations from merchants safely returned from especially perilous or profitable voyages.⁸⁸ Some years the money in the box was more than sufficient to cover expenditures on relief, as in 1684/5 when of £510 available only £183 was paid out to ten merchants and widows.⁸⁹ All too often the demand for assistance outstripped the supply: in 1668/9 the £521 available in the fund covered only two-thirds of the £787 distributed to thirty-two recipients.⁹⁰ In such years the dean was expected to draw funds from elsewhere in the public accounts or meet the added costs out of his own pocket, hoping to be reimbursed by his successor.⁹¹

Among the burgh accounts, those of 1673/4 stand out for their clarity and richness of detail. It was an extremely difficult year, when winter storms drove 'great numbers' of landward beggars into the town and the burgh's own poor were said to be 'almost in a starving condition'.⁹² Elderly and disadvantaged members of the guild also felt the pinch, and an unusually large number of them required financial assistance. A total of £1,001 was paid out over the course of the year. Forty-five people received £738 from the guild box, while a further ten drew £264 out of the hospital accounts.⁹³ Most of the fourteen men receiving assistance would have been over fifty years of age: the last to have joined the guild had done so in 1654 and was therefore almost certainly in his early

forties at least. Twenty-five of the thirty-one women were widows. Men and women could expect roughly equal amounts of support. The largest sums went to eight pensioners who between them received just over £300 from the guild box. Leaving aside an annual £100 payment to wounded war hero Richard Alexander, pensions for both sexes averaged just over £22 *per annum*.⁹⁴ Payments to the forty-seven basically self-sufficient people in need of supplementary payments in order to make ends meet averaged just over £10, ranging from under £3 to £100, including a grant of £67 to one John Wilson, a 'decayit burgess'. The money failed to stop the rot, however, and before the year was out he was allotted a further and final payment of £7 for a winding sheet and coffin.⁹⁴

Within the guild, then, those most in need could expect to receive at least £20 a year, sometimes far more, in direct financial assistance, either as a regular pension or as a single payment 'for supplie'. By way of comparison, the neediest members of the wealthier trades could probably expect to receive about two-thirds as much money: the litsters, for example, offered pensions of £13-6-4.⁹⁵ As for the resident unfree poor, we shall examine the levels of relief offered by the kirk session and the justice court in subsequent chapters, but only a tiny minority of recipients would have received payments out of the various public purses totalling as much as £10 in a year. Any single payment of over £1 was likely to have been for a winding sheet: the common poor did not usually rate a coffin. Destitute outsiders could expect nothing at all from the civic authorities.

In addition to direct financial assistance the merchant guild also maintained two of the town's four hospitals, St. Thomas' for men and Lady Drum's for women. Very little is known of the latter, said in 1685 to have been established in a building 'lately purchased' for that effect.⁹⁷ The seven incorporated trades operated a separate establishment, and the litsters had a small hospital of their own open to both men and women.⁹⁸ Although catering to elderly residents who no doubt often required and received medical attention, the hospitals did not exist merely to care for the aged and the infirm. The most visible symbols of Christian charity in the burgh, they were in reality neo-monastic institutions established for the especial edification of a particular community of sponsors, intended to benefit those within and without the hospital walls. Places in the hospitals were strictly limited in number and awarded as much on merit as on need. Once admitted to the relative comfort and security of a hospital residents were expected to adhere to a rigorous and godly rule, their twilight years spent as Christian role-models. No such facilities existed for the common poor, unless we count the 'manufactorie' or correction house, a penitential establishment in which the indigent were meant to be put to work on the town's behalf.⁹⁹

St. Thomas' was normally home to six 'beddals' or 'bedemen', all of them honest and upstanding members of the guild fallen on hard times. A typical applicant was Alexander Ritchie, who was received into the hospital in 1672. He had come to the town as an outsider in the wake of the plague and joined the guild in 1648, at

about the age of 36, for the maximum composition fee of 450 merks. Since then he had fulfilled all the duties incumbent upon a burgess, and even claimed to have paid all his taxes. At the time of his application he was sixty years old and had been a widower for eighteen years.¹⁰⁰ He may not have been in particularly good health, as there is no mention of him in the accounts of 1673/4 - presumably he died in the interim. Upon entering the hospital Ritchie would have been required to sign over all of his worldly possessions, his 'goods geir and other moovable and imoovable' to the council for the use of the town.¹⁰¹ In return, he and the other beddals were provided with room and board, a pension of £10 a month - more than the least fortunate of the common poor could expect in a year - plus a further £10 for peat to heat his room and another £13-6-8 for 'linnings and other furnitour for their bodies'. They were forbidden to beg in the town 'unless they have necessarie and urgent neid', suggesting that the relatively generous pension might have proven insufficient for some.¹⁰²

The monastic heritage of the institution was made apparent in the rules and regulations reissued in the wake of an investigation into conditions in the hospital undertaken by the town council in 1659.¹⁰³ The first injunction set down by the magistrates left little room for doubt: residents were to acknowledge themselves 'separat from the world and all worldly Imployments and relations, and that they ar enterit in that house as they profes to betack themselves to Godlivership'. They were to 'keep themselves sober and haunt not to aill houses or tavernes', and needless to say there were to be no women allowed in the hospital, not even 'for dressing

ther meat or macking ther beds'.¹⁰⁴ When required to go out into the town to attend sermon they were to wear their distinctive russet coloured gowns.¹⁰⁵ Their days were to centre on private and communal prayer. 'They ar to be exhorted to spend the haill tyme therin in prayer, reading, mortification, conference, and other suchlyke christiane exercises suteable to ther professioun, both in privat and in publick together'. As if to remind them that they were indeed in a reformed institution they were warned to address themselves to God 'not in set forme but endeavouring to pray by spirit'. Perhaps most importantly, at least as far as the magistrates, ministers, and council were concerned, they were instructed to 'remember all ther Lawfull Superiors - The Magistrates ministers and council as also ther Liveing benefactors' in their daily prayers.¹⁰⁶

As important as it was for the council and guild to look after their own stricken members and their families, they faced a far more chronic problem in the form of the unfree poor, both resident and nonresident. By virtue of their positions on the kirk session and the justice court the magistrates and several other council members, past and present, were directly involved in the ongoing poor relief programmes maintained by those organizations. As stated above, however, the involvement of the council *per se* was less regular, restricted for the most part to times of dearth and upheaval. Between 1661 and 1665, for example, the burgh kirk continued in disarray, with only two ministers to serve the entire town.¹⁰⁷ The poor who depended upon the kirk session suffered through 'the smallnes of the collections at the kirk dores and the not yeirlie

celebration of the sacrament of the Lord's supper'.¹⁰⁸ In August 1664 the council stepped in and organized a special collection for the following Sunday which raised £375, roughly the amount the annual communion service usually generated.¹⁰⁹

Normally when the council intervened in the care of the common poor it was with one eye on the plight of the most destitute members of the community and the other firmly fixed on the maintenance of order. The magistrates were especially concerned that civic largess not attract undesirables from outside the town, and that the burgh's limited resources not find their way into undeserving or at least unentitled hands. Statutes were repeatedly issued against 'extranian beggars' receiving charity in the burgh, whether from official or unofficial sources: in 1673 the council warned warm-hearted but misguided citizens against 'appropriating particular days for publick destributione of almes', since such predictable beneficence only led to 'the inbringing to the toun of the hail Landward beggars who ought to be maintenit by ther owine parochines'.¹¹⁰ Over the following difficult winter the council was moved to order that lead tokens, 'with ABD and the yeir of god theron', be distributed to the resident deserving poor so as to distinguish them from the 'great numbers of begers in this burghe especiallie extranian begers from all parts of the Countrie about'.¹¹¹ In the dire circumstances of the 'ill years' of the 1690's the council imposed a compulsory poor rate, since too many burgess continued to 'refuse to pay ane reasonable weekly subsistance for the poor'. At the same time they redoubled their

efforts to keep 'poor begging children' and other dangerous desperados out of the town.¹¹²

A concern to maintain order lay at the heart of many of the town council's actions. In this as in the closely related sphere of poor relief the council normally acted in harmony with the kirk session and the justice of the peace court: just as the personnel of these three main branches of civic authority overlapped, so too did their objectives and activities dovetail. The proceedings of the session and the justice court form the subjects of the next two chapters. As for the council's direct part in the crusade against misbehaviour and disorder in all aspects of burgh life, this manifested itself in a number of ways. One of the most venerable of the council's roles was as arbiter in disputes between neighbours: the medieval concept of 'guid nichbourheid' was still current in the seventeenth century. As one well-spoken widow put it in 1667, 'ilk neighbour should keepe and observe the antient bounds and privileges and not to usurp any new privileges or Impose any servitude upon ther neighbors'.¹¹³

Many cases of this kind arose from the crowded housing conditions of the burgh. A number of these reveal a strong desire for privacy among early modern Aberdonians, understandable enough given the keen interest shown by the civic authorities in matters of personal conduct and private morality. The most common affront to privacy involved the construction of a window overlooking someone else's yard. In 1693, for example, Robert Gordon, son of an advocate and evidently well versed in the law himself, noted that 'by the municipal law of this burgh it is not permitted to nighbors

to open lights or strichout windows looking in to ther nighbors closs or yard without the consent of the nighboring heritor'. He went on to accuse the man next-door of having 'surreptitiously and clandestinly (quill the petitioner and his tennant wer absent in the Countrie) stollen out ane window looking in to the petitioners yard'. As was their practice in such cases council members duly inspected the properties in question before passing judgement - in this case ordering the offending window walled over.¹¹⁴

The great majority of disputes between neighbours resulted not in arbitration of this sort but in criminal proceedings before the burgh court, where punitive rather than restitutive justice tended to be the order of the day. Cases of assault, drunkenness, cursing, petty theft, defamation, and other forms of 'liveing turbulently' were regularly heard. Three belligerent cordiners, for example, one a burgess and the others journeymen, were convicted in the wake of a disturbance of October 1667. One of the journeymen had accosted the trade burgess at his home, 'bidding him come out for his hanging'. That remark cost him £3 payable to the dean of guild, 48 hours in the tolbooth, and upon his release he was to crave the pardon of a baillie. The burgess and the other journeymen had called each other 'knave and loune': the burgess was to crave pardon or face prison, the journeyman faced eight days in prison, six if he too craved the magistrate's pardon.¹¹⁵

As always the burgh authorities tailored the punishment to the criminal as much as the crime. Two servant girls convicted of having stolen some kail from a local market gardener were fined £3 and £1 respectively and sentenced to spend one hour in the 'jougs'

or stocks, 'with ane stock of kell about ilk ane of their necks'.¹¹⁶ In 1678 the council was called to intervene in a dispute between a master and his male servant. In the end the servant was fined £2 for calling the master's wife a whore, while the master was simply rebuked for his excessive 'rigiditie' towards his employee.¹¹⁷ A much more serious slander was uttered by a servant in Footdee who accused another woman of being a witch, a remark which cost her 10 merks, or two-thirds of the money she was likely to earn in a year.¹¹⁸

Many of the cases heard by the burgh court appear to have originated at the Friday market. Occasionally the court sat on a Friday, and it is easy to imagine wayward citizens being escorted straight into the tolbooth, perhaps into a chamber overlooking the market, for immediate sentencing. Along with the Sunday services the market was the largest regular gathering in the burgh, as well as the commercial and social highlight of the week. If this concentrated mingling of the masses threatened to spawn all manner of aberrant behaviour, it also provided the authorities with excellent opportunities for surveillance and policing. Two-thirds of burgh court business involved cases of assault and slander, and about one-quarter related to economic offences, to infringements of the commercial statutes erected to protect and preserve the carefully delineated commercial and manufacturing privileges upon which social and economic life in the town was founded. In 1667/8 26 of the 100 cases tried by the burgh court concerned economic offences. A merchant from Culross, for example, was fined 20 merks for trying to sell salt directly to the public without offering it

first to the dean of guild, as outsiders were bound to do. A Glaswegian merchant was made to pay the same amount for using incorrect stone weights in the burgh. Eight Aberdonian baxters were assessed fines ranging from £2 to £13-6-8 for selling underweight loaves, while five people accused of exporting out-of-season salmon were charged £2-10-0 per barrell. Another local man was charged £3 for carrying letters to and from Edinburgh in defiance of the town's newly established letter office.¹¹⁹

II Council Membership and the Urban Elite

Having described some of the uses to which the machinery of burgh government was put in Aberdeen, what can we say about the men who manned that machinery, who stoked the engines of authority and discipline? In particular, how open was the urban elite? Early modern urban government in England is commonly depicted as having revolved around an inbred clique of self-perpetuating oligarchs, 'small, closed councils with members sitting for life and able to co-opt one another'.¹ In the sixteenth century Aberdeen provided Scotland's most extreme example of just such a regime.² Positions on the town council were monopolized, sometimes for decades at a time, by members, friends, and relations of the powerful Menzies family. Should one of them die in office, another was put in his place, as if 'it war ane stait of inheritance'.³ One Menzies or another was provost of the burgh for all but six of the years from 1507 to 1590.⁴ As Allan White has shown, their tenure in office was dominated by a prolonged but ultimately successful struggle to 'redraw the boundary between town and country', to exclude powerful

nobles and lairds, most notably the Earls of Huntly, from exerting any unbidden influence over the internal affairs of the town.⁵ Even as they defended the burgh against the intrigues of landward interests, however, members of the civic elite were sinking their own money into the countryside - only to be accused themselves of bringing an untoward rural influence into civic affairs.⁶

The virtual lock on civic government enjoyed by the 'race of Menzeissis' was finally broken in the 1590's.⁷ In the years leading up to the outbreak of hostilities in 1639 access to the ruling elite appears to have broadened somewhat.⁸ Alone among Scotland's major burghs, however, the men on whom the urban economy most depended, the 'actual traffiquers' within the merchant guild, are said to have remained shut out of the corridors of power.⁹ According to Duncan MacNiven the town council in these years remained in the thrall of a tightly knit circle of landed men who belonged to the guild but displayed little or no interest in trade.¹⁰ He went on to identify a separate mercantile elite of overseas traders enjoying comparable wealth but greatly reduced chances of participating in burgh government: 'it was in practice almost impossible for the prominent merchant, be he never so wealthy, to gain a seat on the council.'¹¹ Echoing late sixteenth century complaints against the Menzies faction to the effect that they had taken to acting as if they were a 'landward baron' and the town their 'burgh of baronaye', he concluded that the early seventeenth century burgh too was ruled by 'Aberdeenshire lairds, and not Aberdeen merchants'.¹²

As we saw in Chapter 2, Aberdeen was a rather different place after 1639, and the records of the second half of the seventeenth

century paint a rather different picture of the urban elite. In the first part of this chapter we suggested that the single most important fact concerning what the town council did was simply that it did so much. Here too a single salient point underpins all others. The most important fact to remember about the men who governed Aberdeen in the late seventeenth century is simply that there were so many of them. The council was normally elected annually: 'the' town council was reconstituted 51 times between Michaelmas 1649 and Michaelmas 1699, each time with a somewhat different cast of characters.¹³ We are fortunate in having complete lists of the members of every one of these councils.¹⁴ With nineteen men on each council, over the years a total of 969 seats came available. These were filled by 264 burgesses, 210 of them merchants, 54 craftsmen. The average craft councillor served two terms of office, the average merchant councillor four. The 51 councils elected 19 different provosts, 58 different baillies, 44 different deans of guild, and 42 different treasurers.

These are rather blunt figures, but they begin to make a rather blunt point, and that is that Aberdeen in this period cannot so easily be made to fit the earlier pattern of a town presided over by a classic early modern oligarchy - narrowly based, relatively closed, and largely independent of the urban economy. To be sure, as in the past only the privileged upper third of the town's male householders were eligible for selection to the council - and two-fifths of them enjoyed, as craftsmen, only limited access.¹⁵ Nevertheless, within that privileged third of adult male society and by the standards of the day, not to mention those of its own recent

past, the degree of participation in Aberdeen's civic government was striking. If this was an oligarchy, it was a rather broadly based one.¹⁶

How did one come to be on the town council? In common with most early modern towns, Aberdeen's civic elections revolved around the incumbent council's right to choose its own successors.¹⁷ No formal provisions existed whereby the opinions of those outside the council chamber might be sought. The election was a day-long affair held each year on the last council day, Wednesday, before Michaelmas, the 29th of September. Having assembled in the tolbooth by 8:15 as usual, the nineteen members of the outgoing council first heard a minister recite the traditional 'Prayer Before the Election' in which the Lord was asked to reinforce their own innate good judgement with His divine guidance, that they might choose 'both to be Councill and Magistrats for the yeir to come of our brethren fearing God, men of knowledge, haters of avarice, and men of courage and actione'.¹⁸ Secure in the belief that God was, as ever, on their side - He had, after all, helped to secure their own selection twelve months earlier - they could then settle down to the business in hand. First, a list said to contain the names of every burges of guild was read out.¹⁹ Three such lists have in fact recently come to light, and it is apparent that no more than about two-thirds of guild brethren found their way onto the guild roll.²⁰ As the names were read out any member of the council was free to nominate anyone on the guild roll for inclusion on the election leet, a shorter list of those being actively considered for one of thirteen guild vacancies on the council. By the time the guild roll

had been read through about one in four names had been added to the leet.

Election leets for many of the years under review have also recently been discovered. Each contained, as Skene described, 'an indeterminat number' of names, ordinarily between 50 and 60, 'set down upon a large sheet of paper, with lines drawn after every one'.²¹ When the list was complete it was passed around to each council member for them to mark off their choices for the thirteen new guild councillors. As we have seen the merchant guild was assured of seventeen of the nineteen council seats, but each year four guild members of the old council were chosen by their peers to serve another term, leaving thirteen places to be filled. The thirteen men on the leet who received the greatest number of votes were selected. With a maximum of nineteen votes available, nine or ten were normally sufficient to secure a place on the new council.

Having chosen an old four and a new thirteen the outgoing council turned their attention to selecting two new craft councillors. Here the procedure was simpler. There was no question of either of the incumbents being allowed to stay on. Two men were appointed from a list of just six nominees comprising the outgoing deacons of the six incorporated trades licensed to participate in civic government - the weavers, tailors, coopers and wrights, cordiners, hammermen, and baxters.²² Places on the council were not simply rotated amongst the deacons of the various crafts, but shared out proportionally over the long term according roughly to the size of the craft: the tailors, for example, accounted for 15% of craft

burgesses, and between 1650 and 1700 their representatives were granted 14% of the places reserved for trade councillors.²³

With the nineteen new council members chosen, the meeting was adjourned for lunch as the names of the new members were released to the public. In the afternoon the out-going council reconvened in the tolbooth, joined this time by the thirteen newly chosen guild councillors, the two new trade councillors, and the six new trade deacons - quite possibly also elected that morning in a separate meeting at the Trinity Chapel headquarters of the incorporated crafts. In all there were supposed to be forty men gathered in the council chamber, thirty merchants of guild and ten senior craft officials. According to Skene 'they altogether choose first the Provost, then four Baillies, a Dean of Guild' and so forth until all eleven council officers had been chosen from amongst the seventeen merchants on the incoming council.²⁴ There were normally three nominees for each position, and by electing one official at a time in descending order of importance men who failed to win election were free to seek a lesser post: in 1662, for example, Gilbert Divie stood for baillie, dean of guild, treasurer, and master of kirkwork before finally being chosen master of mortifications.²⁵ The electoral procedure revealed in the leets was not always as Skene described. In particular it seems that in most years thirty rather than forty men voted for the council officers, suggesting that the ten craft representatives were not always invited to participate in this most critical stage of the elections - assuming they were present at all.²⁶

The basic form of council elections in Aberdeen ought to have been familiar to civic leaders throughout the country. The election of the new council by the old, the choice of officers by the old and new councils together, the continuation of four members of the old council, the domination of the merchant guild, the exclusion of the generality of the inhabitants from any share in the proceedings: these principles were first established in acts of parliament of 1469 and 1474.²⁷ In practice of course many outright abuses and local variations were introduced, with the result that the acts, in the words of one burgh historian, tended to be observed 'more in the spirit of their exclusiveness than in the letter of their procedure'.²⁸ Nowhere can the niceties of electoral procedure have been more openly flaunted than in the Aberdeen of the sixteenth century, whose inhabitants could claim with some justice to have been 'thrallit to serve ane raice of pepill'.²⁹ In the second half of the seventeenth century there were no comparable dynasties and far fewer abuses. In particular the rule that all but four members of the old council had to stand down at Michaelmas was scrupulously observed, thus ensuring that spaces for thirteen guild brethren and two craftsmen came free each year.

What proportion of guild members came to be on the council? To best answer this question we need to examine a single guild generation. In the last chapter we noted that for the year 1669 it had proven possible to identify 318 burgesses of guild from amongst a total guild population estimated at 350. Checking the 318 names against a master list of all those elected between 1650 and 1700 revealed that 102 of them had at some point in their careers been

appointed to the council, representing just under 30% of all guild brethren. Remembering that something in the order of 5 to 10% of guild members were lawyers and other professionals with no pretence to trade and therefore no right to serve on the town council, the proportion of merchant burgesses eligible for public office who actually made it onto the council was probably closer to one-third.³⁰ Of these 102 merchants 36 became baillies, of whom 11 went on to be provost: these 36 magistrates represented just over 10% of all merchant burgesses.³¹ A similar proportion of the burgh's estimated 250 craft burgesses could expect to be elected to at least one term on the council.³² Taking merchants and craftsmen together, just over 20% of Aberdeen's 600-odd free householders, and about 7% of all householders, served on the town's governing body.³³

We have seen, then, that approximately one in three merchant burgesses would at some point in their lives have been elected to the council, and one in ten to the all-powerful magistracy. These figures relate to the long term, to a merchant's entire guild career. What of the shorter term? What proportion of guild merchants can be said to have been active in the running of the town over a five-year period? Between 1665 and 1669 44 merchants, about 14% of the total, served on the town council. The election leets for those years reveal that they were chosen from amongst a pool of 118 nominees, men who were at least considered for selection to the council, representing approximately 37% of merchants.³⁴ A further 30 of these nominees had served before or would do so subsequently. Slightly more than a third of those leeted were never elected to the

council, though many of them found service with the kirk session or justice of the peace court.³⁵

If Aberdeen's ruling elite had never been entirely closed, it can seldom have been as open as in the latter half of the seventeenth century. For the 1620's MacNiven found that 20% of the merchants on council had been born outside the hallowed ranks of the merchant guild: over the fifty years from 1650 the figure rose to 35%.³⁶ Another telling statistic is that the 210 men elected to the council in the latter half of the century sported 100 different surnames.³⁷ Comparisons with previous eras can only be made over shorter periods, but the difference is immediately apparent: between 1665 and 1669 no less than 33 different surnames were represented among the 44 men elected to govern the town, while over a four-year period a century earlier 27 men had been elected from amongst just 13 families.³⁸ The contrast is even more striking when we examine the top jobs on council. Between 1563 and 1569 only five men served as baillies, two of them the sons and two the sons-in-law of the inevitable Menzies provost.³⁹ Exactly a century later the same number of positions were filled by 10 men from 9 different families. Between 1650 and 1700 there were 19 provosts elected, with 16 different surnames: over the previous fifty years 13 provosts were chosen from 9 families, while throughout the whole of the preceding century only 17 provosts and 9 surnames featured at the head of civic government.⁴⁰

Of course the burgh elite of late seventeenth century Aberdeen had its share of the entwining webs of kinship and marriage found in any tightly knit community. A detailed analysis of the meticulously

documented urban elite of the seventeenth century German city of Nördlingen found that although it was easy enough to identify ties of kinship and marriage amongst members of the ruling circle, it was often difficult or impossible to judge what significance a particular link might have had.⁴¹ In Aberdeen we can presume, for example, that ties of blood and marriage were all-important in the career of Gilbert Gray, who died in 1667 at the age of 34 having already served three and one-half terms as provost. His father was the first provost elected by the more moderate old-style anti-covenanting majority within the guild when they regained control over the town council in 1655, he married the daughter of the next provost, George Cullen, and his sister married Dr. James Leslie, ('the respective ages of the bride and bridegroom being fourteen and fifty'), principal of King's College and a man of considerable local influence who was instrumental in finally ousting Andrew Cant from the burgh pulpit.⁴² But what are we to make of family ties in the case of Baillie Gilbert Molleson? His wife became an early and celebrated convert to Quakerism, his eldest son was apprenticed to a Quaker merchant in Edinburgh, and the first Quaker wedding held in Aberdeen took place in his home, amidst considerable public disturbances, when his daughter married Robert Barclay of Urie, one of the greatest of all Quaker theologians. Yet all this did not prevent Molleson himself from serving as a magistrate throughout the years when the Aberdeen council was notorious for its persecution of Quakers: his own son-in-law was imprisoned for five months during one of his periods of office.⁴³

Another important point made in the Nördlingen study was that members of the ruling elite often had equally intimate ties to families outside their circle.⁴⁴ In a society in which remarriage and large families were common the network of parents, grandparents, step-parents, siblings, cousins, patrilineal and matrilineal blood relations and in-laws could be vast. Indeed, the likelihood was that in a town the size of Nördlingen or Aberdeen most established families would have had some connection with most other established families of roughly equivalent socio-economic standing, both within the burgess community and amongst the local landed and professional classes. One of the great differences between the Aberdonian elites of the sixteenth and late seventeenth centuries was that in the latter period there was no single dominant family, no true dynasty such as that of the Menzies to which all other politically ambitious families had over a long period to respond, whether in alliance or opposition. A leading role in burgh politics might still be handed on from one generation to another, as in the case of Provost Gilbert Gray, but it seldom if ever went further than that. Three of the 19 provosts chosen between 1650 and 1700 were themselves the sons of provosts, but their sons did not follow them into the magistracy. Four more provosts were the sons of baillies, and seven married into the families of contemporaneous provosts, but this would seem unexceptional for an early modern town.⁴⁵

We have seen that members of the merchant guild commanded an overwhelming majority, probably about two-thirds, of the wealth of the town.⁴⁶ The guild was a broad coalition, however, and a great many members appear to have been of relatively modest means, earning

little more than the average craftsman.⁴⁷ These were not the merchants invited onto the town council by their peers: not surprisingly, those who served on council tended to be among the wealthiest of guild members. Over half of the 253 merchants stented in 1669 paid less than £20 in tax, as compared to just 3 (7%) of the 44 merchants elected to the town council between 1665 and 1669.⁴⁸ The average guild councillor paid £36 in stent, roughly three times the mean for all taxpayers, and more than seven times what the majority paid.⁴⁹ Taken together, these 44 contributed nearly 20% of the stent uplifted from 998 individuals. Of the 40 wealthiest men in Aberdeen in 1669, 26 (65%) served on the town council, 16 (40%) of them in the previous five years alone. By the end of the century the rich of the burgh were even more likely to participate in urban government: the poll book of 1695 reveals 35 merchants with stock worth more than 10,000 merks, 27 (77%) of whom were elected to civic office before 1700.⁵⁰

In the absence of private business papers and testaments it is difficult to know exactly how individual members of council earned their livings. What is clear, however, is that as a group their wealth stemmed from two main sources, overseas trade and rents derived from landholding and money-lending.⁵¹ In his study of the merchant community over the first four decades of the seventeenth century Duncan MacNiven, as we have seen, drew a very sharp distinction between active traders and landed heritors within the guild. To what extent can such a distinction be drawn for the later period? To begin with, active involvement in trade was by no means a barrier to service on the town councils of 1650-1700. MacNiven

found that approximately 75 merchants were engaged in overseas trade, very few of whom took part in civic government.⁵² The overall number of merchants trading overseas may not have changed much over the course of the century: the customs accounts of 1668/9 contain the names of 77 Aberdeen merchants, while those of 1690/1 list 83.⁵³ In contrast to the earlier period, however, just over half of those listed in 1668/9 found their way onto the election leets of 1665-1669, and 35 of them (45%) were at some point in their careers elected. The proportion of those elected from the later list was 43%.⁵⁴ Turning again to the 44 men who saw active service on council between 1665 and 1669, 52% of them were named in the customs accounts of 1668/9, including 50% of the magistrates and 71% of the lesser office-holders.⁵⁵

What then of the landed elite said to have dominated civic affairs in the past? There is no doubt that a strong correlation existed between the ownership of rural estates and positions of wealth and power in the burgh. Judging by the *Valuation Roll* of 1667 approximately 7% of Aberdeen's merchant burgesses were heritors of the shire.⁵⁶ Amongst those elected to the council the figure was as high as 20%, for magistrates 40%, for provosts 68%. It would be a mistake, however, to conclude from these figures that a corps of landowners at the heart of the burgh establishment formed a separate elite, a distinctive *rentier* class, or a landed patriciate of men who dominated urban affairs but did not themselves depend upon the urban economy for their livelihoods. These were not lairds with one foot in the burgh, but townsmen with an interest in the rural property market.

A more helpful approach would be to see landowning among the merchant classes as a logical extension of their commercial activities. Christopher Smout and Thomas Devine have argued convincingly that in late seventeenth and eighteenth century Scotland 'ownership of land within the merchant community can be regarded as an integral feature of the commercial régime rather than a means of withdrawal from trade'.⁵⁷ In Aberdeen a few mercantile families did retire to rural estates, but there were always extenuating circumstances, usually to do with fears of political or religious persecution.⁵⁸ Ordinarily, successful merchants seeking a steady and more secure return from profits earned in the volatile world of trade would turn to land primarily as a form of investment, either directly through the outright purchase of estates, or more commonly indirectly by providing loans to existing landowners. MacNiven found that in the 1630's a significant proportion of Aberdeen's wealthiest burgesses were active in lending money to the landed men of the shire.⁵⁹ The *Register of the Great Seal* reveals that across Scotland 68% of land transactions involving merchants between 1593 and 1660 came about through 'apprisings', where title to the land was sold to the creditor in payment of outstanding debts.⁶⁰

The careers of several of the more prominent merchant lairds to have served on the Aberdeen town council between 1650 and 1700 show that their standing as heritors of the shire rested upon firm mercantile foundations. Alexander Forbes of Craigie, for example, a baillie in the 1690's, acquired his estate after having made a fortune importing wine and spirits from Hamburg: although 83

merchants were listed in the customs roll of 1690/91 he was personally responsible for contributing 38% of customs and 30% of all excise revenues.⁶¹ Sir Robert Farquhar of Mounie was prominent in burgh affairs throughout the 1640's and 1650's, and was twice elected provost. He was reputedly one of the wealthiest men in Scotland, having made his fortune not in overseas trade but in the coastal grain trade. He was known as 'that lamb-devouring fox' among the wide circle of lairds to whom he lent money and from whom he collected a number of bankrupt estates.⁶² Another provost of the period was Alexander Jaffray of Kingswells. He was the son of a former provost, and although he inherited his father's estate and plunged into burgh politics at a relatively early age, we know from his memoirs that he was no stranger to the world of commerce. As a young man his father saw to it that he was sent on extended trips to France to learn the language and the intricacies of foreign trade, and to England in the company of experienced merchants who introduced him to the finer points of the then booming textile trade. Later in life a number of prospective merchants were apprenticed to him.⁶³ Provost George Skene of Rubislaw presided over burgh affairs for the better part of a decade in the 1670's and 1680's. He was born outside the burgh to a family of modest means but was apprenticed to George Aedie, an Aberdeen merchant based in Danzig. Skene made his fortune overseas, finally returning to settle in Aberdeen in middle age. He was 46 years old when he joined the guild in 1665. Some months later he purchased his first rural estate, and within three years was sufficiently established in the burgh to be elected to his first term on the town council.⁶⁴

One could be forgiven for thinking that Robert Cruikshank of Banchory was one provost who really was a throwback to the patrician past, a man who belonged first and foremost to landed society. In the poll book of 1694 he was found to be 'not poleable within this brugh because his greatest fortune layes in the Countrie'.⁶⁵ In fact, however, Cruikshank had enjoyed a long and successful career in trade. His name is to be found on the customs roll of 1668/9, he was among the fifteen wealthiest merchants stented in 1669, and over the years he held a variety of offices on the town council, including master of impost, treasurer, and dean of guild - all of them jobs reserved for wealthy and experienced merchants. He bought his estate in 1682 at the age of 59.⁶⁶ It was after this point that he was elected to the most senior and time-consuming positions on council. With the exception of Jaffray, who inherited his land, all of those cited above were first elected to the magistracy after having acquired their estates. Even our own Alexander Skene, the quintessential merchant burgess, bought the estate of Newtyle in the parish of Foveran about the time he was first chosen a baillie in 1657.⁶⁷ Once again, however, we need not conclude that landowning was therefore a prerequisite for elevation to the highest offices of civic government. Six of nineteen provosts and the great majority of all other council members did not, after all, own estates. It was more likely the case that wealthy merchants, following a pattern of investment with a long tradition in Aberdeen, chose to convert at least some of their mercantile assets into land, in part to provide a steady income for their twilight years but also to allow them enough time to pursue a second career in public life.⁶⁸

It seems abundantly clear, then, that Aberdeen's ruling elite of the late seventeenth century was considerably more open than it had been in the sixteenth and early seventeenth centuries. Where power had been concentrated in a few families, it was now spread among many. Wealth remained a common denominator among council members, but it was a wealth to which approximately half of the guild could reasonably aspire and which could be generated in virtually any way deemed suitable for a merchant burghess: landowning appears no longer to have been an essential qualification for high office, just as active involvement in trade had ceased to be a barrier. Most importantly, civic government after 1650 was characterised by a high degree of turnover and a high degree of merchant participation. With as many as one-third of all merchant burghesses elected to the town council more men gained entry to the corridors of civic power than at any time since at least the fifteenth century.

A high rate of participation did not of course mean that council places were shared around equally. Of the 102 merchants of the 1669 generation, 25% served a single term on council, another 25% served two or three terms, and 50% served four or more times. In Edinburgh 43% of council members served four or more terms of office.⁶⁹ A parliamentary report of 1793 noted that Aberdeen was one of only two or three Scottish burghs which actually abided by the ancient electoral acts, but while this was commendable the fact was that 'the persons who go out of the Council one year, may be re-elected at the distance of a year, by the persons they themselves

had elected for that year'.⁷⁰ Precisely the same situation pertained a century earlier, though no one saw fit then to complain.

The average guild councillor may have served four terms of office, but among the 210 merchants elected over the half century were 15 men who served at least 10 terms each. One of them, Gilbert Black, was indeed re-elected to the council every second year between 1660 and 1686.⁷¹ Another, the redoubtable Alexander Alexander, served on no less than 21 of the 34 councils chosen between 1652 and 1685. Yet these 15 men were the exceptions that proved the rule. Only two of them, Robert Patrie and George Skene, both of whom served multiple terms as provost, could possibly be said to have monopolized burgh government in the old way, and then only for comparatively short periods.⁷² The others tended to be men with an appetite and an aptitude for burgh politics who could presumably afford to devote much of their time to civic affairs and who managed to appeal to different permutations and generations of council colleagues - in short the kind of people on whom local governments the world over have always depended. Together the 15 men represented 15 different families. Over the course of his council career Alexander Alexander served under no less than 9 provosts. Seventeen times a baillie, he was the ideal team player: since there had always to be three nominees for the provostship, he allowed his name to be used to fill out the ballot on 17 occasions, never winning more than 4 of the 30 or 40 votes on offer, and 7 times capturing no votes at all.⁷³

This cooperative spirit, if that is indeed what it was, did not always figure in burgh politics over the period 1650-1700. The town

was in no way spared the bitter factious politicking of the sort which periodically plagued nearly all early modern cities. The fact that annual elections were held, that councils chose their own successors, that there was a regular turnover of council members, and that no one party was able to monopolize civic appointments for very long probably helped to reduce political tensions within the guild community. The council records have an inbuilt bias towards consensus, but it is notable that left to its own devices the urban elite usually managed to preserve at least the outward appearance of unity.⁷⁴ Every few years however the intervention of outside forces served to destabilize the balance of power in the town. From Cromwell to William and Mary each successive government sought at some point to influence the choice of provosts in the town, with James VII and II being the prime offender.

One of the most striking differences between civic affairs in the latter half of the seventeenth century as compared to earlier periods was the greatly diminished role played by the great men of the shire. Prior to 1640 burgh politics are said to have revolved around an intricate and ever-changing web of alliances between civic politicians and local nobles and lairds.⁷⁵ Many times in the sixteenth century the burgh had faced the threat of armed invasion at the hands of powerful and bellicose neighbours: only two such alarms were raised between 1650 and 1700.⁷⁶ In part this reflected the eclipse of Gordon power in the region, as well as a more general shift within Scottish society as the use of the blood feud and bonds of manrent as means of settling political disputes gradually became disreputable.⁷⁷ It may also have been spurred by deliberate

policies instituted within the burgh. Allan White's work on Aberdeen at the Reformation suggests that some of the seeds of future reform were sewn by the Menzies themselves, past masters at the art of balancing alliances, in the sixteenth century. As part of their immensely complicated campaign to rid the town of outside interference they contrived to feu most of the burgh's patrimonial lands and fishings to themselves and those of their own urban faction.⁷⁸ Thanks to inflation this was to have ruinous consequences so far as the revenues of future burgh administrations were concerned, but it did succeed in more or less permanently removing from the market some of the most desirable property in the entire north-east, property which, like honey to the bears, had attracted the unwanted attentions of local magnates.

One of the long-term effects of the reduced interest in the town subsequently shown by the men of the shire was to make it more difficult for any one family or faction within the burgh to attract the kind of patronage needed to sustain a Menzies-like grip on civic government. A more immediate cause of the decline of oligarchy, however, must surely have been the reduced economic circumstances in which the inhabitants found themselves after 1639.⁷⁹ Concentrations of power tend to depend upon concentrations of wealth, and, as we saw in Chapters 1 and 2, for much of the latter half of the seventeenth century the burgh was in a state of both absolute and relative economic decline. In Aberdeen profits earned in commerce were traditionally invested in land, and while this continued to be the case between 1650 and 1700, the generally depressed state of the local economy meant that we should not be surprised to find that far

fewer merchants had become heritors than in the prosperous years before the war.

At the outset of this chapter it was stated that the town council should ultimately be seen not in isolation but as the senior partner in a three-sided coalition of urban institutions dedicated to the maintenance and preservation of authority and discipline in the burgh. Over the next two chapters we will examine the workings and composition of the remaining sides of the triangle, the kirk session and the justice of the peace court. Here we shall find that the theme of a more open elite, of a heightened level of participation in civic government, was part of a wider trend which pervaded all aspects of the combined urban administration. With 19 men on the town council, 35 to 40 on the session, and 30 to 35 on the justice court - all of them elected annually - it is easy to see that the business of governing Aberdeen was an extremely labour-intensive one. Even with a certain amount of overlap in personnel it was necessary to find upwards of 75 men a year to man the three-pronged civic administration. Prior to the establishment of the justice court in 1657 the figure can seldom have been more than 50. We have seen that approximately one-third of all merchant burgesses served on the town council at some point in their lives. Many of them also served as elders or deacons of the kirk session and a few as constables of the justice court. Another third of all merchants, however, were elected to these posts without ever being chosen to the council, as were many burgesses of craft. And the justice of the peace court, when it came along, provided opportunities for a great many more men, some of them unfree, who would never previously

have held public office in the town. It was this heightened degree of participation and support upon which the burgh's expanded network of authority and discipline depended.

I The Council and Its Concerns

1. 'The Prayer Before the Election', *Council Register*, lvii, p.506 (10 March 1696).
2. Michael Lynch, 'The Crown and the Burghs', in Lynch, ed., *The Early Modern Town in Scotland*, p.71-4. See also White, *Thesis*, p.71-72.
3. See Chapters 5 and 6.
4. Mack Walker, *German Home Towns*, p.44-5.
5. See for example Sterling André Lamet, *Men in Government: The Patriciate of Leiden, 1550-1600* (University of Massachusetts Ph.D., 1979), p.109-113.
6. This was the case even in Calvin's Geneva. See Gillian Lewis, 'Calvinism in Geneva in the Time of Calvin and Beza (1541-1605)', in Menna Prestwich, ed., *International Calvinism, 1541-1715* (Oxford: 1985), p.68; and Robert M. Kingdon, 'The Control of Morals in Calvin's Geneva', in L. Buck and J. Zophy, eds., *The Social History of the Reformation* (Columbus: 1972), p.12.
7. Skene's book was published in Aberdeen by John Forbes, and was issued anonymously under the name 'Philopoliteius' (a lover of the public welfare). It was dedicated to the magistrates and council of Edinburgh, and was brought out in conjunction with his *Succinct Survey of the Famous City of Aberdeen*, published under the same pseudonym. In November of 1685 the Aberdeen council agreed to meet the cost of binding 'the little book latlie emitted be Mr. Alexander Skene'. *Council Register*, lvii, p.198 (18 November 1685).
8. *Memorialls*, p.147.
9. *Memorialls*, p.147-8.
10. *Memorialls*, p.125-6.
11. In theory Aberdeen's commercial jurisdiction extended over the whole of the shire (MacNiven, *Thesis*, p.147), though it was never possible for the town to exercise close control over so many market centres covering such a broad area. These regional centres expanded markedly after the Restoration, and it is notable that several council officials in this period came to grief trying to impose their authority over local markets. See for example *Council Register*, liv, p.462, (19 April 1663); lvii, p.235 (15 September 1686); and lvii, p.696 (19 April 1699).
12. This rule was found to apply in a sufficiently large number of cases that it could be used to help untangle the careers of council members sharing the same name without fear of tautology.
13. If officeholders could not slide backwards, there were no barriers to upward mobility on council. A number of magistrates started out in high office, for example, and from a less exalted position on council it was possible to advance a number of rungs when next elected.
14. A wide assortment of non-clerical workers relied in whole or in part on the council for their livelihoods, including among others the six town sergeants who (then as now) wore bright red coats for no obvious reason and attended upon the town

council, being entrusted with a rather nebulous range of ceremonial and policing duties; the drummer who signalled the changing of the tide and operated a 'lost and found' service; the workmen at the shore works; the executioner; two bell-ringers; and the 'cowfeeder' who looked after the civic dairy herd.

15. *Memoriaalls*, p.150.
16. Over the period at least 11 Aberdeen-bred advocates are known to have been retained as the town's agents in Edinburgh. When a particularly important or complex case was due to come before the courts a more experienced (and expensive) Edinburgh advocate might be hired. e.g. *Council Letters*, v, p.267. Although lawyers were debarred from holding elective office in the town, the council letters make it abundantly clear that they were often intimately involved in formulating council policy, particularly with regard to relations with external authorities.
17. The convention of royal burghs occasionally met outside Edinburgh, and in times of acute political confusion the town sometimes found it expedient to send a man to monitor events in London, as at the time of the Restoration and the Glorious Revolution.
18. *Council Letters*, v., p.267 (19 July 1673).
19. *Ibid.*, vi, p.319 (20 July 1681). It was at this parliament that Skene was knighted.
20. *Ibid.*, vi, p.337 (27 August 1681).
21. *Justice Court Book*, i, frontispiece. The 'uncleane persons' referred to were all those found to have indulged in sexual relations outside the bounds of marriage. See Chapter 6.
22. See for example *Council Register*, liii, p.104 (5 October 1659).
23. Calculation based on the sederunts for the year 1673/4.
24. See the *Register of Convictions of Delinquents for Forestalling, Regrating etc.* 18 October 1648 - 1 September 1688. Charter Room, Aberdeen Town House.
25. *Memoriaalls*, p.140.
26. The ministers of the kirk divided their work in much the same way, yet the burgh remained one congregation, with one kirk session. See A.J. Campbell, 'The Burgh Churches of Scotland', in *Records of the Scottish Church History Society*, iv, 1932, p.188.
27. *Memoriaalls*, p.138.
28. *Ibid.*, p.138-9.
29. The records of the circuit courts of the High Court of Justiciary are to be found amongst the 'Small Papers, Main Series' of the court records, held in the S.R.O. See Lenman, Parker, and Rayner, *Handlist of Scottish Crime Records*, p.40-1. The records of the northern circuit, which sat in Aberdeen in 1671, are in JC26/38. The accused came from all over the shire, and it is not always possible to tell which cases originated in the town. A total of 85 cases were heard, including 2 murders, 2 thefts, 1 rape, 9 assaults, 4 cases of witchcraft, and no less than 56 cases of adultery. Unfortunately the sentences passed by the court are not recorded.
30. *Memoriaalls*, p.140-5.

31. See for example *Council Register*, lvii, p.424 (1 November 1693).
32. *Memorials*, p.146-8. It is not difficult to imagine that council officers routinely lined their own pockets - this may even as Skene seems to suggest have been a legitimate inducement to public service. But it is difficult to prove.
33. Volumes iii-vi of the *Council Letters* have been expertly transcribed and edited by Louise Taylor. Volume vii (1682-1700) exists in manuscript form in the Charter Room of the Aberdeen Town House.
34. As the the judicial headquarters for the shire, Aberdeen had to provide facilities where prisoners from throughout the region could be held pending trial or removal to Edinburgh. Both the prison and a chamber for the sheriff court were located in the tolbooth. See *Succinct Survey*, p.21.
35. Patrie was briefly imprisoned in Edinburgh, fined £1,000, and barred from ever again holding public office . His allies on the town council sought to have his fine paid out of public funds, but this was blocked by opponents both on council and amongst the trades, who argued that if the town paid his penalty this could be construed as support for his views, and thus incur the king's wrath a second time. His friends, however, succeeded in procuring a loan from the dean of guild's funds. See *Council Letters*, v, p.xxiii-iv and p.391; *Council Register* lvi, p.13 (14 April 1675); *Council Register* lvi, p.145 (19 July 1676); and *Council Letters* vi, p.360-1 (1681).
36. For the perils of even-handed appeasement, see Chapter I, Part I.
37. See J.S. Smith, 'The Development of Aberdeen Harbour', in *Aberdeen University Review*, 1982, p.397-403; Victoria E. Clark, *The Port of Aberdeen* (Aberdeen: 1921), p.34-51; and Chapter 1, Part II.
38. In his *Description of Both Touns* of 1660 Parson Gordon claimed 'the streets are all neatlie paved' (p.9). Skene, on the contrary, noted in 1685 that the Castlegate itself, which had not been repaired 'when the rest of the streets were of new causeyed about fifty years ago' had for many years been in a ruinous state, 'so hollow, that the dubs and rain stood in pools' until repairs were finally undertaken in the 1670's and 1680's. 'A Short Account of Some Particulars That Have Been Done of Late Years in Aberdeen', *Scottish Notes and Queries*, July, 1898, p.2. See also *Council Register*, liv, p.172 (23 May 1660) and lv, p.558 (18 March 1674). As justices of the peace the magistrates were also responsible for roads in the vicinity of the burgh, said to have been especially ruinous. A rare initiative was taken in 1673 when the council sent 30 workmen to Tulloch in the Mearns to assist in the construction of an improved road. *Council Register* lv, p.504 (31 July 1673). In 1685 parliament granted the burgh the right to levy a toll on those using the road south via the Bridge of Dee, on which the council claimed to have spent a great deal of money. *A.P.S.*, viii, p.498.
39. See Kennedy, i, p.232-3; *Council Extracts*, p.235-9 (22 January 1667 - mistakenly listed by the editor as 23 January); *Privy Council*, iii, p.72-3; *Council Register*, lv, p.562-3 (8 April 1674).

40. *Succinct Survey*, p.25-6. There had been a windmill in Aberdeen since at least the fourteenth century. See Elizabeth Ewan, 'The Age of Bon-Accord: Aberdeen in the Fourteenth Century', in J.S. Smith, ed., *New Light on Medieval Aberdeen*, p.40. In 1659 the treasurer was asked to 'caus repair the windmill house in the ruines theroff and to set (i.e. rent or lease) the samen at the best avail for the most convenient use'. *Council Register*, liv, p.128 (23 November 1659). This previous windmill was still described as 'ruinous and decayit' in 1678, when the decision to build a new machine on a new site was taken. *Council Register*, lvi, p.365 (4 December 1678). The windmill was in fact built at Crabstone on the ruins of an earlier machine. *Council Register*, lvi, p.472 (20 February 1680).
41. On the intrigues surrounding the establishment of an unground malt market see Taylor, *Letters*, xix-xxii.
42. In 1686 the council asked Robert Young of Montrose, who built the windmill, if he would consider moving to Aberdeen, suggesting that regular fine-tuning, at the very least, was required. A month later the magistrates tried to entice his son. *Council Register*, lvii, p.245 (8 December 1686) and p.246 (12 January 1687).
43. See Smout, *Scottish Trade on the Eve of Union*, p.84-5. As Skene put it, the dean of guild 'is to have special care that no privat person buy any Forraign Commodity from a Stranger, but to buy it himself, yet with all to be sure that it be taken off his hand at the rate agreed for and with profit, seeing Strangers are not Burgesses and not free to Trade, therefore the Stranger is holden to make his first offer to the Dean of Guild, and not to sell to any other privat Burger till then, and that no privat person shall have it under what he offered it for to the Dean of Guild.' *Memorialls*, p.142.
44. *Council Register*, lvi, p.109 (9 February 1676). The prices to be charged at the pack and weighhouse were set down in the *Council Register*, lvi, p.404-5 (31 May 1679). Unfree and 'stranger' traders could expect to pay as much as double: the fee for packing plaiding was 26/ per fardell for a burgess, 38/ for all others; for certifying the weight of tallow, cheese, and butter the price to burgesses of guild was 12d per stone for quantities destined for export, 8d if for sale in the town, while non-burgesses of all kinds paid 24d and 16d respectively for the same service.
45. Under Cromwell the money raised by the cess seems all to have gone to the government, while in later years much of the money raised remained in the community - a good deal of it servicing debts built up over the course of the troubles, as was the case with the stent of 1669. The burden of taxation borne by individual taxpayers, however, tended to increase after the Restoration. For much of the period under review the head court of burgesses agreed to annual assessments of £10,000, just under the £10,800 paid to the English in 1653. The steepest assessments were those of 1667 and 1677, each of which were set at £16,000. All of these sums pale, however, in comparison to the amount extorted by various covenanting and royalist forces in the 1640's. See Chapter 1, Part II.

46. See Lynch, 'Urban Society', p.116. The town's slightly increased assessment in 1670 probably serves as an accurate reflection of an economy dragged back from the precipice on which it verged in 1649 (See Chapter 1), but it is worth noting that the decision to adjust the rates was taken at very short notice and Aberdeen was caught without a representative at the crucial meeting of the convention of royal burghs. See *Council Letters*, v, p.15-20 (8-13 July 1670).
47. Those given responsibility for raising a tax were allowed a surcharge of 3%. *Council Register*, lvi, p.267 (24 September 1677). In 1663 the four baillies retained the right to collect a stent of £8,000. *Council Register*, lv, p.427 (1 April 1663). Those willing to take on the task of collecting back taxes from recalcitrant taxpayers (of which there were mounting numbers from the 1670's) were allowed 5% (19 February 1690).
48. Stent Roll of 1669, MSS. *Stent Roll Bundle*, Charter Room, Aberdeen Town House.
49. Mackenzie, *The Scottish Burghs*, p.116-7. See also William Elder Levie, 'Food Control in Early Scotland', *The Juridical Review*, 54, 1942; L.M. Cullen, T.C. Smout, and A. Gibson, 'Wages and Comparative Development in Ireland and Scotland, 1565-1780', in R. Mitchison and P. Roebuck, eds., *Economy and Society in Scotland and Ireland: 1500-1939* (Edinburgh: 1988); and Booton, 'Inland Trade: A Study of Aberdeen in the Later Middle Ages', in Lynch, ed., *The Scottish Medieval Town*, p.151-52.
50. The 'committee for Prices' appointed in October 1673 consisted of 13 men, 8 merchants (including two sitting magistrates and the dean of guild), 5 craftsmen (all current or recent trade deacons), and 'any' others they chose to call. *Council Register*, lv, p.521 (1 October 1673).
51. The abandoned well is mentioned in the *Council Register*, liv, p.58 (13 July 1659); the ruling against speeding horses arose from a tragedy of 1667, when a weaver's young child was seriously injured when a galloping horse lost its footing on a cobbled street, 'wherby one of the horses foot did trample upon the chyldes belly'. See Burgh Court Records (*Register of Convictions of Delinquents for Forestalling, Regreting, etc.*), Charter Room, Aberdeen Town House, (23 October 1667), and *Council Extracts*, p.249 (27 May 1668).
52. *Council Register*, lvii, p.292 (1 August 1688); *Council Register*, lv, p.102, (8 July 1688).
53. *Council Register*, lv, p.522 (8 October 1673).
54. See for example *Council Register*, lvii, p.547, (18 November 1696) for this aspect of poor relief; on the unsavoury business practices of fleshers see *Council Extracts*, p.270 (27 October 1670) and *Council Register*, lv, p.522 (8 October 1673). The flesh market was eventually moved to new premises, 'at the back of the Touns printing house'. *Council Register*, lvii, p.632 (16 March 1698).
55. Surviving offenders faced a fine of up to £100. *Council Extracts*, p.207 (13 January 1664 - mistakenly dated 18 January by the editor).
56. *Council Extracts*, p.299 (4 June 1679); *Council Register*, lvi, p.388 (26 March 1679).

57. *Council Register*, liv, p.515 (4 May 1664). On the history of the loch see J.S. Smith, 'The Physical Site of Historical Aberdeen', in Smith, ed., *New Light on Medieval Aberdeen*, p.4-5.
58. *Council Register*, lvii, p.337 (9 July 1690). In 1670 it was reported that the River Don had shifted course, adversely affecting the lands of Pitmedden owned by the town. In 1676 the magistrates sent a committee of men to the site to 'inform themselves by aged men of the former course'. The testimony of the elderly witnesses was needed so that rents could be adjusted to take into account the loss to each rig of several square yards of fertile soil over the past forty years. See *Council Register*, lv, p.275 (7 December 1670) and lvi, p.139 (21 June 1676).
59. The council played little or no direct role in the affairs of King's College in Old Aberdeen, which throughout most of the period under review was controlled by successive bishops of Aberdeen and after 1690 by the Earls of Erroll
60. At least 18 of the 210 merchant councillors identified were designated 'Mr.', indicating some sort of university education, though the title was available to those, like Alexander Jaffray of Kingswells, who stayed only a year or less at college and certainly never took a degree. Some of the 18 had attended King's or a European institution instead of, or in addition to, Marischal. In Leiden, another university town, 13 of 185 council members were university educated - all of them lawyers. Lamet, *Thesis*, p.152.
61. See *Mortifications Under the Charge of the Provost, Magistrates, and Town Council of Aberdeen* (Aberdeen: 1849).
62. The chair in mathematics was established by the Liddell family, who retained a dynastic hold over it for several generations. The actual appointment was made by the council, but they were sometimes subjected to intense lobbying: in 1686 the Lord Chancellor of Scotland, the Duke of Perth, wrote the magistrates and having acknowledged that they were 'Patrons of the said Profession' suggested that they consider William Sanders from St. Andrews for the forthcoming vacancy in Aberdeen, then held by Duncan Liddell, who by this point had 'a paralitick destemper'. Nevertheless, the chair went to the incumbent's son George. See *Council Letters*, vii, no.91, (17 November 1686), Charter Room, Aberdeen Town House. See also P.J. Anderson, *Fasti Acadamiae Mariscallanae Aberdonensis*, ii, (Aberdeen: 1898), p.53; and Roger L. Emerson, 'Aberdeen Professors 1690-1800: Two Structures, Two Professoriates, Two Careers', in Jennifer J. Carter and Joan H. Pittock, eds., *Aberdeen and the Enlightenment* (Aberdeen: 1987), p155-167. The chair in theology invariably went to a senior minister in the town.
63. A titanic struggle erupted over the librarianship in 1674, when the council's candidate for the post was Alexander Alexander, son of Baillie Alexander Alexander. *Council Register*, lv, p.591-3 (25 July 1674). A visiting Englishman, Thomas Kirk, described the library in 1677 as 'consisting of a few books and two or three mean old mathematical instruments'. P. Hume Brown, ed., *Tours in Scotland, 1677 and 1681, by Thomas Kirk*

- and Ralph Thoreby* (Edinburgh: 1892). Skene, however, himself an old boy, described it as 'a copious Library, which was at first plenished by the city of Aberdeen, who took all their books they had laid up in the upper rowm above their Session-house, and transmitted them to their own Library'. *Succinct Survey*, p.23.
64. On the Greyfriars church and the college buildings see Robert Sangster, 'The Buildings', in P.J. Anderson, ed., *Studies in the History and Development of the University of Aberdeen* (Aberdeen: 1906), p.380-384. The council gave £500 towards a lead roof for the observatory. *Council Register*, lvii, p.451 (14 September 1694). Bursars were instructed to adhere in future to previous guidelines concerning 'grave and suitable habits': 'black gowns, black bonnet or black hatt upon the streets and in the said college'. *Council Register*, liv, p.648 (2 December 1665).
65. Over the years numerous violent outrages were committed by students of both colleges, both on each other and on innocent townfolk. See for example *Council Extracts*, p.247 (15 January 1668). A rich variety of material exists in Aberdeen on the topic of town and gown relations, and these will be examined in a subsequent study.
66. The councils of the late seventeenth century continued the tradition of appointing schoolmasters to positions as readers and sacristers in the church. See White, 'The Impact of the Reformation', p.89.
67. Most of the council records relating to the grammar school are conveniently collected in H.F. Morland Simpson, ed., *Bon Record: Records and Reminiscences of Aberdeen Grammar School From the Earliest Times by Many Writers* (Aberdeen: 1906).
68. The words are those of Richard Franck, an English visitor of 1658. See Millar Patrick, *Four Centuries of Scottish Psalmody* (Oxford: 1949), p.119-122.
69. The girl's school was established by Lady Rothiemay's mortification of 1642. *Mortifications*, p.117-8.
70. According to Kennedy 'the vernacular language had generally been taught by a few old men and females'. Kennedy, ii, p.136. See below, n.75.
71. *Council Register*, liv, p.261-2 (1 May 1661).
72. *Council Register*, lvii, p.248 (2 February 1687). When Skene advised civic leaders to establish public libraries for the use of the magistrates and council, to be stocked with books that 'treats of Kingdoms, and Commonwealths etc., and Laws thereof and Histories and Geographie, that treat of manners of Nations, our own Acts of Parliaments, Regium Majestatem, and generally all other such like Books that may become Civil Rulers to be acquainted with', he suggested that there would be little point stocking many of the most classic texts because 'it may be there are but few acquainted with the Latin-Tongue or French-Language'. He was able to add, however, that 'there are many Modern that may be found at London', especially books suitable for a dean of guild and his assessors, 'as Lex Mercatoria, Roberts Map of Commerce, the knowledge of the Sea-Laws, as the Roll of Oleron, or Consolato of Barcellona, etc.' *Memorials*, p.154-55.

73. *William F. Miller MSS*, 1, Box Q, Friends House Library, London. I would like to thank the librarian and staff of Friends House for allowing me to consult the unpublished notes of the Quaker historian W.F. Miller, from which this reference is taken.
74. Smout, *Scottish Trade on the Eve of Union*, p.102.
75. *Council Register*, lvi, p.243 (30 May 1677).
76. *Council Register*, lv, p.565 (22 April 1674). According to Kennedy Aberdeen could claim only one officially endowed English teacher and 'eight or nine others' in 1818.
77. *Council Register*, *ibid*.
78. *Kirk Session Records*, CH2/448/14 (29 December 1675). Rab Houston has drawn attention to the importance of informal education, and to the possibility that servants, for example, might receive some instruction in reading from their employers. *Scottish Literacy and the Scottish Identity: Illiteracy and Society in Scotland and Northern England, 1600-1800* (Cambridge: 1985), p.134-36.
79. Dr. William Guild, for example, left 7,000 merks to the council and session jointly in 1657, 'to cume to the sustentatione of poore orphanes, to hold them at schooles, or trads, Impartiallie'. Guild was an experienced philanthopist who knew the expedient ways of hard-pressed civic officials, for he added they were to husband the money 'without inverting anie way this mortificatione, as they shall answeire to God at the last day'. *Mortifications*, p.133. Twenty years later James Milne, a merchant, left 2,500 merks to support two bursars at Marischal 'that are qualified, and have learned ther courss in the grammar schooll, and are of ane good inclinatione and dispositione, and noewayes given to wickedness nor vyce, and those whose parents are poor and indigent, and not able to mantaine them at the said Colledge, or whose parents are dead, and have not means of ther owne for mantaineing themselves sufficiently therat.' *Mortifications*, p.150
80. See Chapter 5.
81. *Council Extracts*, p.110 (2 January 1650). The boy had been learning his trade in the Correction House, an institution which seems to have enjoyed only a fitfull and unprofitable existance. See below, n.98.
82. *Succinct Survey*, p.24. For a more pessimistic appraisal of educational provision in Scotland's larger towns see Smout, *A History of the Scottish People*, p.438-39; and Houston, *Scottish Literacy and the Scottish Identity*, p.53.
83. *Memorials*, p.120.
84. See for example *Council Register*, liv, p.579-581 (1 February 1665), in which the magistrates received a petition from 26 members of the weavers trade, (roughly 40% of the craft - see Table 3.3), alleging that the funds in their poor box had been 'misimprovin' to the tune of £25 by their boxmaster, William Smout, and asking that the council intervене. Smout was eventually ordered to repay just over £20.
85. These are listed in *Mortifications*.
86. *Council Register*, liv, p.576 (4 January 1665). Office-holders were reminded that they were 'lyable for any monies they give out'. See also Rosalind Mitchison, 'A Parish and Its Poor: Yester In the Second Half of the Seventeenth Century',

- Transactions of the East Lothian Antiquarian and Field Naturalists' Society*, 14, 1974, p.21; and J.M. McPherson, *The Kirk's Care of the Poor* (Aberdeen: 1945), p.52-68.
87. *Council Register*, lv, p.342 (4 October 1671).
 88. *Guildry Accounts*, Charter Room, Aberdeen Town House.
 89. *Ibid.*
 90. *Ibid.*
 91. The same system applied in other towns. See for example Boulton, *Neighbourhood and Society*, p.143.
 92. *Council Register*, lv, p.556 (4 March 1674).
 93. See *Guildry Accounts* and *Guild Brethren Hospital Accounts*, Charter Room, Aberdeen Town House.
 94. Richard Alexander's heroics were not specified, but in 1652 the council granted him 'all he can aske or crave'. *Council Register*, liii, p.369 (1 December 1652).
 95. *Guildry Accounts*. The treasurer's mortcloth accounts do not reveal whether or not mortcloths were also provided for pauper burials.
 96. The litsters' records are to be found in West Register House, Edinburgh, under the Ultimus Haeres Department of The King's and Lord Treasurer's Remembrancer's Office, E870/4/1. I am grateful to Mr. Peter Vaisey of West Register House for drawing my attention to these records.
 97. The four hospitals are mentioned in Skene's *Succinct Survey*, p.24-5.
 98. *Ibid.*
 99. Aberdeen's correction house dated from 1636, when a patent obtained from Charles I enabled the burgh to establish a manufactory and house of correction dedicated to the production of broad cloths. Robert Johnstone, a Scottish merchant made good in London, bequeathed £600 sterling (£7,200 Scots) to the project in 1640. In 1644, however, much of the inventory was stolen by Montrose's Irish mercenaries, and this combined with a collapse in Dutch demand for coarse woollens marked the downfall of the establishment. It was revived at several points over the next half-century, but never successfully and never for long. See Kennedy, i, p.257-9.
 100. *Council Register*, lv, p.388 (22 May 1672).
 101. *Council Register*, liv, p.138-9 (December 21 1659)
 102. *Ibid.*
 103. *Ibid.*
 104. In 1607 one of the beidmen, John Craig, admitted to the kirk session that he had recently 'had carnal copulation with his wyff', which the session 'commandit to be notit for caus moving thame'. *Kirk Session Extracts*, p.59.
 105. J.M. McPherson, *The Kirk's Care of the Poor*, p.163-4.
 106. The stress on living benefactors was also of course a nod in the direction of the Reformed faith. Note that a similar establishment was run by radical Protestants in the London borough of Southwark. Boulton, p.143-4.
 107. See Chapter 5.
 108. *Council Register*, liv, p.535 (10 August 1664).
 109. *Council Register*, liv, p.539 (10 September 1664). See also Chapter 5.
 110. *Council Register*, lv, p.530 (22 October 1673).

111. *Council Register*, lv, p.556 (4 March 1674).
112. *Council Register*, lvii, p.556 (23 December 1696) and lvii, p.611 (10 December 1697). The reference to the children is in the unpublished *Letters*, vii, no.243 (@ April 1699). See also Tyson, 'Famine in Aberdeenshire', p.32-52.
113. *Council Register*, lv, p.13 (1 May 1667).
114. *Council Register*, lvii, p.424 (25 October 1693).
115. *Burgh Court Records* (2 October 1667).
116. *Ibid.* (13 November 1667).
117. *Ibid.* (9 January 1678).
118. *Ibid.* (8 January 1656). In 1678 another servant woman incurred the same heavy fine for accusing someone of being 'ane hermophradit or mangerall' - also a capital offence in early modern Scotland.
119. *Burgh Court Records* 1667/8: 8 January; 27 November 1667; 22 January; 22 January.

II Council Membership and the Urban Elite

1. Clark and Slack, *English Towns in Transition: 1500-1700*, p.129.
2. Allan White provides a good summary of sixteenth century burgh politics in 'The Impact of the Reformation on a Burgh Community: The Case of Aberdeen', in Lynch, ed., *The Early Modern Town in Scotland*. See also White, *Thesis*, p.54-64. A brief and penetrating survey of the topic is also provided by Jenny Wormald in *Lords and Men in Scotland: Bonds of Manrent, 1442 - 1603* (Edinburgh: 1985), p.140-43. Like Allan White she stresses that Aberdeen's relationship with Huntly was never one of complete subservience, though in light of White's (more recent) work she may have over-stated the degree to which the Menzies faction aligned with Huntly.
3. J.D. Marwick, ed., *Records of the Convention of the Royal Burghs of Scotland* (Edinburgh: 1866), i, p.321. White, *Thesis*, p.56.
4. A list of Aberdeen provosts is set out in Kennedy, ii, p.230-34.
5. White, 'The Impact of the Reformation', p.83. See also White, *Thesis*, p.14-24.
6. Marwick, *Convention of the Royal Burghs*, i, p.313-21.
7. White, *Thesis*, p.74-80, 355.
8. Senior positions on council were shared around far more widely than in the sixteenth century. See for example Kennedy, ii, p.230-234 for a list of provosts.
9. See Lynch, 'Introduction', p.11.
10. Duncan MacNiven, *Merchant and Trader in Early Seventeenth Century Aberdeen*, p.104-6, 279-86.
11. *Ibid.*, p.286.
12. Marwick, *Convention of the Royal Burghs*, i, p.313-21; MacNiven, *Thesis*, p.286.
13. Intervention on the part of central government could affect the holding of elections in the burgh. Following instructions issued by the English regime two elections were held in 1652, and none at all in 1653 or 1654 (see Chapter 1). From 1655 Michaelmas elections were held as usual until 1685, when James VII and II appointed George Leslie provost. The next two years the entire council was appointed by the crown. An election was held in November 1688, and again in May 1689. A controversy of 1697 resulted in two elections being held that year.
14. These were included at the outset of each year's council minutes.
15. See Chapter 3.
16. Mack Walker has suggested the term 'communarchy', to distinguish rule by committed townsmen embroiled in the everyday life of the town - 'a regime of uncles' - from that of a more detached patriciate of the sort normally associated with larger towns. *German Home Towns*, p.56-60. Walker's views have gained wide acceptance among historians of early modern Germany. See James Allan Vann, 'New Directions for Study of the Old Reich', *Journal of Modern History*, 58, supplement, December 1986, p.3.
17. See for example Walker, p.44-52.
18. *Council Register*, lv, p.1 (6 March 1667). See Chapter 3.
19. Aberdeen's electoral procedures are most clearly stated in

- Chapter 5 of Skene's *Succinct Survey*, p.30-2.
20. The 'Roll of the Brethren of Guild' has survived from 1658, 1668, and 1678. They are to be found amongst the *MSS. Election Leet Bundles*, Charter Room, Aberdeen Town House. The lists ought to have been drawn up annually and it would seem a coincidence that they survive in ten year intervals. See Chapter 3.
 21. *MSS. Election Leet Bundles; Succinct Survey*, p.31.
 22. The fleshers were not eligible for council service. See Chapter 3.
 23. For the relative sizes of the incorporated trades see Chapter 3, Table 3.4.
 24. *Succinct Survey*, p.31-2.
 25. *MSS. Election Leet* (September 1662).
 26. Forty votes were however recorded in the leets of 1662, 1663, 1664, 1672, 1674, 1694, 1696, and 1697.
 27. Mackenzie, *The Scottish Burghs*, p.121-22. See also Theodora Keith, 'Municipal Elections in the Royal Burghs of Scotland', *Scottish Historical Review*, 31, 1916.
 28. *Ibid*, p.122.
 29. Marwick, *Convention of the Royal Burghs*, i, p.321. White, *Thesis*, p.81-3.
 30. No lawyers served on the council between 1650 and 1700, but several advocates came to play important roles in burgh affairs as advisors and commissioners. The only professionals elected to the council were the three principals of Marischal College in office over the period: Mr. William Moir, Dr. James Leslie, and Dr. Robert Paterson. Moir served one term as baillie under the kirk party regime of 1649, otherwise they were all three restricted to serving as ordinary councillors. For much of the period under review the pool of potential councillors was further reduced by restrictions imposed on Catholics and Quakers. See Chapter 5.
 31. The term 'merchant burgesses' refers to the guild membership minus professionals definitely ineligible for office, held to account for roughly 10% of guild members. Subsequent calculations referring to merchant burgesses will therefore be based on a total of approximately 315 'merchants'.
 32. As 102 of the 210 merchants known to have served on the council between 1650 and 1700 belonged to the guild in 1669, it is assumed that a similar half of the 54 craftsmen elected to the council over the same period would have been active in 1669 - representing close to 10% of the 250 craftsmen estimated to have been in the town at that time.
 33. The number of households in Aberdeen in 1669 is estimated to have been 1,850. See Chapter 2.
 34. The individual leets over these years numbered 38, 65, 57, 60, and 55 names respectively. No single list could ever include all of the politically active members of the community, if only because 13 merchants from the outgoing council were ineligible to stand for immediate reelection.
 35. See Chapters 5 and 6.
 36. MacNiven, *Thesis*, p.283; see also Chapter 3.
 37. In the northern Dutch town of Leiden, population @12,000, 185 men were elected to civic government between 1550 and 1600, from 125 families, 69% of which only placed one representative on

- council. In Aberdeen the comparable figure was 59%, though this was achieved without resorting to the laws passed in Leiden against fathers and sons, brothers, and first cousins serving concurrently. See Lamet, *Thesis*, p.66, 136, 83.
38. White, 'The Impact of the Reformation', p.90.
 39. *Ibid.*
 40. Kennedy, ii, p.230-34.
 41. Friedrichs, *Nördlingen*, p.183-197. See also Smout, 'The Glasgow Merchant Community', p.67.
 42. See A.M. Munro, *Memorials of the Aldermen, Provosts, and Lord Provosts of Aberdeen* (Aberdeen: 1887), p.171-73. On the struggle for control of the town council and the civic pulpit in the 1650's see Chapter 1, Part III.
 43. John Molleson's apprenticeship to David Falconer (who married another of the baillie's daughters!) is recorded in Boog Watson, ed., *Register of Edinburgh Apprentices, 1666-1700*, p.65; the disturbance at the wedding, which took place in November 1669, is noted in W.F. Miller, 'The Record Book of Friends of the Monethly Meeting att Urie', in *Journal of the Friends Historical Society*, vii, 1910, p.93. See also Chapter 5. Citing an Edinburgh example of an arch-Protestant magistrate married to a devout Catholic woman, Lynch noted that women in Scotland retained their own kinship network after marriage. 'The Reformation in Edinburgh: The Growth and Growing Pains of Urban Protestantism', in Obelkevitch, Roper, and Samuel, eds., *Disciplines of Faith* (London: 1987), p.289.
 44. Friedrichs, *Nördlingen*, p.194-5.
 45. Brief biographies of each provost are provided by A.M. Munro in his *Memorials for the Aldermen, Provosts, and Lord Provosts of Aberdeen*.
 46. Chapters 2 and 3.
 47. See Chapter 2, and Appendix IV.
 48. See Appendix IV for a breakdown of taxable income amongst the merchant community.
 49. In 1634 the average merchant councillor in Edinburgh paid 4½ times the burgh average. Aberdeen magistrates averaged only slightly higher tax payments (£39) than council members as a whole, whereas in Edinburgh magistrates paid nearly twice what other council members paid, or 9 times the burgh average. Makey, 'Edinburgh in Mid-Seventeenth Century', p.215.
 50. J. Stuart, ed., *List of Pollable Persons Within the Shire of Aberdeen, 1696*, i, p.629-31.
 51. For a detailed examination of the mercantile and commercial activities of the Aberdeen merchant community, see MacNiven, *Thesis*. Although dealing with the early decades of the seventeenth century, his findings are broadly applicable to the period under review.
 52. MacNiven, *Thesis*, p.134.
 53. *Aberdeen Customs Books*, S.R.O. E72/1/1 (1668/9) and E72/1/20 (1690/1).
 54. It is conceivable that a handful of additional men from the 1690/1 list were first elected to the council after 1700.
 55. Inclusion in the customs accounts does not necessarily prove that a given individual was an active overseas trader - some of those listed were clearly importing luxury items for their

own domestic uses. Neither, however, does an absence from the list mean that an individual was not an active merchant - he might simply have been overseas on business that year, or done most of his trading through the entrepôt of Leith, thus bypassing the Aberdeen customs. Andrew Skene, for example, was one of the town's richest men. In the stent of 1669 he paid no less than £110. He was the Scottish factor in Campvere in 1665, and having returned to Aberdeen served as dean of guild in 1667. Yet he is not included among those named in the customs accounts of 1668/9. It could be that he was exempt for one reason or another. The shore work accounts reveal that he was active in the coasting trade in 1668/9, dealing with Ross, Caithness, Moray, and Leith. The custom's accounts do at least give the names of many of the most active merchants, and provide a basis for comparisons over time.

56. Alistair and Henrietta Tayler, eds., *The Valuation of the County of Aberdeen for the Year 1667* (Aberdeen: 1933). This figure is supported by the *Burgess Register*, which reveals that 71 (7.7%) of the 927 guild entrants registered between 1650 and 1700 were the sons of merchant heritors.
57. Smout, 'The Scottish Merchant Community', p.66-67; Devine, 'Social Composition of the Business Class', p.169-70 and 'The Merchant Class of the Larger Scottish Towns', p.104-06.
58. Allan White has noted that the political defeat of the Menzies and the definitive establishment of Protestantism in the burgh in the early 1590's (events not entirely unrelated) signalled the end of a fifty year period in which the families of the old Catholic landed elite had gradually withdrawn from the town: 'The constant friction between town and country was solved for them by a commitment to the way of life of the gentry'. *Thesis*, p.355. A number of burgesses, including descendants of the sixteenth century elite, left the burgh permanently in the 1640's in the wake of the upheavals and persecutions attending the civil war. See Chapter 1. At the Restoration Alexander Jaffray found it prudent to retire to Kingswells following his strident support for the covenants, his collaboration with the regicides, and his unorthodox religious views, having progressed from stern Presbyterianism to Independency and then Quakerism. See also Chapter 1. Finally, the Skenes of Rubislaw have been cited as one of only two clear examples from late seventeenth century Scotland of 'trading families' who acquired estates sufficient to enable them to sever their ties with commerce. Devine, 'The Merchant Class of the Larger Scottish Towns', p.102. In fact George Skene was a self-made man who settled in Aberdeen relatively late in life. He never married, but adopted two nephews to be raised as his heirs. They disappointed him and in the end his estates went to a grand-niece married to a local laird and to her son, an unsuspecting regent of King's College. The Skene's of Rubislaw, then, can hardly be classed as a mercantile dynasty. Munro, *Memorials of the Aldermen, Provosts, and Lord Provosts of Aberdeen*, p.180-83.
59. MacNiven, *Thesis*, p.225-36.
60. Devine, 'Social Composition of the Business Class', p.169.
61. Forbes was one of the three most active of the 83 merchants named

in the 1690/1 customs accounts, having had a stake in seven of the twenty-eight overseas cargoes entering the town that year. He was involved in three ships from Holland, and another from Dantzic. He was also the sole merchant listed for three ships from Hamburg, laden mainly with Rhenish wines and brandy - war with France having disrupted the normal supplies of wine. See Smout, *Scottish Trade on the Eve of Union*, p.64-65. Aberdeen's merchants tended to specialise in one form of trade or another to an extent unusual among Scottish traders. See Lynch, 'Social and Economic Structure', p.273.

62. Munro, *Memorials of the Aldermen, Provosts, and Lord Provosts of Aberdeen*, p.154-55. See also *Valuation Roll*, p.141.
63. Munro, *Memorials of the Aldermen, Provosts, and Lord Provosts of Aberdeen*, p.157-63; Barclay, ed., *The Diary of Alexander Jaffray of Kingswells*, p.16-19.
64. Munro, *Memorials of the Aldermen, Provosts, and Lord Provosts of Aberdeen*, p.180-83.
65. The reference to the MSS. poll book of 1694 is to be found in Munro, *Memorials of the Aldermen, Provosts, and Lord Provosts of Aberdeen*, p.190. In 1695 he again paid in the lowest bracket, and though the wording is unclear (there may well be some key words missing from the original or the transcription) it is apparant that the same reason was given. Stuart, ed., *List of Pollable Persons*, p.605.
66. It could be that in some cases the purchase of a rural estate was intended to signal serious political intent, to demonstrate to the electors that an individual had achieved the economic independence necessary for a major commitment to civic administration. This is a rather different thing than acquiring land for the social status it conveyed or so as to gain access to a distinct landed clique within burgh society. Economic independence and participation in public affairs can also be seen in terms of a merchant's life-cycle. In a paper delivered at the St. John's House Centre for Advanced Historical Research at the University of St. Andrews in 1985 Dr. Peter Earle of the London School of Economics discussed his findings on the life-cycle of seventeenth century London merchants. He found that having completed an apprenticeship a typical merchant spent his 20's trying to establish a business using borrowed capital; his 30's were spent consolidating the business and paying off debts; in his 40's he would begin a process of divestiture, slowly withdrawing from trade; if all went well, from his 50's on he would live off the rents or income generated by his investments. Much work remains to be done on the personal and commercial careers of individual members of the Aberdeen council, but this pattern would seem broadly applicable. It is worth noting that on average 12 years elapsed between an Aberdeen merchant's entry to the guild and his first election to the council, suggesting an average age on entry into civic government of about 34. The average provost was about 50 when first elected, although there were some, like Gilbert Gray (27) and Alexander Jaffray (35) who were elected very young. For a general discussion of the importance of age in early modern society see Keith Thomas, 'Age and Authority in Early Modern England', *Raleigh*

Lecture on History (London: 1976).

67. *Valuation Roll*, p.242.
68. Aberdeen merchants had been investing in land since at the fourteenth century. See Ewan, 'The Age of Bon-Accord: Aberdeen in the Fourteenth Century', p.40-41 and, for the fifteenth century, Booton, 'Economic and Social Change in Late Medieval Aberdeen', p.51-54. In the seventeenth century land, both inside and outside the town, continued to provide a ready option for Aberdeen's merchant investors. The pattern of property holding and the incidence of rental property in the burgh is a topic in need of further attention. In the meantime it is perhaps worth noting that in the stent roll of 1669 several merchants were assessed for property other than their own dwelling and business premises that they held within the town. Opportunities to invest in shipping, joint-stock companies, manufactories, and emerging industries of the sort pursued by Edinburgh merchants were few and far-between in the north-east, and in any case the merchants of Aberdeen could ill afford risky speculations. See Brown, 'Merchant Princes and Mercantile Investment', *passim*.
69. McMillan, *Thesis*, p.142.
70. Mackenzie, *The Scottish Burghs*, p.131.
71. Another way of looking at Black's career, however, is to note that he was never selected by his peers on council for a second consecutive term. In this he was unique among long-serving council members. Whether this was his choice or whether he was repeatedly overlooked when it came time to choose the 'old four' to continue in office, we cannot say.
72. Both their careers ended in controversy, and both were terminated by the central government authorities, Patrie for his ill-judged comments in parliament, and Skene following allegations made to the privy council by his opponents on council concerning irregularities in the elections.
73. These figures derive from the election leets.
74. The leets show, for example, that it was rare for the vote for the provostship to be close: on only four occasions, in 1662, 1664, 1675, and 1696, did the winning nominee fail to gain less than double the votes of his nearest rival.
75. Virtually every historian who has dealt in any way with medieval or early modern Aberdeen has highlighted the intimate ties between urban and landed society. Among the more recent writings on the subject see the works of White, MacNiven, Wormald, Keith Brown, Booton, and Lynch, cited above.
76. In 1659 Lord Forbes of Pitsligo threatened to storm the town if his demands concerning the collection of customs were not met, see Chapter 1, and in 1664 the Earl of Mar amassed 2,500 men to help him smash the burgh's cruives on the River Don. *Council Extracts*, p.210-11 (8 June - 14 December 1664).
77. Keith Brown, 'Burghs, Lords and Feuds in Jacobean Scotland', p.120.
78. I would like to thank Allan White for allowing me to see an early draft of his thesis in which these matters were discussed.
79. See Chapter 2, Part II.

CHAPTER FIVE

THE MINISTRY, THE KIRK SESSION,
AND THE CHALLENGE OF RELIGIOUS DISSENT

THE MINISTRY, THE KIRK SESSION,
AND THE CHALLENGE OF RELIGIOUS DISSENT

I The Ministry

To the extent that anything at all is widely known about early modern Aberdeen, it is that it was conservative and royalist in its politics, conservative and Episcopalian in its religion.¹ These conclusions, confidently and regularly repeated over many generations, have yet to be subjected to rigorous cross-examination amongst the burgh's own records. Such an undertaking lies well beyond the scope of the present study, although enough is already known about the convoluted political history of the burgh to suggest that the traditional view is in need of substantial qualification. Rather more drastic revision may eventually be required if we are to do justice to the remarkably rich, varied, and at times genuinely brilliant religious culture of the seventeenth century burgh.² Our aim in this chapter is more modest, and centres on the institutional and administrative side of civic religion, on the ministry and the kirk session, and on the efforts to contain the growing problem of religious dissent in the burgh. Even from this more blinkered perspective, however, it soon becomes apparent that the course of true religion in the burgh was neither as straight nor as narrow as has often been supposed.

We need look no further than the civic ministry to see that Aberdeen's religious establishment did not after all bask in the permanent consensual glow of enlightened episcopacy, but was instead subjected to many of the same sorts of conflicts, contradictions,

and compromises which characterized religious life elsewhere in Scotland. Throughout virtually the whole of the troubled middle decades of the century, for example, from the appointment of Andrew Cant in 1641 to his long-delayed removal in 1660, the burgh kirk was controlled by rigid Presbyterian ministers and kirk sessions. The protester faction which ruled the civic church in the 1650's suffered its greatest setback not at the hands of conservative opponents, but from its own more extreme members who in 1652 broke from the kirk altogether. Among those who turned to English-style Independency were Andrew Cant's two colleagues in the ministry, John Row and John Menzies. Their defection left the burgh kirk severely under-staffed: where there ought to have been four ministers, and had usually been three, there was now just one. At a time of acute crisis this would appear to have left the aging and overworked Cant and his supporters with no choice but to stand aside or to swallow their anti-Erastian principles and cooperate with the town council in choosing new ministers to fill the vacancies. An unlikely conjunction of events and policies rooted well outside Aberdeen, however, conspired to keep the protester party in their tattered ascendancy until 1659, long after whatever popular support they might once have enjoyed had eroded.³

Was the fractious history of the burgh kirk in these years a complete aberration, an unhappy interlude foisted upon the instinctive Episcopalians of the 'braif toun' by a small minority of opportunistic zealots? Most church historians have said that it was. One recent study concluded that 'At the Restoration, Aberdeen warmly received back an episcopal form of church government and gave

assent to the theory of the divine right of kings, which seemed by then to go with it. It remained a stronghold of episcopacy and loyalty to the Stewart monarchy.⁴ This is certainly the impression which the civic and ecclesiastical establishment wished to convey to posterity and the outside world. Elaborate celebrations were staged to mark the restoration of the monarchy, and the town council sponsored the publication of ecstatic sermons delivered by the newly-loyal ministers of the town.⁵ Much has been made of the posthumous influence of the saintly Bishop Patrick Forbes and the 'Aberdeen Doctors', gifted and much-loved divines from the first episcopate, and of the fact that the published account of the famous debate between the 'Doctors' and the covenanters sent north to win over the town in 1638 was reissued in 1662; 'The *General Demands* played an important part in making the people of Aberdeen so ready to re-accept episcopacy.'⁶ Yet the truth is that the reissue did not sell at all well, even - despite the efforts of the bishop of Aberdeen - amongst the clergy of the north-east, and the printer John Forbes is said to have lost a good deal of money on the venture.⁷

We need not doubt that the Restoration, which promised an end to hostilities and a return to stable government in both church and state, was met with anything less than genuine relief and enthusiasm by the great majority of Aberdonians.⁸ Neither, however, should we accept the propaganda exercises of civic and church authorities at face value.⁹ The last vestiges of Presbyterian sympathies and radical religion were definitely not flushed out of the royal burgh of Aberdeen in 1660, but continued to effect the religious life of

the town throughout the Restoration era and beyond. Once again some of the best clues as to the true state of affairs within the burgh kirk are to be found in the men elected to the civic ministry by the ruling establishment.¹⁰

At the time of the Restoration Aberdeen was in theory supplied with a full complement of ministers for the first time in many years. Andrew Cant retained a precarious grip on the parsonage of St. Nicholas, George Meldrum and John Patterson had recently been appointed to the second and third charges respectively, and John Menzies had been reinstated following his brief flirtation with Independency.¹¹ It was not long, however, before the ministry was seriously short-handed once more. Cant was gone within the year, and in the spring of 1662 Paterson, who had never wanted to come to Aberdeen, left to take up the bishopric of Ross.¹² He was the only convinced Episcopalian of the four, and it was to be some time before the burgh hired another. Indeed John Menzies and George Meldrum were actually suspended by the first episcopal synod of Aberdeen for refusing to offer 'due canonical obedience' to the new bishop.¹³ Between October 1662 and January 1663 the town was completely bereft of full-time ministers: the magistrates called upon the synod to appoint supply ministers from surrounding parishes, and this was done, with local clerics filling in on a rota system.¹⁴ Following an appearance before the privy council Menzies and Meldrum made their peace with the church hierarchy, but Meldrum was later deprived for his refusal to swear the Test of 1681, and Menzies, though he eventually complied on that occasion as well,

died in 1684 very much regretting his various departures from the strict Presbyterian way.¹⁵

The true legacy of the Aberdeen Doctors should perhaps be seen not in the somewhat doubtful claim that the good people of Aberdeen once more became wholeheartedly Episcopalian as soon as they were lifted out from under the Covenanting and Cromwellian yoke, but in the prevailing spirit of conciliation and pragmatism which enabled men such as John Menzies and George Meldrum to remain in their charges.¹⁶ Whatever their preferences in matters of church government, there was much to commend both men. Menzies in particular seems to have been a popular character, and both are said to have been powerful and fiery preachers.¹⁷ And they must have endeared themselves to many among the ruling establishment and won the grudging respect of others for their relentless campaigns against old recusants and new non-conformists: the relative broad-mindedness which characterized the Church of Scotland in the north-east was never willingly extended to those, like the Catholics and Quakers, who stood outside its ranks.

Between John Patterson's departure in April 1662 and Patrick Sibbald's arrival in November 1665 there were no other ministers in the burgh to balance Menzies and Meldrum and their thinly-veiled Presbyterian leanings. The shortage of ministerial manpower was all the more severe since Menzies, as professor of divinity at Marischal College, was not expected to undertake full parochial duties.¹⁸ Similar shortages were common enough throughout Scotland, for patrons were often slow to fill a vacancy with a full-time cleric when able and much cheaper part-time help was usually near at

hand.¹⁹ Certainly Aberdeen's parlous burgh finances could not easily support four ministers at £1,000 each *per annum*, particularly when as a university town there was no shortage of qualified replacements willing to man the pulpits on a temporary basis (albeit sometimes for years at a stretch) for the going rate of £400 *per annum*.²⁰ William Mitchell, another Presbyterian and a son-in-law of Andrew Cant, was appointed to help with preaching and catechising in August 1663 and continued to hold a variety of part-time positions for twelve years.²¹ In 1675 the town asked the bishop to approve his elevation to full ministerial status, but this was apparently refused. The bishop nominated his own candidate, but the council retorted that the money could not after all be found for a fourth minister, and the post was frozen once more.²²

It seems clear that reasons of economy cannot altogether account for the continuing vacancies in the burgh kirk. The town council, from 1661 reconciled with the kirk session, was entitled to oversee the election of ministers subject to the bishop's final approval. No less than eight men were elected to the town's two vacancies over a period of three and one-half years, and many others must have been considered or approached. Each time the negotiations broke down. It is not altogether clear why Aberdeen should have had such difficulty attracting ministers: perhaps Robert Baillie's comment in 1658 that with regard to religion 'Aberdeen will never be out of some fire' continued to represent a widely held view among the clergy.²³ Whatever the reasons, we are left with the distinct impression that the burgh was regarded by many churchman as anything but a desirable posting. Several of those elected in the 1660's,

like John Patterson before them, begged that they might be excused the call. In 1665 Alexander Seaton cited his own 'unaptness and inabilitie ... to serve in so publict a place', and Gilbert Anderson professed that at nearly sixty years of age he was 'so failed in bodilie strenth, sight of eyis, weaknes in voice, and dulnes of earis' that he too was unsuited for the charge.²⁴ In 1663 William Scroggie thanked the council for their interest but declared that as he was 'adaylie dying', and faced 'difficultie eneugh to keepe up a crasie body in the retired and quyt station quhairin I live', he was loath to accept 'such an onerous and painfull charge', not only for his own sake but to spare them 'ane disapoyntment of your expectation in putting you under so sudden a losse and to a new election'.²⁵ We might note that concern for his imminent demise did not prevent him from becoming bishop of Argyll three years later.²⁶

The vacancies in the burgh kirk were finally filled, in November 1665 and May 1666, by Patrick Sibbald and David Lyell, men of no great distinction who inclined to episcopacy. Sibbald served in the town for thirty years without making much of an impression. Lyell's much briefer stay must have reassured those ministers who had turned the burgh down that they had made the right decision. Citing his 'valitudinarie conditione and debilitie of bodie' he demitted his charge in 1673, just over a year after having had to defend himself against allegations made by a former member of the congregation that he was 'ane ordinar swearer and ane debeastit drunkard and prophane persone', particular reference having been made to one drunken evening in Leith.²⁷ The minister won his libel action, but it is easy to imagine that some of the mud stuck.²⁸

Aberdeen's religious establishment only began to take on an unambiguously Episcopalian hue some twenty years after the Restoration, as the generation of civic and church leaders active during the Covenanted and Cromwellian eras began to give way to younger men who grew up under the Second Episcopate.²⁹ John Menzies was in semi-retirement from 1677, and in 1681 George Meldrum was deposed by the privy council for refusing to sign the Test. The first of the new generation of ministers to be elected, against the objections of the older hands on the town council, was William Blair in 1680.³⁰ He had been just sixteen at the time of the Restoration, but was five years older than the man chosen to replace Meldrum in 1682. In George Garden the burgh at last had an Episcopalian minister of real stature.³¹ His appointment, and Menzies' death two years later, mark the points at which Aberdeen's Episcopalian reputation begins, for the first time since the troubles, to carry real conviction. With Patrick Sibbald occupying Menzie's old chair at Marischal College, the appointment of Andrew Burnet to the parsonage in 1687 gave Aberdeen a full complement of Episcopalian ministers for the first time in nearly fifty years.

The Revolution settlement of 1689/90, in which prelacy in Scotland was abolished and Presbyterianism re-established, plunged the burgh kirk into yet another round of confusion and upheaval. This time it seems that a majority of the town's ruling elite, in common with most of the Protestant gentry of the north-east, probably did favour episcopacy. The pre-Restoration generation had for the most part given way in secular as well as ecclesiastical circles. It has often been noted that the Episcopalian ministers in

the town carried on for some years as if nothing had changed, which could not have happened without the complicity of the town council.³² Although Episcopalianism and Jacobitism became ever more closely associated as the years went by, few Episcopalian ministers in the region were removed from office prior to the summer of 1694, when a committee of the general assembly came to Aberdeen to examine the vast majority of ministers in the region who had thus far refused to accept the abolition of prelacy.³³ 'I see the northern ministers take the alarme at the Commission for the North', an observer in Edinburgh had noted, 'and Aberdein mindes to be the metropolis of the Episcopal partie'.³⁴

Presbyterian sympathies had not, however, been altogether extinguished in the burgh. George Garden was forced by the privy council to step down in 1693 following allegations made the year before by some members of the town council to the effect that he had refused to pray for William and Mary.³⁵ Like many other outed ministers Garden became increasingly radical in his views, and with his brother James, removed from the chair in divinity at King's in 1696, he went on to develop a strong interest in matters of liturgy and mystical religion, the latter being something of a specialty among pious clerics and laymen of the north-east.³⁶

The faction on council responsible for Garden's removal offered his job to George Meldrum, the man he had originally replaced. Meldrum, like so many before him, declined the call, albeit more graciously than most.³⁷ The place went instead to Thomas Ramsay, who despite being a graduate of King's became Aberdeen's first Presbyterian minister of the new era in July 1694.³⁸ His first

months in office were attended by a good deal of confusion: for a time both Presbyterian and Episcopalian services were offered in St. Nicholas' kirk, and there were two kirk sessions.³⁹ The burgh finally conformed to the new order in the last weeks of 1694. A series of terse entries in the *Council Register*, somewhat reminiscent of the city fathers' taciturn acknowledgement of the Reformation in 1560, reveal that on 28 November the council informed the episcopal kirk session that it was 'not a legal sessione', and was neither to select new members for the coming year nor to 'medle with the utensils and records of the church'.⁴⁰ A week later the town council decided to withhold the stipends of Sibbald, Blair, and Burnet 'until it be determined by the Lords of Privy Council or Lord's of Sessione whether they have right therto'. The treasurer, John Leslie, registered his dissent from the decision, arguing that they ought to be paid so long as they officiated.⁴¹ That same day the Presbyterian session was appointed 'to collect and uplift the charity at the church doors', and on 19 December this obligation was extended to cover occasions when Episcopalian ministers preached.⁴² It should be noted that this uncharacteristically decisive action on the part of what had been a divided town council coincided with the presence in the burgh of a regiment of government troops: on 5 December it was reported that 'the Magistrates wer much withdrawn from attending the affairs of the toune by being at the trouble themselves to quarter all officers and souldiers with in the said burghe either in ther local or transient quarters'.⁴³

It seems clear enough that as the seventeenth century drew to a close the reconstituted Presbyterian regime enjoyed but a tenuous

hold over the hearts and minds of the majority of the ruling establishment in Aberdeen. In 1695 Andrew Burnet, too, had been removed by the privy council, and William Blair and Patrick Sibbald suspended, though both soon conformed. Sibbald died at the end of 1697, and Thomas Ramsay some months after. The latter was interred at council expense with Andrew Cant - presumably the Presbyterians in the burgh meant this as a compliment.⁴⁴ The town had always preferred to employ home-grown ministers, but Presbyterian replacements had to be recruited from outside the north-east: James Osborne came from Kilmarnock in 1695, and Thomas Blackwell from Paisley in 1700.⁴⁵ They arrived to find a famine-stricken community in which for the first time since Andrew Cant's day it proved difficult to find burgesses, especially merchants, willing to serve on the Presbyterian kirk session. No Presbyterian communion was offered in the town until 1704.⁴⁶ And all the while ousted Episcopalian ministers remained active in the region.⁴⁷ George Garden conducted services at conventicles and in meeting houses, and for a time ran an English school in the burgh which the city fathers ordered closed on the grounds that he had drawn too much custom away from the town's licensed schoolmaster.⁴⁸

From the perspective of the civic ministry, then, the religious life of the town between 1650 and 1700 appears to have featured a good deal of controversy and confusion, not only in the troubled opening and closing decades of the half-century but over virtually the whole of the period. These difficulties were real enough, and as we shall see the burgh kirk was plagued by other problems as well, but they can be overstated and do not tell the whole story.

The existing structures and practices of the parish church, in Aberdeen as throughout Scotland and beyond, proved remarkably resilient in the face of ecclesiastical and political upheaval, generating their own countervailing forces of cohesion and continuity.⁴⁹ To begin with, the average parishioner would have found precious little to choose between the rival branches of the kirk by law established. Although we might expect that a somewhat different atmosphere attended Presbyterian and Episcopalian services, in terms of both theology and forms of worship 'the outward difference was clearly quite amazingly slight'.⁵⁰ Just as importantly, a high degree of continuity was assured by the fact that the classic Presbyterian system of church courts was not only retained under episcopacy but continued to function without interruption and with only the most minor modifications. In Aberdeen the kirk session, like the town council, gave the impression that it went about its appointed business with a single-minded disregard for the great political and ecclesiastical debates of the day. In its methods and objectives the session remained virtually unchanged in these years.

II The Kirk Session

The kirk session consisted of ministers, elders, and deacons, and was concerned primarily with maintaining discipline and caring for the resident deserving poor.¹ The court normally met each Monday afternoon in the session house next to the kirk. Like the council it met behind closed doors and members were obliged to keep all deliberations secret. Since only one minister was required to

attend as moderator the ongoing problem of shortages in the ministry had relatively little effect on the session. Elections were normally held each year at the end of November. As with the council the new session was chosen by the old, although there appears to have been no statutory limit to the number of men who could serve consecutive terms - the annual rate of turnover was something in the order of 60%.² It was customary to choose 36 laymen to serve on the session each year, 18 elders and 18 deacons.

There were only one or two designated office-holders on the kirk session: a collector in charge of the offerings made at the church doors each Sunday, and in times of Presbyterian ascendancy a ruling elder to represent the session at meetings of the superior church courts. Elders and deacons were assigned in pairs to particular quarters and precincts of the town: four to the Futtie, Even, and Green quarters, and six to the more populous Crooked. In 1699, for example, George Cruikshank, elder, and John Middleton, deacon, were assigned to monitor the goings-on from 'the hail west syd of the broad gate to the end of the [Crooked] quarter'.³ The respective duties of elders and deacons were never laid out with any precision. In October of 1674 the Aberdeen synod issued instructions concerning a forthcoming visitation of each parish in the diocese which went into great detail as to the exact duties incumbent upon ministers, schoolmasters, heritors, and heads of households. With regard to elders the minister was simply to be 'interrogat concerning ther diligence in delating of scandalls, assisting him in the exercise of discipline, and representing the conditione of the poor and sick in ther severall quarters'.⁴

Nothing at all was said about deacons, who were not to be found in every parish. It seems that their role was simply to assist the elders in their work.⁵

The kirk session occupied a carefully delineated niche in the structure of local authority. It was of course subject to the church hierarchy of presbytery, synod, and bishop or general assembly. It was also, like every other organization in the burgh, beholden to the town council. The session managed some of its own funds, but the council owned and maintained the churches and churchyards, orchestrated the hiring of ministers, paid their stipends, and decreed when and where they would preach.⁶ A potent symbol of civic Erastianism revived in the episcopal era was the practice whereby every session elected between 1661 and 1693 automatically enrolled the seven most senior council officials - the provost, baillies, dean of guild, and treasurer - as elders, over and above those already elected.⁷ Several other serving members of council were likely to be among those elected to the session, and even under the anti-Erastian kirk regimes of the 1650's and 1690's the council was usually well-represented. So far as the exultant kirk session of 1661 was concerned, however, there was no substitute for close formal ties with the council, for this would serve not only 'for macking up the bygon breach' of the Cant era just passed, but to promote 'constant harmony' in future, paving the way

for the advancement of gods glorie, for promoting of holiness and punishing of Sin and Profanitie in the place, and for strengthening the hands of ministers elders and deacons in ther duetie ... wharby the discipline of the church may be mor awful to

delinquents, and the poor of the place the better
Supplied and maintained.⁸

The key to understanding the kirk session and its place in burgh society lies with the men who served on it. As we saw with regard to council members the most important point to grasp is simply that so many men were invited to participate in the work of the burgh church. The records of St. Nicholas' kirk session cannot compare with those of the town council for clarity and completeness, but they do provide the lists of elders and deacons for 33 of the 44 sessions known to have been elected between 1650 and 1700.⁹ A total of 1,188 places, evenly divided between elders and deacons, were filled by 306 men in these 33 years. Exactly 200 of them served as deacons and 174 as elders, with 68 deacons (34%) having advanced to the eldership. All of these were freemen of the town, 189 (62%) of them merchants, 117 (38%) craftsmen.¹⁰ If we take the year 1669 as our base, when it is estimated that there were approximately 350 guild and 250 craft brethren in the burgh, it seems that roughly 40% of all guildsmen and 33% of craftsmen served on the kirk session at some point in their lives.¹¹

Despite the fact that one-third of all deacons went on to be elders, it is clear that in essence the two tiers of the church court catered to different sectors of the craft and guild hierarchies, and that each tier contributed a different vital ingredient to the burgh's pungent blend of authority and discipline. Over the last three chapters the merchant guild and its members have been shown to have dominated virtually every aspect of civic life in early modern Aberdeen, and religion was no exception. The relative

importance attached to each of the town's three main elective bodies can be gauged by the number of merchants involved. We have seen that although merchants made up approximately 60% of the town's 600-odd freemen, they comprised 90% of the all-powerful town council, a fixed proportion laid down by civic statute.¹² No such formulae applied to the kirk session, but merchants of guild still managed to account for 90% of all elders. The subsidiary status of the deaconry is reflected in the fact that only 48% of its members belonged to the guild. On the still less prestigious constabulary of the justice of the peace court merchant participation amounted to just under 25%.¹³

Turning first to the eldership, it was dominated not only by merchants of guild, but by the same merchants who controlled the town council. However many sitting council members may have adorned the kirk session in a given year, the fact was that 80% of all elders served on the town council at some point in their public careers.¹⁴ The characteristics of the civic establishment outlined in the last chapter, therefore, apply equally well to the senior ranks of the ecclesiastical establishment.¹⁵ The natural bonds of common interest which already united civic and church leaders were greatly reinforced by the simple expedient of blurring the distinctions between the two groups so as to form what amounted to a single seamless ruling elite. This is well illustrated by the careers of many of those most active in public life. Gilbert Molleson, for example, was elected to the town council in 18 of the 32 years between 1655 and 1687: in 13 of the remaining 14 years he was appointed an elder on the kirk session. For more than twenty

years Gilbert Black served in the council chamber and the session house in alternate years. And on the rare occasions when Alexander Alexander was not on council he too could count on being elected to the eldership.

The intermingling of kirk elders and town councillors was a common feature of local government in most of Scotland's larger towns, and indeed wherever Calvinist churches prevailed.¹⁶ It meant that the session was assured of close cooperation with the civic government in most, if not all, matters of common concernment.¹⁷ Even more importantly, it meant that the policies of the burgh kirk were normally guaranteed a firm and broad consensus of support from within the civic elite. Yet the eldership, however much it may have cemented that consensus, did little to broaden it. Only 34 of the 174 elders failed to be elected to the town council. It was left to the deaconry to begin to bring a wider circle of burgesses into public life. To some extent it served as a training ground for upwardly mobile merchants and craftsmen: 45 of the 96 merchants chosen as deacons and 44 of the 104 craftsmen went on to serve as elders, councillors, or trade councillors. This left a group of 111 men, representing 56% of the deacons and 36% of all session members, who did not go on to achieve higher office. They represented the second rank of burgesses, men who lacked the wealth and status of the ruling elite.¹⁸ In the last chapter it was suggested that slightly more than 20% of the estimated 600 burgesses of craft and guild living in the town in 1669 served at least one term on the town council. The combined elite of councillors and elders would have totalled just over 25% of the burgh community. Those who

served only as deacons represented a more significant expansion of the franchise, bringing the figure closer to 40%.¹⁹ The deacons may have had little real power, but they had the opportunity to rub shoulders with those who did, and their participation can only have extended the range and efficiency of the burgh's multi-faceted machinery of authority and discipline.

The two great tasks undertaken by the elders and deacons of the kirk session, the imposition of godly discipline and the provision of poor relief, were closely related. As in modern industrialised countries, social assistance and social control went hand in hand. This is not to suggest that the early modern kirk's charitable work lacked an element of genuine compassion. The care of the poor was indeed 'part of the general social obligation of a Christian community' and was regarded as such, but in the robust Christianity of the time so too was the maintenance of God's divinely appointed social order.²⁰

In matters of discipline the Aberdeen kirk session concerned itself, in theory at least, with the whole of the community.²¹ With regard to poor relief its attention was somewhat more narrowly focussed. It did not as a rule provide assistance for distressed freemen and their families, who relied instead upon the private resources of their craft or guild.²² The church also made little or no positive provision for Aberdeen's fluctuating population of employed and unemployed migrants.²³ The kirk's charity was reserved instead for needy members of the established population of unfree inhabitants. Because we cannot know how many migrants lived in Aberdeen, we cannot say with any precision how many people might

have qualified for the kirk's assistance. If, as suggested in Chapter 3, we assume that the unfree population as a whole comprised approximately 60% of the population, and that perhaps 20% of these people were incomers to the town, then something in the order of one-half of the burgh's inhabitants will have been established, unfree residents eligible for public assistance when in need.²⁴

The kirk session had over the years received a number of mortifications on behalf of the poor of the town.²⁵ These funds seem to have been kept out on more or less permanent loan, and whatever income they produced appears to have gone into the kirk's common good. Most of the money actually paid out to the poor came instead from the weekly collections taken by elders and deacons standing at the doors of the old and new kirk of St. Nicholas.²⁶ In an average week the session could expect to take in about £20 for the use of the poor, and in normal times this would generally prove sufficient to cover most of the kirk's charitable outlays.²⁷ Difficulties arose whenever donations flagged or conditions for the poor worsened: in January 1667, for example, the session called for 'a note to be given to the Ministers for exhorting the people to enlarge their Charitie to the poor in this stormie weather'.²⁸ When the town was supplied with enough ministers to enable an annual communion service to be held this normally yielded as much as one-third of the year's donations. A magistrate was strategically stationed at each of the two communion tables, and communicants were required to make a suitable offering before being allowed to partake of the Lord's Supper.²⁹ In 1680, when the earliest complete session accounts become available, the weekly offerings to the poor amounted

to £1,673-12-1 over the course of the year, of which £395-15-2 had been given in at the July communion service.³⁰

Most of the kirk's expenditure on poor relief went on direct cash payments granted, as with the guild, to two main classes of recipients: those in chronic need who received monthly or quarterly pensions, and those requiring only occasional assistance.³¹ There were, however, some other forms of assistance offered. On occasion the session would supply shoes and clothing directly, and there are instances of psalm books, new testaments, and bibles being presented.³² Winding sheets would also be provided where necessary, though this was a matter normally left to the justice of the peace court.³³ In 1658 it was noted that the master of the English school 'hes ane number of poor schollers in his schooll, who are tounes barnes, and hes no parents to interteane them at schools, for whose learneing and instructioun he receaves no payment'. The session awarded the schoolmaster £20 *per annum* for the children's education.³⁴ Similarly, the session sponsored up to six underprivileged boys in apprenticeships. In July 1676, for example, it agreed to pay the £8 apprenticeship fee for Andrew Straquhan, who wished to train as a weaver following in his late father's footsteps. The session clerk noted that 'seeing he wes one of the pensioners for which his mother did receive 24/ monethlie, they reducit her to 16/ monethlie'.³⁵

How many people received the kirk's charity, and how much did they receive? Judging by the town's burial register and statutory food prices the year 1680 would not appear to have been one of more than usual difficulty for the urban poor, though the next year

certainly was.³⁶ Unfortunately, neither the monthly nor the quarterly pensioners were named in the accounts, nor were the payments itemised, though we do know the total amounts paid out to the two groups. References in the session minutes for 1680 indicate that the average monthly pension was 10/ and the average quarterly pension £5.³⁷ This suggests in turn that there were approximately 120 monthly pensioners receiving an average of £6 *per annum* in 1680 - little more than one quarter of what a typical guild pensioner could have expected in 1674.³⁸ Those receiving a quarterly church pension worth an average of £20 *per annum*, on the other hand, enjoyed a level of support not far below that of the guild's poor.³⁹ Recipients of occasional monthly payments were named in the 1680 accounts: a total of 163 people, 60% of them women, received 308 payments averaging 15/ each. Sixty people received more than one grant. The largest single amount paid was £4, whereas the average equivalent payment made by the merchant guild in 1674 was £10. Altogether, between November 1679 and October 1680 £1,385-18-2 was paid out to somewhat less than 300 individuals. This would suggest that as many as one in every four or five unfree households received some measure of church assistance that year.

How do these figures compare to those of more difficult years? Two beautifully presented lists from the famine year of 1697 contain the names of 248 individuals known to have received aid from the kirk session, probably rather fewer than in 1680.⁴⁰ On the first list were 117 destitute townspeople granted an average of £1-5-0 per month that they might be 'keeped from begging' - thereby making it easier for the authorities to identify and expell extranian

beggers.⁴¹ The money was distributed by the elders and deacons but had been raised by a compulsory monthly stent imposed on the burgesses by the town council.⁴² On the second list were 131 people described as 'poor and decayed householders', 109 (83%) of them women, among whom were 68 widows. The list would appear to comprise the kirk's usual pensioners augmented by newly-impooverished people from further up the social scale, including a merchant, a litster, a tailor, the master of the English school and the mistress of the girl's school. They were paid from the kirk's own funds, and each pensioner received just under 15/ a month. This represented an increase of 50% over the average rate in 1680, a rise which may have been approximately in line with the increased cost of living in the midst of the famine. One of the most sensitive indicators of conditions in the burgh was the statutory weight of a loaf of bread. With 10/ in 1680 a pensioner could have purchased 330 ounces of oat bread, while 15/ in 1697 would, when bread was available, have bought 315 ounces, a difference of less than 5%. The number of burials in the town that year, however, testifies to the fact that for prolonged periods there was little or no food available at any price.⁴³

Whether or not civic and church leaders deliberately adjusted pensions according to the cost of living, as opposed to the amount of money available in the poor box, it is clear that few if any of the recipients could expect to live on the money they received.⁴⁴ The cost of a subsistence diet in an average year in early modern Scotland has been estimated at £32-£40, as much as double the maximum kirk pension.⁴⁵ A labourer in Aberdeen normally earned 6/8d

a day, and sometimes had the option of accepting half that sum in return for 'meat and drink'.⁴⁶ By this scale a monthly pension of 10/ would feed one adult for three days, and it must be remembered that many pensioners had children to support. In 1670 Jean Couper was granted the especially generous sum of 9/ a week because she was widowed with four young children, but the money cannot have gone far.⁴⁷ Everywhere the assumption was that public charity was intended only to supplement other sources of support such as a job or jobs, a kail yard, brewing, or begging.⁴⁸

However generous or parsimonious the Aberdeen kirk session may prove to have been in relation to other relief agencies in Scotland and elsewhere, there can be no doubt that a great many of the poorest inhabitants depended upon the assistance they received from the session. The elders and deacons, who were obliged to move among the poor in their precincts, must have derived some satisfaction from helping to alleviate suffering and distress, but they must also have appreciated the way in which the administration of poor relief enabled them to monitor and to some extent direct the lives of the 'meaner' and potentially most disruptive members of their community. Their first priority was to ensure that scarce public resources did not find their way into the wrong hands.⁴⁹ In previous chapters we have seen that by carefully regulating the distribution of poor relief funds civic and church authorities, especially in times of dearth and upheaval, hoped to at least limit *ad hoc* alms-giving, and so discourage uprooted country folk and other 'sturdy beggars' of the sort feared and reviled all over Europe from descending upon their fair town. It was an ongoing battle, for the poor were ever

with them. At times the kirk even had to compete with the beggars for donations: they would gather in the kirkyard and at the doors of the church on a Sunday, blocking the way and diverting the flow of alms which might otherwise have been destined for the poor box.⁵⁰

The session was also at pains to ensure that its money went to those among the town's own poor who most needed and deserved assistance. Each year a 'visitatione of the pensioners' was undertaken. In 1670, for example, it was found that of 73 pensioners, 6 had died since the last inspection and 5 were no longer deemed to require or deserve support.⁵¹ In 1665 Janet Munie's pension had been halted 'becaus hir daughter for whose caus she war admitted pensioner wes sixtein yeirs'.⁵² On 27 February 1675 Issobel Kellie, a recently widowed pensioner with several children, was delated by the session for having fallen in adultery with a merchant of Old Aberdeen.⁵³ Three days later she was fined 40 merks by the justice court.⁵⁴ Utterly unable to pay such a sum, she was banished from the town in April.⁵⁵ The majority of her children remained behind, and the session appears to have at least considered continuing their support. Having reviewed the case in May, however, it was decided that as some had already gone into service and others had taken to the streets as beggars, they too would be cut off.⁵⁶ In December of that same year Janet Ross was informed that her monthly pension was being reduced from 25/ to 16/, and 'admonishit that if she doe not putt hir daughter to the school the pensione is to be taken from hir'.⁵⁷ And in July 1657 Alexander Rutherford, having failed to attend any of the last fifteen Sunday services, was warned that if he skipped church again 'he sall omit

and loose his pensioune quhilk he hes of the sessioun'.⁵⁸ Such actions reminded recipients of public charity that their continuing support was contingent upon their keeping to the straight and narrow.⁵⁹

The poor relief programme, then, had a contribution to make towards what throughout the early modern period remained the kirk session's main work: that of imposing and enforcing godly discipline in the community. There was no question of striving for a perfectly ordered society, for the elect were everywhere outnumbered by the reprobate. In a wide-ranging sermon delivered to the Aberdeen synod about the year 1677 Henry Scougal, the gifted young professor of divinity at King's, reminded his fellow ministers of the intractable nature of the problem.

And what shall we say of the evil company and bad example that inveigles the Souls of men; we perhaps see them once a week, and bring them to some degree of sobriety and a sound mind, but then their wicked neighbours, and the companions of their sin, do meet them every day, and by their counsel and example obliterate any good impression that has been made upon them: and hereby we lose more in a week, then we are able to recover in a whole year.⁶⁰

Given man's imperfectability, the limited but nonetheless vital task entrusted to the ministers, elders, and deacons who administered godly discipline was to seek to constrain the inherently disruptive elements in their midst, thereby creating the conditions in which true religion might flourish among those called to receive the Word. It was also believed, not quite incidentally, that the zealous application of godly discipline would obviate the need for God to bring His wrath down upon the whole community.

Although a wide range of behaviours were deemed worthy of the kirk's censures, the offenders pursued by the church courts fell into two main categories. The first group of 'those whom we are to rebuke', said Scougal, 'are those of our own Religion, for the vices and failings of their lives'.⁶¹ They accounted for an overwhelming majority of the session's clientele. Each week the St. Nicholas kirk session met to review the cases of, on average, 30 to 40 delinquent members of the urban congregation.⁶² Most weeks one or two cases were resolved, and one or two new offences were brought to light. In an average year the kirk would launch disciplinary proceedings against about 60 people, though in the frantic middle years of the 1650's the figure might run to 100 or more. Just over three-quarters of all those called before the session were accused, and indeed guilty, of having engaged in pre-marital or extra-marital sexual relations. People accused of disorderly conduct and sabbath breach accounted for most of the rest of the court's business.⁶³

The kirk's response to misbehaviour within its own flock is best examined in conjunction with the study of the justice of the peace court which forms the subject of the next chapter. From its inception in 1657 the work of the justice court was meant to complement that of the kirk session: as many as 80% of the cases tried by one court would eventually be heard by the other as well. The reason why Aberdeen, seemingly alone among Scottish burghs, found it necessary to maintain two separate judicatures to chase the same offenders for the same offences stemmed from a local insistence upon the strict separation of secular and ecclesiastical discipline.⁶⁴

A single example can serve to illustrate the differences in the two approaches to discipline. On 5 December 1659 the magistrates, in their capacity as justices of the peace, found a servant by the name of Issobel Couper guilty of having fallen in fornication with an English soldier by the name of John Richardson.⁶⁵ The soldier's name would have been passed on to his commanding officer so that the army might take disciplinary action against him. The girl was given the court's standard punishment for such cases: she was to pay a fine of £10, due immediately, or be held in prison until Friday, market day, at which point she would be whipped at the market croce by the hangman, who would then forcibly evict her from the town. Although £10 was all the money she was likely to earn in a year, the justice court accounts reveal that she, like most girls in her predicament, somehow managed to pay the fine and so avoid corporal punishment.⁶⁶ And there the secular authority's interest in the case ended.

One week after the justice court had passed judgement on Issobel Couper, the kirk session weighed in.⁶⁷ On 12 December her fall in fornication was noted, along with news that she had fled to the nearby parish of Kinellar. A letter was ordered to be sent to the minister there explaining the situation and asking that he 'cause her return to satisfy for her fornication'.⁶⁸ On 2 January 1660 the session granted the presumably pregnant girl a delay in the proceedings on the grounds that she had nowhere to stay in the town and was in no fit condition to travel in winter: 'she is not in health and the day is short'. By March, however, the session clerk was once more writing to Kinellar to request that she return to face

discipline. Finally, on 30 April she appeared in person and confessed to her sin. She was then ordered to attend three weekly conferences with the ministers and the ruling elder, Alexander Skene, during which she would be tested to see that she fully understood and truly repented of her sin. On May 21 she was declared 'weake in knowledge', and a further course of counselling was prescribed. She failed to keep her appointments, however, and on June 11 it was reported that she had fled once more, this time to the parish of Skene. The next week a letter was ordered sent to the minister there, but before that could take effect she had returned of her own volition. On 2 July, 'being found to have some sense of her Sin', the session agreed to allow her to begin the final phase of her punishment. She was ordered to appear in church barefoot and dressed in sackcloth on three successive Sundays, 'to evidence her repentance to the congregacione'.⁶⁹ Having made three such appearances, on 23 July 1660, seven and a half months after having satisfied the magistrates, she was formally absolved of her sin by the ministers and kirk session.

The kirk can be said to have scored a success with Issobel Couper, for the entire thrust of its disciplinary procedures was aimed first and foremost at achieving reconciliation, at reclaiming the individual back from sin to the Christian community.⁷⁰ The same basic principles and procedures lay at the heart of all the kirk's disciplinary actions: first the accusation and denunciation, then the confession, the displays of contrition and remorse, the public acts of penance, leading at last to absolution and reconciliation. When the process broke down the kirk came back with relentless,

dogged pressure to comply and, given an opening, determined education and counselling. At each stage in the proceedings the critical factor was the outward sincerity of the penitent, his or her willingness to conform to the censures of the kirk. No doubt the kirk's discipline simply wore down as many miscreants as it actually won over, but that was acceptable so long as they ceased to make trouble for the true believers. Heinz Schilling has recently called this system 'penitential discipline', in which acceptance and inner conversion were paramount: 'its objectives went beyond punishment, striving for insight and the wish to change, even if this was only partial and temporary.'⁷¹

The discipline of the kirk, then, was fundamentally different from that of the justice court or any secular authority, for whom punishment was an end in itself and it mattered little whether or not the offender accepted his or her sentence.⁷² For the kirk's discipline to have any effect at all, on the other hand, required at least the outward acquiescence of the party in question. When that acquiescence ceased to be forthcoming, the system was in danger of coming unstuck.

III The Challenge of Dissent

Of all the challenges faced by the burgh kirk in the second half of the seventeenth century, the most serious by far was posed not by wayward members of the civic congregation, but by townspeople who separated themselves from the kirk and its discipline altogether. Scougal described this second group of miscreants as 'persons of a different perswassion, who differ from our Religion,

or withdraw from our ordinances'.¹ The great majority of them were Catholics or Quakers, who were to be found in greater concentrations in and around Aberdeen than anywhere else in Scotland. Taken together they are unlikely to have accounted for even ten percent of the civic population.² Nevertheless, they were sufficiently numerous and sufficiently prominent to pose a threat not only to the hegemony of the burgh kirk, but to the unity and cohesion which played so integral a part in the life of the early modern urban community.

Religious dissent was of course not a new phenomenon in Aberdeen, where the reformed kirk had never commanded one hundred percent allegiance: for nearly a century after the Reformation a dwindling number of recusant families had continued to play an active role in the affairs of the town. Bruce McLennan concluded his study of religious affairs in the north-east between 1560 and 1650 by noting that 'the picture which the ecclesiastical records of the Synod of Aberdeen present is that of a healthy, continuous, and consistent recusancy', adding that 'among the ranks of the burgesses and professional men the Catholic faith had still many supporters'.³ The presence of Catholics in the town was a constant irritant to the kirk, but was seldom cause for undue concern in secular circles: Catholics were, after all, very much part of the *status quo* in the burgh. So long as they remained relatively discreet in their faith and worship, so long as their numbers continued to decline through conversion and removal to the country, and so long as the bellicose recusant gentry of the north-east retained their influence, urban

Catholics could expect no untoward pressure from the cautious and pragmatic men who governed the town.

This relatively congenial balance was knocked askew by the religious and political extremism of the covenanting era. In 1640, for example, following orders given by the general assembly, 'popish' images in St. Machars Cathedral in Old Aberdeen were defaced and destroyed, and a crucifix at the west end of St. Nicholas' kirk was pulled down, 'whilk was never touched before'.⁴ Over the next few years a number of recusant families left Aberdeen, as much for their royalist politics as for their faith, some never to return.⁵ The English conquest of 1651, however, heralded something of a new dawn for Scottish Catholics, and the problem of religious dissent in Aberdeen soon took on new dimensions.

As we saw in Chapter 1, the experience of compound disasters and abject defeat, the bitter divisions between and within the church and civic establishments, and the prospect of limited religious toleration under the Commonwealth and Protectorate encouraged the growth of non-conformity at both ends of the ecclesiastical spectrum. For Aberdeen's orthodox establishment this was to prove the most lasting and the most damaging legacy of the Cromwellian era. For possibly the first time since the Reformation the old faith began to claim, or more often reclaim, open converts from the established kirk. The English administration received reports from all over the north that the number of Catholics was growing, and in 1657 the Aberdeen synod bewailed 'thee increase of poprie within this province'.⁶ More alarmingly still, so far as the burgh kirk was concerned, in these same years a group of ardent

Presbyterians turned to Independency, causing the most serious breach in Protestant ranks since 1560.⁷ Although Independency proved a passing fancy and did not survive the Restoration, a number of its chief proponents continued down the path of radical Protestantism, forming the nucleus of the remarkable Quaker community which first gained a permanent foothold in Aberdeen in 1662.⁸

During the 1650's the response to non-conformity in the burgh was of necessity muted. Apart from suspending John Menzies and John Row from the ministry, no disciplinary action at all was taken against the Aberdeen Independents, who clearly enjoyed the active support of the English regime.⁹ This inability to respond may have worked to the kirk's advantage, for within a few years most of the separatists had quietly returned to the Presbyterian fold, at least for the time being. The kirk did, however, launch a major initiative against Catholics in these years. The depleted ranks of ministers, elders, and deacons in the burgh hounded two to three dozen recusants in the 1650's, including a number of prominent lairds and burgesses, their families, servants, and retainers. Most of these were charged not only with 'popery' and 'dishaunting of ordinances', but with 'apostacie', suggesting that they had previously exhibited some degree of outward conformity to the state church - a pretence they no longer felt obliged to uphold.¹⁰

As we have seen the kirk on its own was ill-equipped to deal with those who would not consent to be disciplined. The elders and deacons could identify known and suspected dissenters, the ministers could denounce them from the pulpit, the presbytery could declare them contumacious, the synod could excommunicate them, but it was

all done *in absentia* and it was all to little avail against steadfast individuals secure in their own rival faith. The Aberdeen presbytery admitted as much in 1661, when it informed the privy council that despite having in recent years 'proceidit with censur of excommunication' against 'ane great number' of Catholics, 'they continue in their accustomed course of disobedience and evill no-ways conforme to the lawes of the church and kingdom'.¹¹

If any meaningful pressure was to be brought to bear on the Catholics of Aberdeen it would have had to have come from the civic authorities, but for virtually the whole of the 1650's they remained estranged from the kirk hierarchy. Far from acceding to the kirk's wishes, the town council rather pointedly elected Paul Collinson, a well-known Catholic merchant, to the magistracy in September 1652 - just nine months after he and his wife had been excommunicated by the protester controlled presbytery 'for their apostacie and defectioun from the new protestant religion according to the covenant'.¹² In any event the English had made it clear that they would not tolerate a full-blown *vendetta* against Catholics who had committed no political sins. Their policy towards the kirk was to allow its courts 'to enjoy their discipline in things purely ecclesiastical and over such only as do freely submit unto it'.¹³

The years 1660 to 1680 witnessed an unprecedented degree of religious persecution in Aberdeen. After the Restoration, as we have seen, Aberdonians of both Presbyterian and Episcopalian leanings managed to coexist, however uneasily, under a moderate episcopacy: it seems clear that they were brought and held together at least in part by a shared concern to stamp out genuine religious

pluralism in the burgh. Though the civic ministry remained in some disarray for several years after the Restoration, the vital link between the session and the town council was restored in 1661, and this combined with the retention of the justice of the peace court provided the kirk, in theory at least, with an unprecedented degree of civic cooperation and secular muscle. In addition, not only were foreign notions of toleration swept aside, but civic and church leaders were now positively encouraged by central government to take concerted action against non-conformists. Beginning in 1661 parliament issued or reissued a series of acts against heresy and blasphemy, conventicles, sectaries, and papists which marked the start of what has been called 'a last stand by the State and Church against the rising tide of toleration'.¹⁴ In 1662, for example, the bishop and synod, having learned that mass was being celebrated regularly in the burgh, wrote to the magistrates asking that 'they goe about the vigorous executione of the late act of Parliament against all privat conventicles'.¹⁵ Other initiatives emanating from the centre resulted in first Catholics and then Catholics and Quakers being debarred from holding public office or becoming burgesses of craft or guild.¹⁶ In an effort to restrict the activities of itinerant Catholic priests and Quaker missionaries it was ordained in 1670 that no inhabitiant 'sould recept, supplie, intertaine, or furnish meat or drink to, or keepe correspondence with, or sett houssis or chambers to jesuits, preists, or trafficquing strangers, papists or quakers'.¹⁷

By the end of the 1670's, however, the 'rising tide of toleration' was once more beginning to wash over Aberdeen. The

fiercest opponents of toleration in the burgh were drawn from the old covenanting community of Presbyterians, and they were aging and beginning to give way to an essentially post-war generation brought up in the somewhat less volatile Episcopalian tradition. More importantly, the Duke of York's arrival in Scotland in 1679 made the toleration of Catholics and Quakers a matter first of political expediency and then, during his brief reign as James VII, of legal obligation.¹⁸ For some years the church courts continued to act against Quakers and Catholics directly, and against conventicles, disorderly marriages and baptisms, and other manifestations of non-conformity.¹⁹ A directive from the Aberdeen synod in October 1685, however, suggested a change of tack. Ministers were advised to bring their outstanding cases against dissenters to a conclusion, and to concentrate upon protecting their flock from future depredations through their own 'diligent labours': in effect they were conceding defeat in their efforts to do more than merely contain the spread of non-conformity.²⁰ After the Glorious Revolution there were isolated outbursts of zeal and repression: Marischal College students burned the pope in effigy in 1688; in 1692 the magistrates ordered 'all popish and quaker scholl Mistresses' to cease their activities (the fact that they had been active at all suggesting that things had relaxed); and in 1698 the council announced (*i.e.* warned) that it had been ordered by the privy council to apprehend any priests 'lurking in and about this burgh'.²¹ There was never again, however, a sustained campaign of persecution of the sort mounted against Quakers, in particular, in the first twenty years of the Restoration era.²²

The official response to rejuvenated Catholicism and nascent Quakerism was always likely to be firm, but in the first two decades after the Restoration it was lent a degree of real ferocity by the passion and fervour with which leading figures on all sides clung to their beliefs. There were occasional calls for moderation, but these tended to come from outside the burgh. In his 1677 address to the synod, for example, Henry Scougal advised his fellow ministers to tread softly when dealing with dissenters. Such people, he said, 'must be dealt with very patiently, and with much long-suffering. 'Tis not to be expected, than an hasty conference, or an abrupt disputation, should prevail with those who have been long habituated to false perswasions, and perhaps have drunk them in with the first of their serious thoughts and religious inclinations'.²³ There was much truth in what the bishop's son had to say, but his words were seldom heeded in the highly charged atmosphere of the burgh, where each side in the religious controversy fielded zealous champions for whom the hasty conference and abrupt disputation were favoured weapons.²⁴

Emotions were always likely to run high when the stakes were so very great, for at its most basic level this was a struggle for immortal souls as well as for religious and social unity: 'heretical and seditious principles and practices' warned the Aberdeen presbytery in 1661, threaten 'the overthrow of religion and destruction of Church and State, and the seduceing of many poor souls'.²⁵ Throughout the 1660's the ministers and kirk session expressed increasing alarm at the apparent rise of Catholicism and Quakerism in the town, though where Catholics were concerned they

rarely received the full-blooded support of the magistrates which they called for.²⁶ In 1669, just as the pressure for action grew in intensity, the explosive potential of men's beliefs erupted in Aberdeen's last officially sanctioned witch-hunt.²⁷ There is no direct evidence to link the persecution of Catholics and Quakers with the persecution of alleged witches in the burgh, but it is clear that some earlier Scottish witch-hunts had been conducted against a demonstrable backdrop of religious intensity and social upheaval.²⁸

The witch-hunt of 1669-71 was local or regional rather than national in character.²⁹ Since the larger towns were the seats of shrieval as well as civic justice it is sometimes difficult to know to what extent urban society was touched by the hysteria, but there is no doubt that in 1669 the witch-hunt had the full support of Aberdeen's ruling elite, nor that some townsfolk were among the accused. In April an emergency session of the old and new town councils was held to discuss the 'many malifices' committed by 'severall people in this toune who are *malae fama*e, and suspect guiltie of witch-craft'.³⁰ Soon after, the synod acknowledged that 'the feirfull and damnable practice of witchcraft and charming is much abounding in all pairtes', and with the kirk's blessing the magistrates informed the privy council of the 'charmeing and compacting with the divell' in their midst which had occasioned 'severall accidents, sudden deathes, seeknes and others'.³¹ One man and three women of the town were accused, including Issobel Spens, widow of Aberdeen's finest bookbinder.³² Upon consideration a somewhat dubious privy council granted the magistrates the right to

try those named, but only in the company of the sheriff depute and a circuit judge from the high court of justiciary, and, much to the council's dismay, only on condition that no torture be used in their investigations.³³

By the time Judge Preston finally arrived with the northern circuit in May 1671 a number of other people had been accused.³⁴ One of these was Geils Burnet, widow of Baillie John Smith, who had died 'smitten with a sadd disease that his privy members rotted off him'.³⁵ At the ensuing trial the court was told a lurid tale of how she had entered into a pact with Satan and used 'sorcerie and witchcraft' to murder both her first husband and the unfortunate Baillie Smith, who contributed to the panic himself when he laid 'his curse and malediction upon his friends if they did not persew [her] to the death'.³⁶ No less than twenty-three of his friends and acquaintances, including several prominent burgesses of guild and craft, bore witness against Widow Burnet at her trial, but she was nevertheless acquitted following medical testimony to the effect that her husband had died of natural causes.³⁷ Issobel Spens and an unknown number of others were not so fortunate, and died at the stake.³⁸

Without attempting to analyse the complex belief-system which attended witch-belief and the witch-hunt, this whole lamentable episode does at the very least serve to illustrate the power of emotions and ideas in the seventeenth century burgh, where leading citizens as well as members of the commonality could be convinced of the existence and imminence of supernatural forces and supernatural evil, and be driven to the most extreme actions by that belief.³⁹

More legitimate beliefs in divine providence, divine intervention, and the immediacy of divine revelation mingled with deep-seated superstitions to make even the most highly educated seem credulous.

When Alexander Jaffray, Alexander Skene, Robert Barclay and others of Aberdeen's cosmopolitan Quaker community compiled a history of their sect in the burgh, they could seldom resist noting fortuitous circumstances and strange coincidences, albeit leaving others to draw their own conclusions. Their comment on Baillie Smith's demise was to note that he had been in the habit of visiting and mocking a Quaker in prison, who was heard to remark that 'the Lord would smyte him in some way more than ordinary'.⁴⁰ They attributed a similarly superstitious outlook to their persecutors within the ruling establishment.⁴¹ Baillie Alexander Alexander was said to have been conveying a group of captive Friends southwards in 1667 when one of them sat down and refused to go on. The others did the same, and the apoplectic magistrate set about striking them with his right hand. 'But that which is most remarkable is that the first thing [that] was presented to the said Bailly at his return to his own house was his son William who had falln and broke his arm, in the very same tyme that he had been making use of his arm to strike the Servant of the Lord; Which so awakened the Bailies Conscience, that he then said, and afterwards told it to some frinds, He should never strike a Quaker againe'.⁴²

It was against this volatile backdrop of prejudice, fear, and superstition that the campaign against Catholics and Quakers was waged. Inevitably, witchcraft and other lesser forms of religious deviance were seen by some as variations on a single diabolical

theme. Catholicism and witchcraft were routinely linked, and it is worth noting in this regard that on the very day that the town council lent legitimacy to the witch-hunt it also registered alarm at news of 'the great increase and growth of poperie within this burgh', amending the burgess oath to include a promise 'of constant adherence to the protestant religion'.⁴³ Quakerism too was sometimes associated with witchcraft, though Quakers were more often presented as extreme sorts of Catholics, 'Pensioners of the Pope, undoubtedly Papists'.⁴⁴ Far from fostering improved understanding, the ministers encouraged these falsehoods and did all in their power to inflame the emotions of the people. 'The priests of Aberdene particularly Georg Meldrum and John Menzies bent their tongs like bows and shott out fyerie darts and arrows of all manner of horrid Lyes and slanders and most odious false calumnies'.⁴⁵

The fury with which Meldrum and Menzies led the campaign against Catholics and Quakers in the burgh must have stemmed from a mounting sense of frustration as well as a crusading zeal. In their different ways the campaigns against the two groups of dissenters reveal a good deal about the practical limitations of authority and discipline in the early modern town. Turning first to the Catholics, the case of Francis Irvine of Hilton is particularly instructive. He was a member of one of the most powerful recusant families in the region, the Irvines of Drum. His own lands were not far from the town, in the parish of New Machar. His mother, Lady Drum, presided untroubled over a large Catholic household in the burgh. His father, Sir Alexander Irvine of Drum, had derived great satisfaction from taunting the presbytery of Aberdeen when, with

remarkably poor timing, it moved to excommunicate him in December 1651 just as the English army of occupation was attempting to introduce the alien concept of freedom of conscience into Scotland.⁴⁶ Young Francis was cut from the same loud cloth. With a flair for the dramatic and the rash enthusiasm of a convert - he is said to have been educated as a Protestant - he perpetrated some of the most colourful outrages ever committed against the civic and church establishment in Aberdeen.

In 1667 he openly sponsored a Jesuit priest by the name of Dempster who locked horns with John Menzies in a famously ill-tempered public debate - precisely the sort of inconclusive spectacle Scougal spoke out against.⁴⁷ In 1670, amidst 'a great confluence of people' gathered to witness the burning of Issobel Spens and other victims of the witch-hunt, he 'most scandalously and to the great offence of the people' refused either to remove his hat or kneel in a prayer for the condemned.⁴⁸ This was as nothing, however, compared to his next effrontery. His sister died that same year, and he decided that she should be buried with due Catholic ceremony in the family vault in Drum's Aisle within the burgh kirk of St. Nicholas. He invited a number of friends from among the Catholic gentry of the region, and these arrived in the burgh with their retainers, 'armed with gunes, hagbutts, pistolls, bowes and arrowes and other weapones offensive', being careful to parade through the busiest streets. The scandalised magistrates and citizens could only stand and watch as at eleven o'clock that night they made their way to the church and

with great show and in a public way, with many torches, a great number and multitud of persones

accompaneying the said burriall, the coffin being covered with velvett or cloath with a croce upon the same, and a preist or some other persone goeing before the corps holding out his armes before him and careing a crucifix under his clock or useing some other superstitious ceremony, severall of the said Highland men beign imployed to guard the said corpses and torches, having their swords drawne all alongst from the place where the corpses lay to the place of interrment; and, when they came to the church door, divers others of the said company drew their swords and did hold and keep them drawne in the church all the tyme the corpses was buryed ... and in the throgg tuo of the inhabitants of the said towne was wounded.⁴⁹

This time Francis Irvine had gone too far. At the town's instigation the privy council eventually found him guilty of 'a high and insolent ryot'.⁵⁰ He was imprisoned in the Edinburgh tolbooth, made to pay all legal expenses in the case, and banned from Aberdeen on pain of a huge 10,000 merk fine.⁵¹ It is instructive to note, however, that these penalties were imposed for civil disobedience, and not for so blatantly flaunting his outlawed faith. However much the ministers might seek to stir up popular opinion, in the cold light of day the magistrates of Aberdeen would always think long and hard before taking provocative action against the Catholic gentry of the north-east, with their well-armed retinues and friends in high places: when first arrested in Edinburgh Irvine was quickly released through the influence of none other than James Sharp, Archbishop of St. Andrews.⁵² The burgh magistrates went so far in the Irvine case as to admit to having conived 'in not dilating him so that publick notice might be taken of his profession and practice, [which] might and ought to have oblided the said Francis to have lived quyetlie and to have avoyded all ocasiones of offence'.⁵³ The said Francis had simply refused to play the game.

It was not just the Catholic gentry, however, who escaped the full rigor of the law, and it was not just fear of reprisals which stayed the magistrate's hand. On 12 December 1664, for example, the elders and deacons of the kirk session were asked to go through their precincts with the aim of 'suppressing popish meetings' and noting the names of all those present. This was duly done, and a week later the ministers reported that as a result of this intelligence they had secured the magistrate's full support in the battle against popery.⁵⁴ The presbytery records for these years are missing, but they would presumably show that the church commenced its interminable proceedings against these 'dishaunters of ordinance'.⁵⁵ The town council, however, appears to have taken no action whatsoever. In September 1666 the session again approached the council with the names of 49 Catholics, representing about 20 households in and about the town. 'All other means proveing ineffectual', church officials implored the magistrates to 'proceed against them according to law'.⁵⁶ Once more the city fathers declined to take action.

For the town council to fail to respond to the kirk session's request for assistance, particularly in a matter of law and order, seems at first a rather contradictory state of affairs, given the overlap of personnel and generally intimate connections between the two bodies. It appears, however, that the men of the ruling establishment were of two minds when it came to Catholics. On the one hand, most were probably convinced that Catholicism involved fundamental error and posed a dangerous snare for the souls of men. They may even have believed some of what their hot-headed ministers

had to say on the subject. As elders of the kirk they were obliged and indeed willing to work upon the consciences of Catholics, hounding them if need be in an effort to win them away from their mistaken views. As magistrates and town councillors, however, they were seldom prepared to act against the persons and property of neighbours and colleagues and indeed relatives whose beliefs, however odious and misguided, had nevertheless formed part of the town's social and cultural backdrop past all memory of man, without so far having brought about quite the dire consequences prophesied by the kirk.

Some sense of the way in which the old and new faith coexisted in Aberdeen is provided by a fragment of a private baptismal register kept by Catholic priests working more or less openly in and around the burgh between the Act of Indulgence of 1687 and their eviction from the town in 1698.⁵⁷ In September 1696, for example, a Dominican named Robert Forbes re-baptised eight women who had been baptised as infants by their Protestant parish ministers. In each case the mother had been Catholic, though at least two of the women had Protestant fathers.⁵⁸ The register makes plain the fact that marriages between Catholics and Protestants were by no means uncommon. On 15 June 1688 the same priest reported that the child of a Protestant husband and Catholic wife from Old Aberdeen had been baptised a Protestant: 'the same day I ... at the desyre of the said Mrs. Bettie and her catholic relations gave the child the ceremonies used in the catholick church.'⁵⁹ So far as the Catholic church was concerned there was no need for its adherents to seek re-baptism by a priest, though this was clearly a comfort to some. Others may

have seen it as a way of hedging their bets. Others again may have regarded it as a more material investment in their child's future. In November 1687 Alexander Gartlay, a ship's pilot from Torry, and his wife Marjorie Gayen, both Protestants, had their boy baptised a Catholic in accordance with the wishes of his wealthy godfather and namesake, Thomas Forbes of Rubislaw. 'The baptism was given with the consent of the parents and with assurance that the child should be educat catholick.'⁶⁰

The kirk's campaign against Catholics, therefore, was rendered toothless and largely ineffectual by the ancient realities of power and politics, society and culture in the north-east. The Quakers, on the other hand, were a new group and a new threat to civic unity, relatively isolated and seemingly vulnerable.⁶¹ They represented but a tiny proportion of the burgh population. In 1672 the newly-formed monthly meeting listed just 24 members, 10 men and 14 women, though there were probably as many again living in the surrounding area.⁶² From these small beginnings their numbers had doubled by the end of the century, mainly through the children of the first generation coming of age: in 1698 25 men and 31 women were named in the town, representing between 30 and 40 households, and the year before a funeral was said to have attracted over 100 Quakers from in and around the burgh.⁶³

The founding father and early patron of the Quakers in the north-east was none other than Alexander Jaffray of Kingswells, the former provost of the town who had first developed a penchant for English forms of worship while held prisoner after the battle of Dunbar. Upon his release he played an instrumental role in the

brief but spectacular rise of Independency in Aberdeen.⁶⁴ He was won over to Quakerism about the end of 1662 by visiting English members of the sect.⁶⁵ Over the next ten years he was joined by a number of other members of the civic establishment, some of whom had also toyed with Independency and most of whom appear to have been fervent supporters of radical Presbyterianism. After Jaffray the most spectacular defection from the ruling establishment was that of Alexander Skene in 1671.⁶⁶ At that point he had just completed his first term as a magistrate since the Restoration, having apparently been rehabilitated following his over-zealous service on behalf of the covenants and the Commonwealth. He too had been an Independent, as well as ruling elder on Andrew Cant's arch-Presbyterian kirk sessions of the 1650's. His conversion to Quakerism put a final end to his career in public office: it is interesting to speculate that his treatise on burgh government might never have been written had he been kept busy in the day-to-day management of civic affairs.⁶⁷

About the time of Skene's 'convincement' Thomas Mercer, a former dean of guild and ruling elder, was also won over to Quakerism. By 1672 the small band of Quakers also included the wives of baillies Gilbert Molleson and John Scott.⁶⁸ Robert Barclay of Urie and George Keith, seminal figures in post-Restoration 'second generation' Quakerism, were native to the region and frequent visitors to the town.⁶⁹ Keith, a graduate of Marischal College and sometime member of the Aberdeen meeting, was described by the presbytery as 'a ring leader in seduction to Quakerism'.⁷⁰ Part of Barclay's *Apology for the True Christian Divinity* of 1676, the classic expression of Quaker theology, is said to have been

written while he was imprisoned for his beliefs in the Aberdeen tolbooth, and he and Keith worked out many of the main points of that work in the course of a celebrated public debate with four of John Menzies' divinity students in 1675.⁷¹

Church and secular officials everywhere - and Scotland was no exception - were hostile to the spread of Quakerism, and it is not difficult to see why. In their religion and their way of life Quakers challenged many of the most basic convictions of early modern society. Even without the minister's weekly embellishments from the pulpits Quaker principles were bound to alarm Presbyterians and Episcopalians alike. To begin with, they rejected the fundamental tenets of Calvinism, denying election, predestination, and reprobation. They were believed to value direct revelation above scripture.⁷² They would not swear oaths, refused military service, rejected violence, and renounced capital punishment. They allowed their women an enhanced role in public life, and eschewed a professional ministry. 'Some of our giddy people', said Henry Scougall, 'go over to that sect and party, where all ranks, and both sexes, are allowed the satisfaction to hear themselves talk in publick'.⁷³ George Meldrum and John Menzies, however, saw the rise of the Quakers in a rather more sinister light. According to the Quakers, when the circuit court came to Aberdeen to try witches and others charged with capital offences in 1671, Meldrum in his opening prayer 'did all he could to stir them up to exercise Severity towards frinds.' He and Menzies later went to the chamber where the judges were meeting with the bishop to press home the case against Quakers: 'And then, when the judges asked what it was, that they

would have them to doe ... John Menzies gave such a bloody and cruell advice that even the Bishop drew down his hatt, and the Judges did not return on word of answer but sate silent.⁷⁴

Menzies and Meldrum struck a more responsive chord amongst their own constituency. Before 1680 burgh officials were free to proceed against Quakers without fear of retribution, and they proved only too willing to respond to the kirk's promptings. Indeed, easier and more likely targets for persecution would be difficult to imagine. Not only were they massively outnumbered, they were also extremely conspicuous. Unlike some crypto-Catholics, there was nothing furtive about Quakers. They dressed and probably spoke differently than other people, and often went out of their way to draw attention to themselves.⁷⁵ In 1672 the good burghers of Aberdeen were scandalised by the sight of Robert Barclay going through the town in sackcloth and ashes as a 'Sign of the Lord'.⁷⁶ They interrupted church services and constantly sought to engage the ministers in debate. The libel action which seems to have hastened David Lyell's departure from the ministry began with a Quaker railing against him in the street.⁷⁷ Fierce and indefatigable disputants, Quakers could nonetheless be relied upon not to respond to physical assaults. George Keith, as quarrelsome a man as one could imagine, nevertheless allowed himself to be beaten up by the under-sacrister of St. Nicholas' kirk when he tried to deliver a pamphlet to the ministers in 1665: needless to say his assailant soon fell to his death while ringing the church bells.⁷⁸

The sufferings inflicted upon Quakers by the magistrates and ordinary people of Aberdeen were amongst the most severe endured by

'second generation' Friends.⁷⁹ These were recorded in meticulous detail, not least by the Quakers themselves, and have subsequently been published and summarised on a number of occasions.⁸⁰ The church courts proceeded to excommunicate prominent Quakers *in absentia*. As with Catholics it was a somewhat hollow gesture, but this time it was backed up by more tangible forms of punishment, for the Quakers faced persecution from all sides. They were mocked and taunted on the streets, magistrates and elders were liable to break up their meetings, and students from Marischal College regularly disrupted their silent worship. Barclay and Keith's debate with the students attracted a large and noisy crowd and ended in a minor riot, and even in 1688, after the worst of the persecutions had abated, it was decided that the windows of the meeting house 'should be glassed and wyer cased to prevent the College Boyes breaking of them'.⁸¹ More seriously, from as early as 1663 Quakers were liable to be arrested and imprisoned in the tolbooth or on occasion in the ruined chapel on the Castle hill.⁸²

The most sustained period of persecution began on 12 March 1676, when the magistrates raided the monthly meeting and arrested 13 men, and lasted until November 1679 when the hostilities suddenly stopped.⁸³ Over the forty-four months the civic prisons were never empty of Quakers. At one point 37 members of the sect from all over the north-east were incarcerated in the tolbooth, some in quite appalling conditions.⁸⁴ A visitor to the town in 1677 reported that 'we saw a mountebank on the stage near the Tolbooth, wherein are several Quakers ... these Quakers never ceased preaching to people, and loudly reprehended the folk and the fool on the stage,

whilst he made them a return with a whining and grinning face'.⁸⁵ So as to prevent these unseemly exchanges, the magistrates arranged for the windows in the Quaker's upper storey cell to be covered with lead: small wonder that in 1678 Thomas Mercer had to be released from the tolbooth following reports that 'he is exceedingly troubled with a generall scurvie over his wholl body'.⁸⁶ In addition to these bodily mortifications, in June 1676 the privy council, declaring nineteen Aberdeen Quakers to be 'of most seditious and pernicious doctrin and principles', imposed heavy fines for their failure to attend the services of the established church and for their holding of 'a conventicle keiped in a house in the Over Kirkgait'.⁸⁷ When they refused to pay, the town's militia leader, George Melville, was empowered to seize their goods and close their shops.⁸⁸

The saddest and in some ways the most telling action taken against the Quakers related to their burial ground on the east side of the Gallowgate. This was a former kail yard sold to them in 1671 by a member of the sect, and as they were still at this point renting premises for their monthly meetings it was the first property to be owned by the Quakers in Aberdeen.⁸⁹ It became a potent symbol of their determination to remain permanently separated from the civic congregation while at the same time establishing a distinct community of their own within the wider confines of burgh society. The magistrates saw this clearly, and were quick to accuse the Quakers of 'intending to separat themselves and to macke ane uther incorporatione'.⁹⁰ In 1674, choosing to overlook the fact that Catholics had long maintained a separate graveyard in the

grounds of the ruined Snow Kirk between Old and New Aberdeen, the city fathers accused the Quakers of 'making ane schisme and divisione and not intending to burie their dead in this brughes comone buriall place heirtofore past all memorie of man made use of for that effect by all the inhabitants of this brughe without any separation.'⁹¹ There was also the matter of money, for the council claimed that the Quaker burial yard stood 'to the great prejudice of the renews of the kirk ... wherof the pryces for the lairs of burialls payable be all the inhabitants wes ane part'.⁹² And the issue was rendered that much more emotive by the fact that the Quakers all had orthodox relatives, many of whom recoiled at the thought of their kin being laid to rest outside the hallowed ground of the kirkyard.⁹³

In 1671 the Quakers erected 'great dycks of stone and mortar' around the Gallowgate yard, and toward the end of the year the first body, a child of the cordiner Thomas Milne, was buried there.⁹⁴ The magistrates moved swiftly. The provost and two baillies went to the grave and personally supervised the workmen as they exhumed the corpse and carried it to Footdee to be reinterred in the burial ground of the chapel there, as opposed to the main churchyard of the town - an added insult in the eyes of the Quakers.⁹⁵ In addition the walls of the Gallowgate cemetery were 'demolishit and cast doune'.⁹⁶ Over the next five years this macabre ritual was re-enacted for five more Quaker children and one adult, 'dear honest Andrew Goodall', who died in 1674 aged seventy and lay in the Quaker yard just eleven hours before the civic workmen removed him 'to the comone buriall place of this burghe besyde his relations'.⁹⁷ In

each case the Quaker next-of-kin were made to pay a fine of £20, in part to cover the kirk's lost revenues and the wages of the workmen hired to dislodge their loved ones.⁹⁸ On each occasion the walls of the Quaker burial ground were knocked down, and each time they were rebuilt, until at last the magistrates were forced to leave them in peace. So it was with the Quakers themselves.

Aberdeen's ministers and more zealous laymen could perhaps console themselves with the thought that the campaign against Catholics was to some extent doomed from the start by the civic magistrates' unwillingness, for all the reasons outlined above, to use the powers at their disposal against the Catholic community. There could be no such excuse, however, for the failure to root out Quakerism in the burgh. The full weight of the town's combined forces of authority and discipline had proven insufficient to break the resolve of steadfast and determined dissenters. If they were ever to return to the bosom of the kirk, it would be under their own steam, and never as a result of compulsion. Nothing short of the drastic measures of the witch-hunt, if that, could have prevailed against such opponents, and nobody in authority was prepared to go that far.

What, then, did the kirk have to show for all the years of agitation and persecution? In the long run, rather a lot. Without doubt the campaigns against Catholics and Quakers helped to contain the spread of non-conformity, ensuring that only the most determined and disaffected members of the urban congregation would break from the kirk by law established. If the kirkmen failed to root out dissent, they nevertheless stunted its growth. In 1660 a Jesuit

missionary reporting back to his superiors on six years fruitful work in lowland Scotland insisted that 'the fear of forthcoming persecution has compelled many well-disposed persons to defer their conversion'.⁹⁹ However many really were 'well-disposed' in the heady era of Cromwellian toleration on which the priest was reporting, the wholesale return to Rome which he hoped for and the ministers feared never materialised, and Catholicism featured less rather than more prominently in eighteenth century Aberdeen.¹⁰⁰

The same was true of Quakerism, only more so: by the end of the seventeenth century the Quaker community in Aberdeen had already lost much of its former vitality. Theirs was a difficult, spiritually demanding faith, never likely to attract or at any rate retain a large following. Even so, it is noticeable that from the time of the main persecutions of the 1670's the Quakers seem to have all but ceased to draw adherents away from the kirk, though this was perhaps partly a matter of their own choice: in 1682 the Aberdeen monthly meeting declared that 'for frinds of Truth to marry with other people Is not Justifiable nor right in the sight of God'.¹⁰¹ The sufferings encouraged Robert Barclay and other north-east Quakers in their efforts of the 1680's to establish a colony in East New Jersey.¹⁰² If persecution helped to turn the Quakers into an ever more isolated minority, it also provided them, as Quakers from that day to this have pointed out, with their finest hour. The end of persecution is held to have ushered in an era of complacency and backsliding which, combined with emigration and the passing from the scene of the brilliant generation of original converts, left Quakerism a spent force in Aberdeen from the 1690's.¹⁰³

I The Ministry

1. For a carefully considered version of this view see Gordon Donaldson, 'Scotland's Conservative North In the Sixteenth and Seventeenth Centuries', *Transactions of the Royal Historical Society*, 5th series, xvi, 1966, p.65-79.
2. Two religious classics were produced in Aberdeen in the 1670's, Robert Barclay's *Apology for the True Christian Religion* (Amsterdam: 1676; Aberdeen?: 1678), the greatest single work of Quaker theology, and Henry Scougal's *Life of God in the Soul of Man* (Aberdeen: 1677), a work of evangelical mysticism by an Episcopalian divine. Far from isolated examples of lone genius, each author could draw on strong local traditions and thriving religious communities for inspiration. Both books went through many editions in the eighteenth and nineteenth centuries, and are still available in paperback. A good introduction to Barclay is J. Philip Wragge, *The Faith of Robert Barclay* (London: 1948). Scougal is best known today for his influence on the Wesley's and other early Methodist lights. See Isabel Rivers, 'Dissenting and Methodist Books of Practical Divinity', in Rivers, ed., *Books and Their Readers in Eighteenth-Century England* (Leicester: 1982), p.146, 156-7.
3. For developments in the 1650's see Chapter 1.
4. David Stewart, 'The "Aberdeen Doctors" and the Covenanters', in *Scottish Church History Society*, 1984, p.43.
5. *Council Extracts*, p.186-189 (30 May 1660); John Menzies, *Britania Rediviva, or A Gratulatory Sermon For His Majesties Safe Arrival* (Aberdeen: 1660); John Paterson, *Post Nubila Phoebus, or a Sermon of Thanksgiving* (Aberdeen: 1660).
6. Stewart, *op. cit.*, p.43. See also W.G. Sinclair Snow, *The Times, Life, and Thought of Patrick Forbes* (London: 1952), p.162.
7. *Synod Extracts*, p.270 (28 October 1663) and p.282 (20 October 1666).
8. 'And is it not a mercy, so to have the Civill Government settled, as all intersts, both sacred and civill, may be secured?' Menzies, *op. cit.*, p.21.
9. See Bruce Lenman, *The Jacobite Risings in Britain: 1689-1746* (London: 1980), p.15-27.
10. Ministers were elected by a head court of all burgesses, guild and craft: 'the whole town was summoned by the ringing of the handbell throughout the streets and assent was given to the nominations by all the considerable citizens'. Louise Taylor, *Council Letters*, iv, p.259 n.1. The town council put forward the nominees and supervised the election, and there is no evidence to suggest that the choice ever went against the majority opinion on council.
11. See Chapter 1.
12. *Council Register*, liv, p.368 (21 May 1662).
13. *Synod Extracts*, p.267-69 (24 October 1662)
14. *Aberdeen Synod Records*, S.R.O., CH2/840/10 (24 October 1662).
15. One did not need to be Presbyterian to recoil at the Test Act, but there can be no doubt about Meldrum's views. He flourished after Presbyterianism was re-established, becoming moderator of the Glasgow Synod, minister of the Tron Kirk

Edinburgh, professor of divinity at Edinburgh University, and twice moderator of the General Assembly. Menzies is somewhat more problematical. Born into a recusant family, he became an ardent Presbyterian, an Independent, a Presbyterian again, and an Episcopalian in turn. No less an authority than G.D. Henderson has said that he 'settled down to be a good Episcopalian'. *Religious Life in Seventeenth Century Scotland*, p.114. As professor of divinity he was in charge of training the next generation of Episcopalians, and when Henry Scougal died suddenly in 1678 his father the bishop sought to lure the aging Menzies to Episcopalian headquarters at King's. Nevertheless, one has the distinct impression that episcopacy did not sit easily on him. He never offered the second episcopate his allegiance without prolonged hesitation and considerable hedging. Had he been required to seek re-ordination at the Restoration it is doubtful he would have conformed at all. His crusading zeal and disputatious nature set him well apart from the mild-mannered disciples of the Aberdeen Doctors who controlled the kirk in the north-east. These factors, together with his pre-Restoration career, his firm friendship with Meldrum, and his death-bed admission would seem to support the view that he inclined to Presbyterianism, while at the same time illustrating the complexity and fluidity attending such labels. On Meldrum and Menzies see, in addition to Henderson, *Scottish Notes and Queries*, December 1897, p.86; and *Woodrow's Analecta*, i, p.170, 174-77; iii, p.122-125.

16. See Lenman, 'The Scottish Episcopalian Clergy and the Ideology of Jacobitism', in E. Cruikshanks, ed., *Ideology and Conspiracy: Aspects of Jacobitism* (Edinburgh: 1982), p.46. On the contribution of the Aberdeen Doctors in this regard see Julia Buckroyd, *Church and State in Scotland: 1660-1681* (Edinburgh: 1980), p.12-13.
17. See references in n.15, above.
18. Apart from not having to stoop to catechising and such, the professor of divinity was normally expected to preach only every third week. See John Spalding, *Memoirs of the Trubles*, John Stuart, ed., (Aberdeen: 1850), i, p.151.
19. See Rosalind Mitchison, *A History of Scotland* (London: 1977), p.251.
20. In 1669, with a full complement of ministers, their stipends may well have accounted for half the £8,000 stented on the inhabitants.
21. Mitchell was appointed catechist and preacher to the fishing community of Footdee (within the urban parish of St. Nicholas) in 1667, and added another £100 to his yearly income in 1670 when the town council agreed that he should preside as catechist and lecturer to the incorporated trades in weekday services at their Trinity Chapel headquarters. *Council Register*, lv, p.12 (24 April 1667); *Council Extracts*, p.269 (6 July 1670). Mitchell's marriage of 1666 is noted in Row's 'Diary', *Scottish Notes and Queries*, December 1893, p.100. Note that the synod chastised the Aberdeen presbytery in 1663 for 'not exacting from him satisfacione as to his submissione to the present church and ecclesiastick government'.

22. *Aberdeen Synod Records*, S.R.O., CH2/840/10 (28 October 1663).
Council Register, lvi, p.48 (18 August 1675); lvi, p.89 (12 January 1676).
23. *The Letters and Journals of Robert Baillie*, David Laing, ed. (Edinburgh: 1842), iii, p.364. See also Lenman, *Jacobite Risings*, p.62: 'The social realities of late seventeenth-century Scotland were such that only a very foolish man would have wanted to impose himself as incumbent on a parish or burghal kirk if he knew that the local landowners or patricians were likely to be hostile to him.'
24. *Synod Extracts*, p.281 (30 October 1665).
25. *Council Letters*, iv, p.257-58.
26. See Snow, *Patrick Forbes*, p.164. Scroggie was married to Bishop Patrick Scougal's daughter. Row, 'Diary', *Scottish Notes and Queries*, November 1893, p.85.
27. *Council Register*, lv, p.494 (18 June 1673); lv, p.388 (15 March 1672).
28. Lyall's three colleagues in the ministry, Sibbald, Menzies, and Meldrum, insisted that the council conduct a full-scale trial for libel. Whether this was a show of solidarity and an effort to clear Lyall's name, or a sign that they suspected there might be a case to answer for, it is difficult to say. Most likely the trial, the only one of its kind brought before the magistrates, was a pretext for bringing an extreme penalty to bear on Lyall's accuser Thomas Mercer, a former dean of guild recently converted to Quakerism: he was made to pay a fine of no less than £500, the highest amount levied by the magistrates in the period.
29. Seven magistrates active in the 1670's had held high office prior to the Restoration, of whom only two, Gilbert Mollesone and George Leslie (provost 1686-88) continued at the centre of affairs in the 1680's: of the others, Alexander Alexander served only two more terms after 1680; Provost Robert Forbes died in 1678; John Duncan in 1675; Provost Robert Petrie's career ended that same year; and John Scott's last term was 1678.
30. Born in 1644, Blair was a graduate of Marischal in 1663. His election sparked considerable controversy within the council, though whether and to what extent Blair's ecclesiastical preferences were a factor we cannot say. The protest was led by Baillie Alexander Alexander, who argued that it was customary to choose a native son for the ministry, while Blair was merely a near relation of one of the ministers (he does not say which), and was 'nowayes extraordinarie gifted'. It was also alleged that a proper head court had not been called and that burgesses objecting to the call had not had the opportunity to voice their concerns. Baillie Alexander Burnet, another old hand near the end of his council career, acknowledged that a majority on council backed Blair, but added that he was 'a person knowin by non of ther wholl number except on and so he might be a persone for ought they knew verie unfitt for such ane considerable charge'. He went on to allege 'ther wes an unhandsome and indirect meines used by some of the saids magistrates and counsell (by joyneings and otherwayes) for the electing the said Mr. William Blair.'

- Council Register*, lvi, p.500-01 (13 August 1680). See also *Council Letters*, vi, p.xiii.
31. Garden, who graduated from King's in 1666 at the age of 17, was a prime product of the post-Restoration universities, which from roughly 1660-1690 'had as their main business the production of clergymen imbued with the conservative, royalist, and episcopal values of the Restoration regime'. Lenman, 'The Scottish Episcopal Clergy', p.39. The best introduction to Garden and his career is to be found in G.D. Henderson, *Mystics of the North-East* (Aberdeen: 1934), p.32-39.
 32. Henderson, *Ibid*, p.21-27; and Henderson, *Religious Life in Seventeenth Century Scotland*, p.232-238.
 33. Henderson, *Religious Life in Seventeenth Century Scotland*, p.233-34.
 34. Letter from Sir James Stewart of Coltness, dated Edinburgh, 30 April 1694. See James Grant, ed., *Seafield Correspondence, 1685-1708* (Edinburgh: 1912), iii, p.142.
 35. A notable aspect of the case is that the magistrates seem to have remained aloof. Garden's support was led by John Burnet, who had at that point held no office above that of master of kirkwork, while his opponents sent Thomas Forrest, master of hospital, to represent their views to the general assembly and privy council. *Council Extracts*, p.132 (27 January 1692). In February 1693 the privy council banned Garden from conducting any 'ministerial function' until he should 'qualifie himselfe according to law'. *Council Register*, lvii, p.404 (8 March 1693). In 1701 he was deposed from the ministry altogether for his ties to the heretical mystical views of Madame Bourignon. Henderson, *Mystics*, p.35-6.
 36. Henderson, *Mystics*, *passim*, and Lenman, 'The Scottish Episcopal Clergy', p.46.
 37. Meldrum explained that the general assembly had decided that he belonged in Edinburgh, but he commended the provost for having presented his case so well before the assembly, and prayed that the town would find a good man. *Council Register*, lvii, p.442 (9 May 1694).
 38. Scott, *Fasti*, vi, p.2; *Council Register*, lvii, p.446 (11 July 1694).
 39. The town council ordered the election of a Presbyterian session on 28 June 1694. *Council Extracts*, p.314.
 40. *Council Extracts*, p.315 (28 November 1694).
 41. *Council Register*, lvii, p.462 (5 December 1694).
 42. *Council Extracts*, p.315 (5 & 19 December, 1694).
 43. *Council Register*, lvii, p.463 (5 December 1694).
 44. *Council Register*, lvii, p.654 (17 August 1698).
 45. Scott, *Fasti*, vi, p.2, 15, 38.
 46. Henderson, *Mystics*, p.23.
 47. *Ibid*, p.21-25. See also G.D. Henderson and H.H. Porter, eds., James Gordon's Diary: 1692-1710 (Aberdeen: 1949), *passim*.
 48. *Council Register*, lvii, p.474 (27 March 1695).
 49. See a number of the contributions to S.J. Wright, *Parish, Church, and People: Local Studies in Lay Religion, 1350-1750* (London: 1988). *i.e.* Nick Aldridge, 'Loyalty and Identity in Chester Parishes, 1540-1640', p.117-118.
 50. Henderson, *Religious Life in Seventeenth Century Scotland*, p.151.

II The Kirk Session

1. Elsewhere, particularly in rural parishes, sessions were involved in the provision of schools and schoolmasters, and in the election of ministers, whereas these were responsibilities normally undertaken by the town council in Aberdeen. See Henderson, *Ruling Elder*, p.146-186.
2. Alexander Alexander and Gilbert Molleson served as elders for 23 and 21 consecutive years respectively. consecutive terms. Note that on occasion the new session was presented before the congregation for their approval. See *Kirk Session Extracts*, p.118 (8 November 1652).
3. *Aberdeen Kirk Session Records*, S.R.O., CH2/448/24 (12 June 1699).
4. *Synod Extracts*, p.303-4 (8 October 1674).
5. Henderson, *Ruling Elder*, p.68.
6. See Chapter 4.
7. Unfortunately, the kirk session records do not include lists of the elders and deacons in attendance each week. Judging from the number of times the session clerk noted that a message would need to be delivered to the magistrates, however, it seems likely that the magistrates' places on the session were semi-honorary. On the other hand, of the 151 merchants known to have served both as council members and as elders over the course of their careers, only 16 appear to have served as elders only when automatically appointed by virtue of their council positions. The rest were all elected to at least one term on the session when not serving on the council.
8. *Aberdeen Kirk Session Records*, S.R.O., CH2/448/7 (25 November 1661).
9. No lists have been found for 1661, 62, 63, 64, 65, 82, 84, 95, 96, 98, and 1700. Nevertheless, judging by the more complete council lists and given the propensity to serve multiple terms of office, it seems likely that the names of the great majority of those elected to the session between 1650 and 1700 are to be found amongst the 33 existing lists.
10. Based on checking the names against the *Burgess Register*.
11. Working from the list of 318 merchants positively identified for 1669, 101 of these served as elders, and 67 as deacons. Subtracting the 32 individuals who served as elders and deacons leaves a total of 136 merchants, 39% of the estimated total of 350 merchants active in 1669. These 136 merchants represented 72% of the 189 merchant elders identified over the 50 year period. Applying this same ratio to the 117 craftsmen suggests that 84 of them would have been active in 1669 - 34% of the estimated 250 craftsmen in the burgh that year.
12. The *Decreet Arbitral* of 1587 fixed the ratio of merchants to craftsmen on council at 17:2. See Chapter 3.
13. See Chapter 6.
14. In the Cannongate the figure was 75%. See Walter Makey, *The Church of the Covenant: 1637-1651* (Edinburgh: 1979), p.151.
15. 'Indeed, the eldership represented the dominant elements in the burgh almost as faithfully as did the burgh organisation itself.' Makey, *ibid*.
16. *Ibid*, p.149-151; Henderson, *Ruling Elder*, p.114-15; Heinz Schilling, "'History of Crime" or "History of Sin"? - Some

Reflections on the Social History of Early Modern Church Discipline', in E.I. Kouri and T. Scott, eds., *Politics and Society in Reformation Europe: Essays for Geoffrey Elton on His 65th Birthday* (London: 1987), p.293-96; R.M. Kingdon, 'The Control of Morals in Calvin's Geneva', in L. Buck and J. Zophy, eds., *The Social History of the Reformation* (Columbus: 1972), *passim*.

17. An important exception was the treatment of religious dissenters. See below, Part III.
18. Makey, *op. cit.*, p.150-151.
19. From the 1669 generation of *circa*. 600 merchants and craftsmen, 123 served on the town council at some point. A further 34 served as elders but not councillors, for a total of 157 men, about 26% of the total. Another 80 burgesses served as deacons but not elders or councillors, bringing the total to 237 - 39.5% of the whole.
20. Rosalind Mitchison, 'The Making of the Old Scottish Poor Law', *Past and Present*, no.63, 1973, p.62-3. There is now a considerable literature concerning the activities of sixteenth and seventeenth century kirk sessions, much of it cited below and in the next chapter. Urban poor relief is one area, however, which has yet to attract much attention. An exception is Lynch, *Edinburgh and the Reformation*, p.20-21, 30-34, 42-45, 104,107.
21. See Chapter 6.
22. See Chapter 4.
23. In years when a communion service was held it was traditional to offer some of the communion money to beggars who gathered outside during the service.
24. See Chapter 3, Part I.
25. The names of the benefactors are preserved on contemporary boards hanging in Collison's Aisle of St. Nicholas' Church.
26. Two civic officials also stood in the doorway, and a separate collection was taken for the upkeep of the kirk, which was the responsibility of the council's master of kirkwork. Kirkwork donations usually averaged about two-thirds of the charitable offerings.
27. The weekly offerings were usually recorded in the kirk session minutes.
28. *Kirk Session Records*, CH2/448/10 (21 January 1667)
29. See A. Mitchell Hunter, 'The Celebration of Communion in Scotland Since the Reformation', parts I & II, *Records of the Scottish Church History Society*, no.3 & 4, 1929 & 1932. See also Henderson, *Ruling Elder*, p.39-64.
30. *MSS. Kirk Session Accounts Bundle*, Charter Room, Aberdeen Town House.
31. See Chapter 4. Occasional payments were usually for larger sums than monthly installments. Note that it was extremely uncommon for pensioners to receive supplementary payments as well - there were in effect two separate groups of recipients.
32. These examples are to be found in the accounts for 1679/80.
33. See Chapter 4.
34. *Kirk Session Extracts*, p.144 (14 December 1658).
35. *Kirk Session Records*, CH2/448/14 (10 July 1676).
36. The annual burial statistics are set out in Fig. 2.1. For wage

- and price statutes see Appendix II.
37. A number of pensions were adjusted following an inspection of the recipients in December 1679. *Kirk Session Records*, CH2/448/17.
 38. Approximately 120 pensioners would suggest that they represented about 7% of an estimated 1,800 households, about the same as in the London borough of Southwark but a little higher than in other early modern English cities. Boulton, p.115. The number of pensioners may not have risen much during the famine of the 1690's, though many more people will have received other forms of relief.
 39. See Chapter 4.
 40. Both lists are dated 1 February 1697. *Kirk Session Records*, CH2/448/24. See also Tyson, 'Famine in Aberdeenshire, 1695-1700: Anatomy of A Crisis', *passim*.
 41. This works out to an average of just over 6/ per week. In the East Lothian parish of Yester kirk pensioners received between 3 and 10/ weekly during the famine. Mitchison, 'A Parish and its Poor', p.26.
 42. *Council Register*, lvii, p.556 (23 December 1696).
 43. Tyson, 'Famine in Aberdeenshire', p.36-37.
 44. In the cold winter of 1673 the session informed its pensioners that 'the collector was not able to pay to them their monthlie pensions for a certaine space to come', and proceeded to suspend or diminish payments. *Kirk Session Records*, CH2/448/14 (20 January 1673). Nearly three years later the poor relief programme was still in financial difficulty. See CH2/448/14 (22 November 1675).
 45. I would like to thank Professor Smout for providing this estimate, based on his work-in-progress on the Scottish diet.
 46. The burgh's wage statutes for slaters, masons, and wrights were all set at rates exclusive of food and drink. For the lowest-paid workers, such as the wright's 'ordinary boy', who earned up to 8/ a day or £2-8-0 a week, it was specifically stated that the wage could be halved in return for 'meat and drink'. See for example *Council Register*, liv, p.111 (13 October 1659). See also Appendix II.
 47. *Kirk Session Records*, CH2/448/12 (5 December 1670). In the parish of Yester the session paid pensions of 10/ weekly to support families of three and five respectively. Mitchison, 'A Parish and Its Poor', p.26.
 48. Mitchison, *ibid*, p.22, 26.
 49. See McPherson, *The Kirk's Care of the Poor*, p.175-211.
 50. *Kirk Session Records*, CH2/448/17 (8 December 1679). See also McPherson, p.175-177.
 51. *Kirk Session Records*, CH2/448/12 (5 December 1670). In the absence of the session accounts for this year we cannot know whether these 73 people constituted all the kirk's pensioners. Note that the 67 monthly pensioners listed supported 29 children between them.
 52. *Kirk Session Records*, CH2/448/9 (15 June 1665).
 53. Issobel Kellie gave birth to the merchant's child which eight days later 'she did expose and lay doune at John Rosses doore in the old toune and acknowledgit Patrick Bowman to be the father thereof'. *Kirk Session Records*, CH2/448/14 (27 February

- 1675).
54. *Justice Court Book*, i, ff.162 (1 March 1675).
 55. Referred to in *Kirk Session Records*, CH2/448/14 (11 September 1676).
 56. *Kirk Session Records*, CH2/448/14 (30 May 1675).
 57. *Kirk Session Records*, CH2/448/14 (29 December 1675).
 58. *Kirk Session Extracts*, p.142-43 (13 July 1657).
 59. If anything the kirk had been tougher on pensioners in the past. See *Kirk Sessin Extracts*, p.97-8 (24 June 1621).
 60. Henry Scougal, 'Of the Importance and Difficulty of the Ministerial Function', in Scougal, *The Life of God in the Soul of Man: Or the Excellency of the Christian Religion. With Nine Other Discourses on Important Subjects To Which is Added, A Sermon Preached At His Funeral, By G.G. (George Garden)* (London: 1726), p.367. This is the single most complete edition of Scougal's work, but does not include the original preface by Gilert Burnet.
 61. *Ibid.*, p.388.
 62. The following figures are based on a breakdown of the session's disciplinary caseload in 15 years spread across the period 1650-1700. Note that in most weeks the current status of each case was carefully noted in the session minutes - a practice which accounts for the great bulk of the session records.
 63. See Chapter 6.
 64. For a fuller discussion of this point see Chapter 6.
 65. *Justice Court Book*, i, ff.44 (5 December 1659).
 66. See Chapter 6.
 67. There was no clear pattern as to which court an accused person could expect to appear before first.
 68. Details of this case are to be found in the *Kirk Session Records*, CH2/448/6-7 under the dates listed in the text.
 69. 'The kirk took the view that public appearances were a favour rather than an imposition.' Henderson, *Ruling Elder*, p.117.
 70. This point is made particularly well by Heinz Schilling, *op. cit.* See for example p.297: 'The aim of this discipline was not the earthly perfection of the individual or his punishment, be it understood as penance or as deterrence, but the sacral-transcendental unity of the eucharistic community.' See also Ivo Macnaughton Clark, *A History of Church Discipline in Scotland* (Aberdeen: 1929), p.149-154; Harro Höpfl, *The Christian Polity of John Calvin* (Cambridge: 1982), p.203; T.N. Tentler, *Sin and Confession On the Eve of the Reformation* (Princeton: 1977), p.xvi-xviii; p.1-14.
 71. Schilling, *ibid.*, p.300.
 72. *Ibid.*

III The Challenge of Dissent

1. Scougal, 'The Importance and Difficulty of the Ministerial Function', p.387.
2. It is notoriously difficult and perhaps ill-advised to attempt to assign a definitive number to those espousing a particular set of beliefs at a particular time and place - though one can probably come close in the case of the Quakers, who kept meticulous records. Catholics pose a much more difficult problem: 'It is never safe to label this or that family as 'Catholic' because the religious practice of individuals was seldom consistent. A handful might be pious Papists but the majority were little more than crypto-Catholics, who did not dare to practice their religion'. P.F. Anson, *Underground Catholicism in Scotland, 1622-1878* (Montrose: 1970), p.25. See also the discussion of Catholic baptisms, below. All we can say with certainty is that the very great majority of Aberdonians conformed to the Church of Scotland.
3. Bruce McLennan, *Presbyterianism Challenged: A Study of Catholicism and Episcopacy in the North East of Scotland, 1560-1650*, (University of Aberdeen Ph.D., 1977), vol.1, p.217, 211.
4. Spalding, *op. cit.*, vol.i, p.242. See also Alphons Bellesheim, *History of the Catholic Church of Scotland, From the Introduction of Christianity to the Present Day*, D. Oswald Hunter Blair, tr. (Edinburgh: 1890), iv., p.30.
5. See Chapter 1.
6. Dow, *Cromwellian Scotland*, p.205; *Synod Extracts*, p.238 (20 October 1657).
7. See Chapter 1.
8. A good deal has been written about the Aberdeen Quakers and their leading lights, Robert Barclay and George Keith, who left a permanent mark on Quakerism. The most authoritative account is still to be found in William C. Braithwaite's *The Second Period of Quakerism*, Henry J. Cadbury, ed. (Cambridge: 1955). See also George B. Burnet, *The Story of Quakerism in Scotland: 1650-1850* (London: 1952), and Ned C. Landsman, *Scotland and Its First American Colony, 1683-1765* (Princeton: 1984), though the latter presents the religion and culture of north-east Scotland in a peculiarly skewed light. While it has often been noted that Quakerism struck a deep chord among some north-east Scots in the seventeenth century, and sometimes noted that Barclay and Keith were Scots, several important questions remain unanswered. Men from in and around Aberdeen defined and to some extent shaped Quakerism, yet the impact of their particular Aberdonian, north-eastern, and Scottish heritage - social, historical, educational, and religious - upon the Quaker movement has received scant attention. One of the few historians to have even noticed this odd gap in our understanding is Richard T. Vann, who in a footnote twenty years ago mused that 'it is interesting that the English Quakers had to resort to Scotland for theological expertise.' *The Social Development of English Quakerism: 1655-1755* (Cambridge, Mass.: 1969), p.2, n.1.

9. See Chapter 1.
10. For details see *Kirk Session Extracts*, p.115-145.
11. *Register of the Privy Council*, i, p.65-66. The Aberdeen presbytery and synod imposed the sentence of greater excommunication on six Catholics in 1656 alone. (*Synod Extracts*, p.233-34). Elsewhere in Scotland this drastic sentence - in which the sinner was meant to be cut off completely from the Christian congregation, and not, as in the more common lesser excommunication, simply refused communion - was used exceedingly sparingly. Robert Baillie saw it imposed just once over 47 years, most of them spent in Glasgow. Henderson, *Ruling Elder*, p.144.
12. *Kirk Session Records*, CH2/448/6 (8 September 1651; 26 January 1652).
13. Lord Broghill in a letter to Cromwell of February 1656. cf. Dow, *Cromwellian Scotland*, p.205.
14. James Cameron, 'Scottish Calvinism and the Principle of Intolerance', in B.A. Gerrish and R. Benedetto, eds., *Reformatio Perennis: Essays on Calvin and The Reformation in Honor of Ford Lewis Battles* (Pittsburgh: 1981), p.123.
15. *Synod Extracts*, p.266 (23 October 1662).
16. Citing Edinburgh's example, the town council first changed the burgess oath in 1669, adding injunctions against Quakers in 1675 and 1678. Following James VII's accession in 1685 these amendments were quietly dropped in March 1686 'for considerationes', though they appear to have been revived some years after. It seems that care was taken to ensure that the property and commercial prospects of the Catholic and Quaker offspring of established burgesses were not unduly harmed by their exclusion from guild status. The 1675 act specified that it was not to prejudice 'the sons of burgesses of gild succeeding to ther fathers in lands or waters holdin of the town'. In a revealing council entry of 1710 the sons of Robert Barclay and Alexander Jaffray petitioned for the reinstated restrictions on Quakers to be lifted in the burgh, but this was refused: 'the petisioners have no ground to complaine against the forsaid burger oath, seeing its notourly knowne that all Quakers children whose parents were burghers, are allowed liberty to trade, also freely as any other burgers, though they be not actually admitted burgers, because they will not take oaths'. All of the above acts are printed in the *Council Extracts*, p.252; 292; 299; 307; and 342-43.
17. *Council Extracts*, p.261-62 (16 February 1670).
18. James came to hold the Quakers in high regard, and was on good terms personally with William Penn and Robert Barclay, who brought the plight of the Aberdeen Quakers to the then Duke of York's attention as early as 1676. See Braithwaite, *The Second Period of Quakerism*, p.118-20 and 134. See also Buckroyd, *Church and State in Scotland*, p.132-36. Naturally enough, the Quakers were firm supporters of James VII. Michael Lynch has drawn attention to the apparent mystery of Skene's reference to the 'fatherly care and protection' enjoyed by the burghs under absolute monarchy, but as a Quaker Skene (who incidently should not be confused with Provost George Skene) would appear to have had every reason to endorse

- the king. See Lynch, 'Introduction', p.19, and Skene, *Succinct Survey*, p.19.
19. *Synod Records*, CH2/840/10 p.314; 328-30; 342 (October 1683; April 1684; October 1684).
 20. *Ibid.* p.365 (October 1685).
 21. Bellesheim, *History of the Catholic Church of Scotland*, iv, p.138; *Council Register*, lvii, p.377 (18 May 1692); *Council Extracts*, p. 322-3 (22 June 1698).
 22. Although still suffering prejudice in 1710, Quaker leaders in the burgh referred to the 1670's as 'the tyme of severe persecutions upon the Quakers in this place'. *Council Extracts*, p.342-43 (29 November 1710).
 23. Scougal, *op. cit.*, p.387.
 24. See below, n.47 and n.71.
 25. *Register of the Privy Council*, i, p.66.
 26. For details see below.
 27. The magistrates threw their weight behind the witch-hunt on the same day that they adjusted the burgh oath so as to exclude Catholics. See n.43.
 28. This was particularly the case in 1649. See Christina Larner, *Enemies of God: The Witch-hunt in Scotland* (London: 1981), p.25, 41, 195, 198, 200. See also Larner, *Witchcraft and Religion: Politics and Religion* (Oxford: 1984), p.116, 124.
 29. Larner, *Enemies of God*, p.80.
 30. *Council Extracts*, p.253 (7 April 1669).
 31. *Synod Extracts*, p.294 (22 April 1669); *Register of the Privy Council*, ii, p.614.
 32. Taylor, *Council Letters*, iv, p.xxxi-xxxii.
 33. *Register of the Privy Council*, ii, p.614; *Council Letters*, iv, p.393-399. See also Larner, *Enemies of God*, p.76.
 34. For a list of the witch trials in Aberdeen in these years see Christine Larner, *A Source Book of Scottish Witchcraft* (Glasgow: 1977), p.40-1, 57-8, 144.
 35. This reference to the case is to be found in Alexander Skene *et al*, *A Brief Historical Account and Record of the First Rise and Progress of the Blessed Truth, Called in Derision Quakerism, In and About Aberdeen, @ 1687*, S.R.O. MSS., CH10/3/36 (a nineteenth century transcription of the damaged original), p.11.
 36. The case is to be found in the Records of the High Court of Justiciary, Small Papers, Main Series, S.R.O. JC26/38.
 37. *Council Letters*, v, p.82, n.1.
 38. Somewhat confusingly, Issobel Spens and perhaps some other unfortunates appear to have been put to death a year or more before the Northern Circuit arrived in May 1671. See *Council Letters*, iv, p.394 n.1.
 39. On the history of the witch-hunt in early modern Scotland and the dynamics of witch-belief see Larner, *Enemies of God*, *passim*.
 40. Skene, *A Brief Historical Account*, p.11.
 41. This is of particular importance because non-Quakers left so few diaries and other expressions of personal opinion in Aberdeen.
 42. *Ibid.*, p.19-20.
 43. *Council Extracts*, p.252-53 (7 April 1669).
 44. See Barry Reay, 'Popular Hostility Towards Quakers in Mid-Seventeenth-Century England', *Social History*, vol.5, 1980,

- p.392, 396-400. For an accusation of witchcraft levelled at the Aberdeen Quakers see William F. Miller, 'Gleanings from the Records of the Yearly Meeting of Aberdeen 1672 to 1786', in *Journal of the Friends Historical Society*, viii, 1911, p.44. There is no evidence of a serious charge of witchcraft having been levelled against a Catholic or Quaker in the town however, though we should need to know more about the victims of the witch-hunt to be sure. Existing suspicions that Catholics and Quakers were in league were fueled by the knowledge that Robert Barclay^{HAD} been educated at the Scots College in Paris. The quote is taken from one of Barclay's own replies to these charges. See Wragge, *The Faith of Robert Barclay*, p.27-8.
45. Skene, *A Brieff Historicall Account*, p.10. Menzies, himself of a recusant family, was famous for his virulent opposition to Rome. See Henderson, *Religious Life in Seventeenth Century Scotland*, p.112.
 46. Firth, *Scotland and the Commonwealth*, p.347-352.
 47. Henderson, *Religious Life in Seventeenth Century Scotland*, p.112; *Council Extracts*, p.247 (15 January 1668).
 48. *Register of the Privy Council*, iii, p.212.
 49. *Ibid.*, p.212-14.
 50. *Ibid.*, p.214.
 51. *Ibid.*, p.214-15.
 52. *Council Letters*, v, p.15 (2 July 1670).
 53. *Register of the Privy Council*, iii, p.211.
 54. *Kirk Session Records*, CH2/448/9 (12 & 19 December 1664).
 55. Manifestations of dissent were sufficiently serious to be passed on to the presbytery (which tended to be dominated by the town's ministers) virtually automatically. The session's role, then, was to identify dissenters and administer the sentences passed by the presbytery.
 56. *Council Letters*, v, p.292-3. Nine Quakers were also named.
 57. A.M. Munro, ed., 'A Private Register of Baptisms', *Scottish Notes and Queries*, May 1895, p.180-182.
 58. *Ibid.*, p.181.
 59. *Ibid.*, p.180.
 60. *Ibid.*
 61. *Council Letters*, v, p.xxi.
 62. Miller, *op. cit.*, p.40. In 1669 the Edinburgh yearly meeting, which included all Scottish Quakers south of the Tay, listed 69 men. Miller, 'Notes on The Early Records of Friends in the South of Scotlan from 1656 to about 1790', *Journal of the Friends Historical Society*, i, 1904, p.70.
 63. The names are included in a letter from the Aberdeen to the Edinburgh monthly meeting, dated 28 May 1698. *W.F. Miller MSS.*, Box P., Friends House Library, London. The funeral referred to was that of Thomas Mercer, a prominent Quaker who had earlier tried and failed to have one of his children buried in the Quaker burial yard. *Council Register*, lvi, p.151 (9 August 1676). He died with a paper in his hand obliging his wife and children to bury him there, 'but his neerest relationes finding no restricktion upon them they did taicke the saime upon them and although the quakers did maick a graive for him in ther buriall place they interred his corps

in the new church ... whair ther was interred before of his ansestors his great grandfather, his grandfather, and his own father'. 'The wholl convention of quakers in or neir Aberdeen being rekooned to be above the number of an hundreth' turned out to protest, but to no avail. John Row, 'Diary', *Scottish Notes and Queries*, April 1894, p.164-65.

64. See Chapter 1.
65. Skene, *A Brieff Historicall Account*, p.6-7. See also Braithwaite, *Second Period of Quakerism*, p.328-333. There had been Quakers in the English garrison at Aberdeen in the 1650's, and William Dewsbury visited the burgh in 1658, but they failed to generate an indigenou following and there seems no reason to doubt the Quakers' own claim that their beginnings in Aberdeen date from 1662. See Thurloe, *State Papers*, vi, p.158-161; and Braithwaite, p.331 n.1.
66. Skene's conversion is referred to in Barclay's *Apology*: 'of late years Alexander Skein, a magistrate of the city of Aberdeen, a man very modest, and very averse from giving offence to others, who nevertheless being overcome by the power of truth in this matter, behoved for this cause to separate himself from the public assemblies and prayers, and join himself unto us'. *An Apology For the True Christian Divinity* (Aberdeen?: 1678), p.251.
67. Skene, *Memorials For the Government of the Royall-Burghs* (Aberdeen: 1685).
68. Miller, 'Records of the Yearly Meeting of Aberdeen', *op. cit.*, p.40.
69. On Barclay see n.1, above. Keith was another remarkable figure. Having helped to provide the theological groundwork for Quakerism, he emigrated to Pennsylvania where his questioning and disputatious nature sparked the 'Keithian Controversy' which irreparably divided the American Quaker community. See Landsman, *Scotland's First Colony*, p.170-173. He eventually moved to England where he became not only an Anglican priest, but the Church of England's chief spokesman in the campaign against Quakerism. See Richard Clark, 'The Gangreen of Quakerism: An Anti-Quaker Anglican Offensive in England After the Glorious Revolution', *Journal of Religious History*, vol. 11, 1981, p.412-13. Keith continued to claim, with some justice, that he had inspired much of Barclay's thought, and despite his vitriolic attacks on other Quaker leaders (most of whom he had known well) he never rejected Barclay's work: 'R. Barclay is my Country-man, I will not be partial to him on that account; but I do not now blame any thing in his Book, I know he is the soundest Writer among them'. George Keith, *An Exact Narrative of the Proceedings at Turner's Hall, the 11th of the Month called June, 1696* (London: 1696).
70. *Aberdeen Presbytery Records*, S.R.O., CH2/1/2 (19 September 1676).
71. Both sides in the debate published their versions of the proceedings. See for example Barclay and Keith, *A True and Faithful Accmpt of the Most Material Passages of a Dispute Betwixt Some Students of Divinity (so called) of the University of Aberdene, and the People called Quakers...* (London: 1675).
72. Henderson, *Religious Life in Seventeenth Century Scotland*, p.106.

- See also Jonathan Barry, 'The Parish in Civic Life: Bristol and Its Churches, 1640-1750', in S.J. Wright, ed., *Parish, Church and People*, p.159.
73. Scougal, 'Importance and Difficulty', p.370.
 74. Skene, *A Brieff Historica11 Account*, p.31-2.
 75. The Aberdeen monthly meeting in May 1698 issued some of the strictest and most detailed instructions concerning proper Quaker dress for men and women. See Joan Kendall, 'The Development of a Distinctive Form of Quaker Dress', *Costume*, no. 19, 1985, p.61-62. The full text is printed in Miller, 'Records of the Yearly Meeting of Aberdeen', p.77-80, and includes instructions on speech as well: eg. 'That no Frinds go from Truths plain and single Language of Thow, to a single persone'.
 76. Braithwaite, *The Second Period of Quakerism*, p.339-40.
 77. See above, Part I, n.27.
 78. Skene, *A Brieff Historica11 Account*, p.13.
 79. Barclay, who was widely travelled, referred to 'Aberdeen where the fiercest of our opposers are supposed to be'. cf. Taylor, *Council Letters*, vi, p.xiv. The 'second generation' of Quakerism is post-Restoration Quakerism, as opposed to the 'revolutionary' Quakerism of the 1650's which has attracted far more attention from English historians, particularly from Christopher Hill and his circle, keen to find revolutionaries in seventeenth century England. See for example Barry Reay, *The Quakers and the English Revolution* (London: 1985).
 80. See for example John Barclay, ed., *The Diary of Alexander Jaffray of Kingswells*, (Aberdeen: 1833), p.325-427; Burnet, *The Story of Quakerism in Scotland*, Chapters 9, 10, and 13; and for a useful if unsympathetic brief summary, Louise Taylor, *Council Letters*, vi, p.xiv-xviii.
 81. Miller, 'Records of the Yearly Meeting of Aberdeen', p.64.
 82. Taylor, *Council Letters*, vi, p.xviii.
 83. *Ibid.*, p.xv-xvi. Barclay and Keith were among those arrested with the first group. As well as using the time to hone their theology, they kept up with their correspondence, sending letters to, among others, Henry More the Cambridge Platonist, Francis Mercury Van Helmont the Dutch Kabbalist and polymath won over to Quakerism after meeting Barclay and Keith, and Princess Elizabeth of the Palatine. See *Relique Barclaiana: Correspondence of Col. David Barclay & Robert Barclay of Urie* (London: 1870). See also Allison Coudert, 'A Quaker-Kabbalist Controversy: George Fox's Reaction to Francis Mercury Van Helmont', *Journal of The Warburg and Courtauld Institutes*, vol. 39, 1976.
 84. Taylor, *Council Letters*, vi, p.xvi, n.1.
 85. Hume-Brown, *Tours in Scotland*, p.20.
 86. *Council Letters*, vi., p.142. David Barclay, Robert's father, was also imprisoned and wrote in March 1676 that 'the most of the Magistrates here continue their wonted enmity, and have manifested this this day by causing lead nail all the Prison windows, because Andrew Jaffray declared to the people in the streets out at them, so that we are barred from breathing the free air.' *Relique Barclaiana*, p.viii-ix.
 87. *Register of the Privy Council*, iv, p. 61, 73.

88. Taylor, *Council Letters*, vi, p.xvi-xviii.
89. Robert Bruce, a regent at Marischal College, rented the Quakers premises for their meetings in 1672, after the laws against such dealings had been passed. As he declined to renew the contract for a second year the Quakers met for a time in Alexander Skene's 'hall and high chamber'. Miller, 'Records of the Yearly Meeting of Aberdeen', p.41, 45.
90. *Council Extracts*, p.282 (1 June 1672).
91. *Council Register*, iv, p.561 (8 April 1674).
92. *Council Extracts*, p.280 (1 June 1672).
93. See n.63, above.
94. *Council Extracts*, p.277-8 (29 November 1671).
95. Skene, *A Brieff Historicall Account*, p.37.
96. *Council Extracts*, p.278 (29 November 1671).
97. Skene, *A Brieff Historicall Account*, p.38; *Council Register*, iv, p.561 (8 April 1674).
98. *Council Extracts*, p.281 (1 June 1672).
99. 'Report of the Superior of the Scottish Mission To The Congregation of Propaganda, 1650-1660', in Bellesheim, *History of the Catholic Church of Scotland*, iv, appendix ii, p.348.
100. Smout, *History of the Scottish People*, p.196, 216-17.
101. Miller, 'Records of the Yearly Meeting of Aberdeen', p.59.
102. The overseas endeavours of the north-east Quakers have recently received fulsome treatment in Ned C. Landsman, *Scotland and Its First American Colony, passim*. See also George Pratt Inch, *Scottish Colonial Schemes: 1620-1686* (Glasgow: 1922), p.145-84, 233-36. For a brief summary, see Gordon Donaldson, *The Scots Overseas* (London: 1966), p.35-37. Ian B. Cowan, in *The Scottish Covenanters: 1660-1688* (London: 1976) p.155, says that Barclay intended the colony of East New Jersey 'as an asylum for the persecuted, but as quakers were little troubled in Scotland the design seems to have been national rather than sectarian.' The idea that the colony was not a purely sectarian undertaking is probably correct, but the assertion that Quakers had not been persecuted in Scotland is simply wrong - however much worse some Presbyterians may have fared.
103. See Burnet, *The Story of Quakerism in Scotland: 1650-1850*, p.140-150.

CHAPTER SIX

THE JUSTICE OF THE PEACE COURT

THE JUSTICE OF THE PEACE COURT

I The Origins and Nature of the Court

The establishment of the justice of the peace court in January 1657 and its successful integration into the town's existing structure of authority and discipline was to prove one of the most significant developments to have occurred in Aberdeen in the second half of the seventeenth century.¹ Similar courts were established in other towns about the same time in response to a Cromwellian act of 1655 which revived the moribund commission of the peace in Scotland, but judging from the fragmentary records that survive it appears that most if not all of these courts were allowed to wind down shortly after 1660.² Only in Aberdeen, it seems, did the 'justice court', as it was usually known, remain a vital force throughout the Restoration era, and indeed to the end of the century and beyond. Why was this? What was so different about Aberdeen that an institution which other burghs soon found superfluous to their needs apparently fulfilled a real need there? The answer is not entirely clear, particularly since we know so little about the activities of JP's in other burghs, but would seem to lie in a combination of several different factors which, taken together, provided peculiarly favourable conditions for the new court.

The suspicion that Aberdeen's example may have been all but unique is reinforced by the fact that Alexander Skene, in his *Memorials for the Government of the Royall-Burghs* of 1685, felt called upon to explain to a wider audience of prospective civic magistrates just what a justice court was and how it could be of use

to them.³

I am to mind the Rulers more particularly how they shall order it as Christians, in evidenceing their zeall against sin, for the honour and Glory of Him who is the Prince of the Kings of the Earth ... Then seeing all our mercies spring from this fountain, it concerns all Magistrates very near, to be careful that no gross sin be indulged amongst them, such as Whoring, Drunkenness and Swearing; these are the most common Scandalls unsuitable to the Gospel and such as profess it, that are to be found in Cities and Towns. These are sufficient to provock God to withdraw his mercies and to send sad Plagues and Rods, and to confound all your Counsells and blast your best Endeavours: for suppressing wherof, I know no better outward mean then a conscientious, faithfull and diligent Court of Justice kepted by well principled Magistrats, assisted by pious, honest and zealous Constables weekly.⁴

Here Skene could just as easily have been describing the kirk session: for magistrates read ministers, for constables read elders and deacons. Indeed, the whole point of the Aberdeen justice court was precisely that it was a secular equivalent of the kirk session, a separate but parallel institution using different but complimentary means to achieve the same ends.

Neither is this design to weaken their hands, but to strengthen them in their proper work; seeing the ends of both Courts is to suppress sin, and it is the more likely to take the desired effect, when Civil and Ecclesiastick Rulers do every one their Duty in their proper Sphere.⁵

Alexander Skene's opinions are of particular interest for two main reasons. First, he spoke from personal experience. As ruling elder of the kirk session in the middle years of the 1650's he was intimately acquainted with that institution's uphill struggle to enforce godly discipline in occupied Aberdeen. Having been elected a magistrate for 1656/7, he was involved in the creation of the justice court and became one of the town's original JP's. Secondly,

he represented a body of extreme Protestant opinion in the burgh which helped to shape the justice court in its formative years. As we saw in the last chapter, having been an ardent Covenanter he flirted with Independency in 1652 and 1653, then settled back into the kirk for nearly twenty years before ^{he} suddenly became a Quaker in 1671.

Skene was a Quaker when he wrote the *Memoriaalls*, but we can be almost certain that his basic attitudes towards matters of godly discipline and social control remained constant throughout his spiritual peregrinations.⁶ In Aberdeen and elsewhere those drawn to Protestant non-conformity tended to be people seeking a more strenuous, more vital form of religion than that offered by the state church.⁷ It was only natural that dissenters would wish to see a separation of church and state, but it did not necessarily follow that they wished to see any slackening off in the vital campaign to reform manners. Nor did one need to be a dissenter to insist upon a strict division of labour between ministers and magistrates. This was a venerable idea in Reformed circles, embraced by Calvin, endorsed by both the *First* and *Second Book of Discipline*, and much trumpeted by the Covenanters.⁸ Skene's forthright views on the subject could have been written at any point in his religious development.

It may be easie to any understanding men to perceive, how Heterodit a thing it is to see Preachers speaking to such delinquents more Magisterially liker a Civil Magistratt than Ministerially, menacing their Persons and exacting on their Purses, whereas it were more becoming Ministers of the Gospell to endeavour to awaken and convince their Consciences which is their

propper work, because the Weapons of their Warfare should not be Carnall.⁹

The survival of the Aberdeen justice court seems to have been due in part to the influence of a few well-placed men like Alexander Skene: dogmatic, literal-minded Christians who took the powers of the new institution seriously and imbued it with a sense of purpose and an ideological and theological legitimacy which it may have lacked elsewhere. A more straightforward and pragmatic reason for its success, however, was the fact that the commission of the peace, as configured by the act of 1655, addressed real and pressing needs in the burgh. Previous acts, going back nearly seventy years, had signally failed to do so.¹⁰

The 1655 act which re-established justices of the peace in Scotland was closely modelled on the most comprehensive of the earlier enactments, that of 1617.¹¹ Twenty-seven of the thirty clauses in the new act were lifted more or less intact from the old. These had failed to entice an earlier generation of urban officials, and proved no more attractive to their successors: in Aberdeen they were almost completely ignored.¹² Four amendments were introduced, however, which in civic eyes transformed the very nature of the office.¹³ The first important change was one of omission: no longer were constables of the justice of the peace court obliged to 'apprehend anye such persoun who salbe fund contemptuouslie to have disobeyed the censures of the church'. The reasons for this omission were made plain by the three clauses added by the English. For the first time, justices of the peace were to be directly responsible for enforcing all acts of parliament concerning the

apprehension and punishment of moral delinquents - cursers, swearers, drunkards, fornicators, and other such 'Mockers and Reproachers of piety'. A second new clause empowered justices to prosecute all 'Prophaners of the Lord's Day', while the final addition enjoined JP's to put into effect all acts of parliament relating to poor relief.¹⁴

In making justices of the peace responsible for matters of godly discipline and poor relief, it seems safe to assume that the English intended that the new secular courts would gradually take over much of the work of the kirk sessions and presbyteries, thereby undermining the authority of the Scottish church and its troublesome clergy.¹⁵ Things did not work out quite that way. Although the successful planting of Scottish JP's in most lowland and many highland localities has been considered one of the great achievements of the Cromwellian regime in Scotland, soon after the Restoration the commission of the peace was once more consigned to the periphery of the Scottish legal landscape.¹⁶ It was the justice of the peace courts, not the kirk sessions, which quickly faded from the scene. As for Aberdeen, any rivalry between the two institutions was short-lived. The ministers and elders there not only acquiesced in the establishment of the new court, but soon proved willing to work closely with it. What emerged was something approaching the old ideal of separate but complementary judiciaries.

In adapting the commission of the peace for their own purposes, the English had inadvertantly provided Aberdeen's beleaguered civic and church leaders with a way out of a seemingly insoluble dilemma. As discussed in Chapter 1, civic affairs in Cromwellian Aberdeen

were dominated by bitter divisions between the town's secular and ecclesiastical authorities. Since at least 1646, the entrenched Covenanters who comprised the ministry and a majority of the elders had denied the magistrates their customary seats on the kirk session. This exemplary display of anti-Erastian zeal severely disrupted the smooth working relationship which had previously existed between the two main branches of authority in the burgh. The covenanted kirk had, in effect, shot itself in the foot: all over the country, experience showed that the judicious application of secular might was absolutely essential if ecclesiastical discipline was to have any real effect on the more recalcitrant members of the flock.¹⁷ To make matters worse, in Aberdeen, as in many other communities in Cromwellian Scotland, the ruling establishment's powers of authority and discipline were at a low ebb in the very years when a moral and social crisis of the first order threatened to engulf society.

If Aberdeen's secular and ecclesiastical leaders could agree on nothing else in the 1650's, they were united in their abhorance of what they saw as a rising tide of unruly, amoral, and licentious behaviour. To be sure, the stern, censorious men who dominated civic and church life seldom missed an opportunity to bewail the seemingly perpetual decline of moral standards. Nevertheless, we have seen that Aberdeen in the middle decades of the seventeenth century, in common with much of Britain and Europe, experienced a series of very real traumas and upheavals which destabilized society and threatened to disrupt the carefully nurtured moral and social order of the community.¹⁸ Only after the worst effects of the

appalling series of natural and man-made disasters which beset the town between 1644 and 1653 had subsided, however, could the authorities in Aberdeen once more turn their full attention to matters of godly discipline. They were deeply shocked by what they found. There had been, as they saw it, a breakdown in public and private morality, particularly sexual morality, which threatened to bring ruin upon them all. In July 1654, for example, the session noted with alarm 'howe hughlie God is provocked by the frequent committing of the abhorable sin of fornicatioune in this place, quhich is come to so great a height throw the louseness of the tyme, that it cannot but presage some great judgement in this citie.'¹⁹

There was no great mystery as to the main cause of the apparent surge in illicit sexual activity. The answer lay in the fact that throughout the 1650's Aberdeen played host to a hugely disproportionate number of young unmarried men and women. In winter, when the army garrison was normally at full strength, roughly 1,000 English soldiers - one to every seven inhabitants - were billeted in the town. Soldiers and servants alike were forced to live in overcrowded and unsettled conditions.²⁰ While many of the Cromwellian troops will have lived up to their reputation for exemplary piety and purity, others seized the opportunity to indulge in traditional soldierly recreations. With the spectre of renewed warfare never far off, an undercurrent of violence and eroticism pervaded the town: dozens of local girls were delated by the session for having 'fallen in fornication' with a soldier.²¹ The local economy, although it revived somewhat after 1653, remained less than buoyant. Many of those who came to Aberdeen expecting to find work

found none, and more than a few turned to vagrancy, crime, and prostitution. In the difficult economic climate couples who might have preferred to legitimise their sexual relationships were forced to postpone marriage: church officials noted in August 1654 'the increase of the sin of fornicatioune, not onlie be single persones, but also be sundrie other persones under pretence of marriage.'²²

Although it never wavered in its determination to root out and punish sinners, the Aberdeen kirk session of the 1650's was in no condition to deal with a moral and social crisis of such proportions. It was not just that its disciplinary procedures lacked the necessary secular support. As the decade wore on the protester faction in control of the local kirk, despite its success in fending off outside interference, became increasingly divided amongst itself, diminished in numbers, and isolated from the main stream of religious and political opinion in the burgh. Independency claimed two of the town's three ministers in 1652, leaving only the redoubtable Andrew Cant - aged, sickly, and still on occasion called out of town to confer with his protester colleagues - to man the pulpit and preside over the kirk session.²³ More serious still, so far as discipline was concerned, was the shortage of elders and deacons. The session elected by the protesters in November 1652 may have been ideologically sound, but with only nine elders and nine deacons it was forced to function at half its normal strength. Even if those particular session members proved more devoted to duty than most, after serving three consecutive terms of office under very trying conditions they were forced to admit, early in 1656, that 'the weik number that keips

[the session meetings] are not able to undergo so great and weightie a burdome as the tyme and place calls for'.²⁴

Church officials were left with no real alternative but to approach the magistrates for assistance. Their appeals at first fell on deaf ears. Andrew Cant complained in January 1656 that 'it was well knowenne how often the minister did exhort the magistrates to take more strict ordure with whoores then usuallie was done.'²⁵ The magistrates, not surprisingly, were unwilling to act on the session's behalf without first being allowed their former voice in church affairs, a proposition the protesters still found unacceptable. The new powers granted JP's, however, suddenly offered the prospect of a compromise both sides could live with. The magistrates could at last rejoin the crusade against immorality and disorder, and church leaders could look forward to secular cooperation in the one sphere in which it was wanted, without having to concede any of their own sovereignty over religious or ecclesiastical affairs.

The Cromwellian regime, with its army garrisons stationed in most of Scotland's major towns, was of course in a position to compel recalcitrant civic leaders to assume the new office.²⁶ One would expect that no compulsion was needed in Aberdeen. By about the middle of 1656, with no sign of a change in the kirk's attitudes, the town council must have been beginning to consider that it might be in its own best interests to proceed with the establishment of a justice of the peace court. Any remaining doubts were put to rest shortly thereafter as it became apparent, on the basis of Edinburgh's experience, that the commission of the peace

was not, as feared, intended as an instrument by which central government, the army, or shrieval authorities might breach the sacred constitutional walls of burgh privilege. Instead, it was confirmed that civic magistrates were themselves to serve as joint JP's, and were to enjoy complete autonomy within their established burghal jurisdictions.²⁷

The final decision to proceed with the setting up of a justice of the peace court appears to have been taken shortly after the Michaelmas elections of 1656. By the end of the year a number of prospective officials were beginning to act on the court's behalf, but it was not until the first week of January 1657 that it became fully operational.²⁸ At that point the first constables, twenty-one in all, were selected and sworn into office, and the town clerk began to keep the court's splendid records, inscribing the frontispiece of the first volume with the words

The Register containeing the acts of the Magistrats of the Burghe of Aberdene and Justices of peace within the samen, Libertie, and fredome therof relateing especiallie to the punishing of uncleane persons drunkards, cursers and swearers and breakers of the sabboth.²⁹

A sixteen-point list of instructions was printed and issued to each constable, and these confirm that the constables' duties were virtually identical to those of the elders and deacons.³⁰ Indeed, the justice court and the kirk session differed hardly at all in the ways in which they went about identifying and convicting delinquents: it was with regard to sentencing and punishing offenders that the two courts really differed. As we saw in the previous chapter, the discipline of the kirk was founded upon a

protracted cycle of denunciation, condemnation, confession, contrition, penance, and reconciliation. The justice court, as discussed in more detail below, inflicted a more prosaic 'short, sharp, shock' upon offenders: a heavy fine; prison sentences, corporal punishments, or public humiliations for those who could or would not pay; and the threat of banishment for hardened sinners, sturdy beggars, and other such incorrigibles.

The justice court got off to what can only be described as a flying start. Right at the outset the magistrates acting as JP's instituted a campaign to extract on-the-spot fines from those heard to curse in public. This, according to Skene, had an immediate and beneficial impact upon the commonality.

This was so diligently prosecuted by the magistrates, and by sending the Constables with the Town Sergeants or Officers through the Town every weekly market day, that before six months ended which closed that year, for the election approached, one would not have heard the meanest oath in the streets on a mercat day, though there would have been several thousands of Countrey and Town's people on the streets.³¹

Having been dealt with summarily, the bulk of these cases were not entered in the court records. Even so, in its first nine months of operation, from January to September 1657, no less than 140 cases involving close to 200 people were recorded. These were figures never again approached in any twelve-month period up to 1687 (at which point the records become more problematical). Between 1660 and 1687 the average caseload was 45 *per annum*.

The kirk session records do not lend themselves so easily to quantification or to direct comparison with the justice court figures, but based on a sample of fifteen years spread between 1651

and 1687 some tentative conclusions can be drawn. There is, for example, no evidence to suggest that the introduction of the justice of the peace court resulted in a diminution of the kirk session's own disciplinary workload. After the Restoration the session was usually somewhat busier than the justice court, initiating an average of just under 60 proceedings a year as compared to 45. As for the first frantic years of the justice of the peace court, these appear to have seen a peak in kirk session activity as well, though the session seems never to have functioned with quite the crusading zeal of the inaugural edition of the justice court. Between January and September 1657 a total of 80 cases involving 100 people were heard by the session. Although these figures represent almost exactly half the amount of work undertaken by the justice court, in fact only 26 cases were heard by both courts that year. In one nine-month period, then, no less than 194 separate disciplinary proceedings were launched in Aberdeen, involving as many as 250 people. Two years previously, when the kirk session was exceptionally active, it still did not manage to bring even half as many people to account in a full twelve months.³²

What these figures make abundantly clear is that from the outset the Aberdeen justice court did not exist simply to administer secular punishments to miscreants passed on to it by an overly scrupulous, if not hypocritical, kirk session which would not stoop to such actions itself. Had this been the case there would have been little reason to retain the court after 1661, when magistrates in Aberdeen and elsewhere were invited to return to the kirk session, thus re-establishing the kirk's direct line to secular

support. This would seem to have sealed the fate of most urban justice courts.³³ Yet by this time the justice of the peace court had more than proven its worth in Aberdeen. Through the endeavours of its constabulary the new court succeeded in bringing a great many previously undetected offences to light, and there seems little doubt that its ferocious opening onslaught against delinquent behaviour soon produced the desired effect. Against a backdrop of continuing, and in some regards deteriorating social, economic, and political dislocation the number of cases dealt with by the court fell steadily over its first five years of operation. The biggest drop occurred almost immediately: having handled 140 cases in its first nine months, the first full year of operations witnessed just 113 prosecutions, followed in subsequent years by 104, 67, and 44 cases respectively.³⁴ The net effect of the justice of the peace court's introduction had been to more than double the ruling establishment's combined capacity for social control. This was surely the decisive factor which ensured that the justice court would survive in Aberdeen.

II The Constabulary

The provost and four baillies who served as joint justices of the peace in Aberdeen were busy men, entrusted with varying but always significant degrees of responsibility over virtually every aspect of public life in the town. In their capacity as JP's they were required to preside, either singly or two at a time, over weekly meetings of the justice court, meant to be held every Monday morning at 9:a.m. in an upper chamber of the tolbooth. There they

sat in judgement on any offenders brought before them, hearing the evidence of the constables concerned before passing sentence.¹

The constables were the real backbone of the justice court. Their numbers varied somewhat from year to year, but there were usually between 30 and 35 men holding the office. Like town councillors, elders, and deacons, the constables served one-year terms of office. Unlike the council or session, however, the constabulary was not a self-elected body. Shortly after the annual Michaelmas council elections the first action undertaken by the incoming magistrates as JP's was to appoint a new group of constables. The average annual turnover in personnel was in the region of 60-65%, somewhat higher than that of the session.² Like the town council and the kirk session, one of the most important things about the constabulary was the number of men who participated: from the founding of the justice court in 1657 to the end of the century no less than 466 different men served an average of just under 3 terms each.³

What were they expected to do? Like elders and deacons the constables were assigned to particular quarters and precincts within the burgh.⁴ Within those bounds the constables were intended to carry out the duties set out in the list of instructions every first-time constable was supposed to receive.⁵ They were to inform the magistrates of any 'suspicious persons' appearing in their neighbourhoods, such as 'night walkers ... vagabonds also sturdie beggares and egyptianes as Lykways all such persons who have no meanis to Live upon and will not betack themselves to some employment'. They were required to keep a list of all those over

the age of ten in their precincts, and were to check to see that all incomers to the burgh carried 'testificates' or testimonials of good conduct from the ministers in their home parish.⁶ The bulk of their instructions, however, related to much the same matters of godly discipline as exercised the elders and deacons. The main categories of offenders they were to watch out for and 'delate' or call to appear before the magistrates were cursers and swearers, scolds, sabbath breakers, 'fornicators and whormongers', and 'all drunkards and such as haunt tavernes or aill houses efter nyne aiclok at nicht and such as sall drink in forbiddin hous or till men be drunk in ther houss'.⁷

How were they expected to go about the tasks of uncovering misdeeds and identifying the guilty parties? On Sundays two or three constables were delegated to patrol the burgh during church services in an effort to catch those 'as wait not upon the publict ordinances of gods worship or bracks the Lords day'.⁸ Constables attending the Friday general market were expected to watch for unruly behaviour and listen for foul language. At any point in the week they might also be called upon to break up fights or intervene in domestic disputes, in which cases they could 'requyr the assistance of the nichtbours' - though this assistance was not always forthcoming. Nathaniel Black, a saidler, replied to a constable's request for assistance in 1665 by 'bidding him hang himself', for which he was fined 24/.⁹ It was assumed that most instances of disorderly conduct would involve servants and young people: 'if any partie sall flie to ane hous the constable sall

follow to the hous and if the dores be shut he sall requyr his master or keeper to mack oppin dores'.¹⁰

These direct endeavours on the part of the constabulary normally accounted for only a small proportion of the cases brought before the justice court. The constables' main weapons were gossip, hearsay, and common knowledge.¹¹ Their instructions specified that they were to delate any fornicators 'that come to their knowledge', or, indeed, anyone else 'under ane ill report of ther nichtbour for any scandall or miscariage'.¹² In the intimate confines of the early modern town the way one behaved and the company one kept came under almost constant scrutiny, and even when a couple succeeded in arranging a secret tryst their relationship would not remain secret for long if, as so often happened, the girl became pregnant.¹³ Finally, any offence which escaped the constables' attention might well be uncovered by the elders and deacons. The justice court and the kirk session retained close links, particularly after the Restoration, and miscreants were routinely passed from one court to the other to face the twin censures of church and state.¹⁴

There was no mention of poor relief in the instructions handed out to the constables, but like the elders and deacons they would appear to have been involved in identifying the needy and distributing the court's relief funds. Most of those convicted by the justice court were made to pay a fine. These ranged from under £1 for a slip of the tongue to £40 or more for adultery. Depending on the level and nature of the court's business, the collector of the fines could usually expect to receive between £300 and £500 in a year - the justice court was one of the few institutions in the town

which normally took in more money than it spent.¹⁵ In 1670 the justice court had one of its busiest years of the Restoration era, convicting 67 offenders of whom 66 were assessed a fine.¹⁶ All but a very few were able to pay, and as a result the justice court received £686-0-8. A total of £409-16-4 was handed over to the dean of guild for the town's common good, and £276-4-4 was spent by the court, of which £119 went to the needy.

The justice court offered occasional payments to those in need, and although some people received two or three sums in a year and others turned up in the accounts year after year, the court seems not to have offered regular pensions in the manner of the kirk session. It may also have catered to a somewhat different clientele: of the 74 monthly and quarterly pensioners supported by the session in 1671, only three received any money from the justice court that year. In 1670, 45 needy people received grants from the justice court ranging in value from 18/ to £9, with the median sum being just over £2, rather more than was usually given by the kirk for occasional support. Thirty-three (71%) of the recipients that year were men, whereas the majority of the kirk's charity, in Aberdeen and elsewhere, normally went to women.¹⁷ Many of those given support were described as poor, some as blind or crippled. Elspet Scott received three payments totalling just under £9 to help her care for a 'found child'.¹⁸ Another form of charity offered by the justice court was to reduce or waive the fines of some of those who could not hope to pay them. In 1663, for example, William Legg had his £40 fine for adultery reduced by £10 'be reassone of his povertie', and Barbara Duncan's £10 fine for fornication was waived

'be reasone of hir extrem povertie she being Long Imprisoned'. A similar courtesy was extended that year to David Nicolsone 'be reasone off his death and extrem povertie'.

The justice court occasionally provided destitute sailors with enough money to sustain them on their next voyage: James Dunn was granted £3 towards 'his veadge to Norroway' in 1670, and in 1676 the same sum was divided amongst 13 'poor French shipe broken sea men', presumably to help them to return home.¹⁹ Another sadder specialty was the provision of winding sheets or coffins for deceased paupers.²⁰ The worst of the deadly 'ill years' of famine and disease was 1698/9, when 376 burials were recorded in the kirkwork accounts, the highest total since the plague fifty years before.²¹ No less than 243 of the dead had been destitute, and had to be buried at the town's expense. The justice court provided coffins for 174 of them. When the kirkyard was full, the court hired workmen 'for makeing graves in the links and burrieing several poor people ther'.²²

We have seen that a great many men served on the constabulary. Who were they, and where did they fit into burgh society? Generally speaking, constables were drawn from lower social and economic strata than were deacons, elders, or town councillors. The merchant guild dominated civic affairs, and the degree and character of guild merchant participation gives a rough guide as to the importance and prestige attached to a given office or institution. Merchant burgesses accounted for 90% of all town councillors and elders of the kirk, and 48% of all deacons, but made up just 22% of the constabulary.²³ A few of these were moderately substantial men who

served the court in its first years, before the Restoration settlement in the kirk paved the way for the civic elite to return to the kirk session. Merchant constables appointed after 1660 were selected from amongst the lower echelons of the guild. None of the wealthiest merchants listed in the stent roll of 1669 and the poll book of 1695 ever served as constables. Few of those who did serve had more than a fleeting involvement in overseas trade, and although a handful made it onto the Michaelmas election leets over the years, none was ever actually elected to the town council.²⁴

The constabulary was dominated not by merchants, but by craftsmen. The occupations of 326 of the 466 constables appointed between 1657 and 1700 have been identified.²⁵ From this large and seemingly representative sample it appears that practitioners of the various trades, incorporated and unincorporated, made up 67% of the constabulary.²⁶ The full range of the craft community was represented. Starting at the top, of the 56 trade deacons elected to the town council between 1650 and 1700, 39 (70%) served at least one term on the constabulary. The majority of craft constables, however, were men of more modest standing: little more than one-third of those identified became deacons of their trades. It is not surprising that the magistrates plumbed the lower regions of the merchant guild and the craft corporations in order to meet the manpower requirements of the town's expanded system of authority and discipline. What is most surprising, however, is that they appointed constables from outside the burgess community altogether.

One of the most remarkable features of the justice court, and of Aberdeen's civic administration as a whole, was that between 120

and 140 men, roughly 25-30% of all constables appointed between 1657 and 1700, were unfreemen.²⁷ In the main they were petty merchants, established resident journeymen, and tenant farmers from just outside the burgh proper. Men of sound character but limited means, they belonged to neither guild nor craft, though some journeymen will have enjoyed a limited affiliation with a craft corporation.²⁸ The appointment of unfree constables in Aberdeen marked a sharp break with past practice both there and in most other royal burghs. For generations only free burgesses of towns had been entitled to hold public office. It was common enough for civic elites to expand the burgess franchise when necessary: it was all but unheard of to bypass it altogether.²⁹

What are we to make of this development? It seems likely that the admission of unfreemen to the constabulary was an *ad hoc* measure on the part of the burgh establishment, and was not meant to herald a deliberate assault on the existing structures of urban society. Their appearance on the constabulary appears to have passed without comment. Unfreemen did not go on to scale the civic heights: they were not elected to the town council or the kirk session. Their selection may have had something to do with the restrictive practices of the craft corporations. As we saw in Chapter 3, the total number of craftsmen admitted to burgess status remained largely unchanged over the second half of the seventeenth century, whereas the merchant guild grew by one-third after 1670. It appears to have become easier for young men of modest means to join the guild, while their counterparts among tradesmen remained locked out of the craft establishment. A place on the constabulary may have

been intended to mollify some of those on the fringe of the craft system.

The admission of unfreemen to the constabulary, however, must surely have been primarily a matter of logistics and expediency. The business of managing Aberdeen's combined civic and church administration was an extremely labour-intensive one. In a single year, for example, there were 19 positions on the the town council and a further 36 on the kirk session to be filled. Allowing for some overlap, we can expect the two organizations to have required the services of approximately 50 men a year. With the introduction of the justice court that number rose to around 80, representing a 60% increase in the demand for office-holders. Before, 1 in 12 burgesses or 1 in roughly 30 male householders had been required each year: now the figures were closer to 1 in 8 burgesses, or 1 in every 20 male office-holders.³⁰

The great majority of those who served on the constabulary did not go on to hold higher office in the town. Of the 466 men appointed as constables between 1657 and 1700, just under 9% were elected to the town council as representatives of the incorporated trades. Slightly fewer, close to 7%, became elders of the kirk, while roughly 20% served at least one term as a church deacon. Allowing for overlap between the three groups, it would appear that no more than 30% of those who had been constables were ever invited onto the council or kirk session. This leaves at least 325 townsmen who held no other office but that of constable. They were the new men, brought into the public arena for the first time by the creation of the new court. Since we know that no unfreeman ever

served on the council or session, we can assume that the 120-140 unfree constables were among the 325. This in turn suggests that the constabulary involved approximately 200 burgesses who would otherwise have been unlikely to have been granted a role in civic affairs.

How many men in a single generation will have been elected or appointed to hold public office in the town? And what proportion of male householders might they have represented? For the well-documented generation of burgesses active in 1669, 237 merchants and craftsmen are known to have served at least one term on the council, the eldership, or the deaconry at some point in their careers.³¹ They represented 40% of the estimated burgess population of 600 - better than 1 in 3. How many more served as constables? We do not know exactly how many of the constables elected between 1657 and 1700 were active in 1669, but judging from the example of merchants on the town council the figure is likely to be close to one-half.³² If this was the case, then the justice court can be said to have provided an additional 100 or so burgesses, about one-sixth of the total, with a chance to hold public office. The combined number of burgesses who participated at one or another level of local government, therefore, was somewhere between 325 and 350 - roughly 55 to 60% of the estimated total - better than 1 in 2. Taking into account a further 60-70 constables chosen from outside the hallowed ranks of guild and craft, the total number of office-holders in the town is likely to have been in the region of 400 - better than 1 in 4 male householders.³³

III Trends in Court Activity

The types of cases pursued by the Aberdeen justice court between 1657 and 1700 were very similar to those pursued by kirk sessions throughout the country, and can be divided into four main categories.¹ The first, sexual offences, regularly accounted for the majority of the entries in the court register. The 'uncleane persons' referred to on the frontispiece of the register were all those who engaged in pre- or extra-marital relations. Adultery, in which one or both parties were married, was the most serious offence dealt with by the court, while fornication, involving unmarried couples, was by far the most common. Those who 'fell in fornication' a second time were known as 'relapses', and on occasion 'trelapses' and even 'quadra-lapses' were uncovered and prosecuted. Ante-nuptial fornication, involving couples planning to wed, was a slightly lesser offence, as was 'scandalous carriage', a somewhat nebulous charge applied to various sorts of impropriety short of sexual intercourse, or, more commonly, to those people strongly suspected of fornication or adultery but against whom no conclusive evidence could be brought.²

Disorderly conduct, the second category, encompassed drunkenness, cursing and swearing, disturbing the peace, scolding, fighting, refusing to assist the constables when requested to do so, or any combination of the above. When committed on Sunday these acts often, but not always, elicited a heavier penalty. Other, more clear-cut cases of Sabbath breach included not only failure to attend church for reasons other than infirmity or ill health, but a

host of activities perfectly acceptable during the week but proscribed on the Lord's day, such as selling or consuming drink in time of sermon, playing games, walking in the fields, working, or most commonly, fishing.

The fourth category, undesirables, included cases which, unlike most of those listed above, were of little interest to the kirk session - much as the justice court appears to have taken little or no part in the campaign against religious dissent. They involved the justice court not so much in the suppression of undesirable or ungodly behaviour, as in the removal from the town of certain categories of undesirable or ungodly people. These included subsistence migrants, vagrants and other outsiders who arrived in town with 'no way of living' or no testificate of good character, and 'unfamous persons' such as thieves or those who returned to town having been removed or banished.³

Using these four headings, subdivided into the most common types of cases, a detailed court profile can be constructed for each of the justice court's first thirty years of operation, from January 1657 to September 1687. The records become very sparse over the unsettled years of 1688-1690, and the court register with its standardized recordings of names, offences, and sentences seems not to have been re-started. The minutes and accounts of the court, however, attest to the fact that it regained much of its old vigour after 1690.⁴ These records provide a wealth of useful information relating to particular cases and day-to-day procedures, but are less suited to quantitative study. The following analysis of court

Table 6.1

Justice Of the Peace Court Activity
1657-1687

Year ¹	Adultery	Fornication + Relapses ³	Ante-Nuptial Scandal ²	Sexual Offences ⁴	Disorderly Conduct	Sabbath Breach	Undesirables	Total	
1657 ⁵	2	19 + 6	0	8	35 (25%)	54	30	21	140
1658	6	35 + 6	0	9	56 (50%)	29	9	19	113
1659	0	14 + 5	3	5	27 (26%)	46	13	18	104
1660	2	15 + 4	1	3	25 (37%)	6	5	32	68
1661	1	24 + 5	0	3	33 (75%)	5	2	4	44
1662	1	9 + 1	1	2	14 (36%)	10	8	7	39
1663	3	21 + 6	3	2	35 (49%)	24	4	9	72
1664	0	32 + 2	4	4	42 (71%)	10	7	0	59
1665	4	25 + 7	2	10	48 (56%)	16	5	16	85
1666	0	14 + 4	2	0	20 (42%)	11	11	6	48
1667	0	12 + 4	2	0	18 (36%)	19	6	7	50
1668	2	17 + 5	2	3	29 (30%)	29	8	31	97
1669	2	22 + 2	2	2	30 (58%)	12	4	6	52
1670	2	25 + 5	2	3	37 (55%)	20	3	7	67
1671	2	17 + 4	1	3	27 (56%)	17	0	4	48
1672	1	18 + 4	3	3	29 (63%)	9	5	3	46
1673	4	15 + 3	2	4	28 (56%)	10	6	6	50
1674	0	22 + 3	2	0	27 (68%)	7	1	5	40
1675	5	17 + 2	1	0	25 (54%)	2	4	15	46
1676	1	18 + 0	1	0	20 (54%)	3	10	4	37
1677	2	13 + 1	2	0	18 (58%)	7	0	6	31
1678	4	19 + 2	2	0	27 (75%)	3	3	3	36
1679	4	23 + 2	0	1	30 (75%)	7	0	3	40
1680	0	16 + 2	2	1	21 (75%)	5	0	2	28
1681	7	13 + 3	3	1	27 (90%)	1	2	0	30
1682	0	13 + 3	3	1	20 (80%)	2	0	3	25
1683	2	15 + 0	1	0	18 (86%)	0	2	1	21
1684	5	21 + 4	2	0	32 (91%)	0	0	3	35
1685	0	14 + 6	1	2	23 (72%)	6	1	2	32
1686	0	17 + 2	1	0	20 (80%)	2	0	3	25
1687	0	12 + 4	0	0	16 (94%)	0	1	0	17
Total	62	567 + 107	51	70	857	369	158	246	1,630
	3.8%	34.8% + 6.6%	3.1%	4.3%	52.6%	22.6%	9.7%	15.1%	

Source: *MSS. Justice Court Book, 1*, Charter Room, Aberdeen Town House.

¹ All years harvest years, beginning at Michaelmas (29 September) of the previous year.

² Includes cases of 'scandalous carriage' (see discussion in text), and (very rarely) prostitution.

³ 94 (88%) of these were second offences; 11 (10%) were third offences ('trelapses'); and there were 2 'quadralapses' (2%).

⁴ Aggregate total of cases in the four categories to the left, plus percentage of total case load.

⁵ Covers nine months only from inception of court in January 1657.

activity, then, concentrates on the years 1657 to 1687 covered by the register.

As Table 6.1 reveals, between 1657 and 1687 the justice court heard a total of 1,630 cases. Disorderly conduct accounted for 22.6% of these, sabbath breach for 9.7%, and undesirables for 15.1%. Fornication accounted for 41.4% of the court's business, and sexual offences as a whole for 52.6%.⁵ These figures, particularly the last, form a familiar pattern closely matched by kirk sessions elsewhere in early modern Scotland. Geoffrey Parker's analysis of the St. Andrews kirk session between 1573 and 1600, for example, found that sexual offences accounted for 57.4% of its work, and Stephen Davies' exhaustive study of kirk sessions in early modern Stirlingshire yielded a figure of 60%.⁶ In Aberdeen the kirk session was if anything even more preoccupied with sins of the flesh: from a sample of 673 cases taken from eleven years spread between 1657 and 1687, only 6% concerned disorderly conduct, 7% related to sabbath breach, and 5% to 'dishaunting of ordinances', 'contumacy', and similar offences against the church itself. Sexual offences accounted for no less than 82% of its disciplinary proceedings.⁷

The annual totals set out in Table 6.1 and illustrated in simplified form in Figure 6.1 enable us to see the changes in justice court activity masked by the aggregate figures cited above. Turning initially to the total number of cases prosecuted in each year, two things are immediately apparent. The first is that court activity varied widely from year to year: in 1665, for example, 85 cases were handled, as compared with 60 the year before and 48 the

Figure 6.1

Trends in Justice Court Activity
1657-1687



I would like to thank David Stevenson for permission to reprint this figure from my article 'Menacing Their Persons and Exacting on Their Purses': The Aberdeen Justice Court, 1657-1700', in Stevenson, ed., *From Lairds to Louns: Country and Burgh Life in Aberdeen, 1600-1800* (Aberdeen: 1986), p.80.

year after. Equally obvious is the fact that these short-term fluctuations were transcended by a fairly steady long-term trend towards a reduced caseload, from a peak of 140 cases in 1657 to a low of just 17 in 1687.

A third clear trend emerges when the total caseload is broken down into case types. Over the years the justice court came to be just as preoccupied by crimes of the flesh as the kirk session: by 1670 sexual offences accounted for more than half of the court's business each year, a proportion which by the 1680's seldom dipped below 80%, and, based on the available evidence, may well have topped 90% in the last decade of the century.⁸ It was not that ever greater numbers of sexual misdeeds were being uncovered, however, it was simply that over the years there were fewer and fewer prosecutions for other types of offence. This too was a pattern repeated in church courts elsewhere in Scotland.⁹ Although the actual number of sexual offences dealt with between 1657 and 1687 fell by an average of 8% every five years, this was less than half the rate at which the total caseload diminished, and, most importantly, less than one-quarter the rate at which all other types of cases combined fell.

What lay behind these trends? Short-term factors account for the jagged peaks and troughs that distort the otherwise quite steady downward slope of long-term developments in court activity. It is next to impossible to identify and assess every agent and circumstance impinging upon the court in a given year: we cannot, for example, say why seven cases for adultery should have come to light in 1681, and none the year before or the year after. A number

of general factors likely to have affected the court's work might be noted, however. The high rate of turnover among office-holders meant that each edition of the court is likely to have had a different collective character. One or two energetic magistrates or a handful of especially vigilant (or lax) constables could presumably leave their stamp on the proceedings, possibly effecting the caseload both in their year and in the next: it is notable that years of peak activity tended to be followed by a sharp drop in the number of prosecutions, suggesting that an especially busy court generated its own short-term deterrent effect. Other factors, too, came into play. In the deadly famine year of 1696/7, for example, the magistrates had more pressing concerns for once than the private conduct of the townsfolk, and the justice court sat just thirteen times over the course of the year.¹⁰

Another year in which the particular circumstances influencing the court can be identified was 1659/60.¹¹ It was an exceptional year in many ways, as reflected in the justice court's heightened concern over the problem of undesirables. Steady rain throughout the spring and summer of 1659 ruined the ensuing harvest, precipitating a severe dearth which seems to have affected the whole of the north-east. As a result, exceptionally large numbers of sturdy beggars and other less robust but equally unwelcome distressed country folk made for the relative security and comfort of the city. Their presence had already begun to alarm the civic authorities when, in mid-November, the English garrison withdrew from Aberdeen, leaving behind many suddenly out-of-work servants and discarded camp followers. The army's departure also exposed the

town to the deprivations of the 'broken men' of the highlands and other bellicose elements in the surrounding region. To this external threat the council responded by establishing a nightly watch of forty armed men. The internal threat to civic welfare and stability was left to the magistrates and constables of the justice of the peace court to deal with. Thirty-two cases involving undesirables were prosecuted that year, as a result of which more than sixty men, women, and children were cast out of the town. They were people of limited or no income who could not claim to be established residents of the burgh. The majority of them were single or widowed women: Margaret Taylor was accused by the magistrates of being 'ane common whore'; Jean Mowat, having 'gone to Dundie with the sojors', returned to Aberdeen only to be expelled; Issobel Grahame was removed after failing to 'show ane way how shee wold live within this burghe and undergoe ane part of the tounes burdone'; and Christiane Hay, 'ane woman with savin bairnes, haveing come from the north being ane south country woman', was removed within days of the departure of the troops she had no doubt followed into town.¹²

The long-term factors affecting the pattern of justice court prosecutions can be divided into three related categories. The first concerned changes within the court itself, or rather within the men who made up the court. The organizational structure and basic procedures of the court seem not to have changed: instructions issued to first-time constables in 1696 were identical to those handed out in 1657.¹³ Neither did the basic types of men, in terms of income, occupation, and social standing, elected to the

magistracy or appointed to the constabulary vary appreciably over the years.¹⁴ Amongst court officials the important changes appear to have been ones of attitude and inclination.

Such developments are of course difficult to pinpoint and impossible to quantify. Nevertheless, it seems quite clear that the determination and reforming spirit which characterized the early justices of the peace was less pronounced in many of their successors. Alexander Skene felt called upon to remind a new generation of magistrates in 1685 that managing the justice court was akin to a religious duty, which 'tho never so much strenthened and established by Law, may through remissness and want of true Zeal be also turned into a meer form, without any fruit or effect'.¹⁵ This was ironic coming from Skene, for as a Quaker in the 1680's he was basking in the relative calm which followed the persecutions of the previous decade, a calm brought about in part by the passing from the scene of men like himself steeped in the religious and political extremism of the covenanting and Cromwellian eras and imbued with a surfeit of 'true Zeal'.¹⁶ As we saw in the last chapter, the civil war generation of civic and church leaders eventually gave way to a new breed of leaders, rather less censorious, somewhat more tolerant, and perhaps less inclined to burden themselves with the immense task of rooting out each and every example of wayward behaviour. It was this last trait which may help to explain the court's mounting tendency to concentrate on crimes of the flesh. With a preganancy nearly always involved, they were the easiest offences to detect and the most difficult to deny.¹⁷

Nevertheless, it would seem wrong to ascribe the steady decline in the number of prosecutions of disorderly conduct, sabbath breach, and undesirable persons wholly to changes of attitude on the part of the magistrates and their staff. That would be to assume a constant level of misdemeanour over a period of more than forty years, and such was patently not the case. The justice court, after all, owed its existence in part to what was almost certainly a genuine upsurge in unruly and licentious behaviour.¹⁸ The huge number of offences and offenders uncovered by the the justice court and the kirk session between 1657 and 1660 reinforces the impression that the panic-stricken declarations of civic and church leaders alike in the mid-1650's owed more to realistic appraisals of the actual situation in the town than to over-heated puritanical imaginings. And as the conditions that spawned the unrest slowly eased, this too was reflected in a reduced caseload.

Of the many factors which combined to disrupt and destabilize Aberdonian society in the 1650's, the most important, as discussed above, was the over-abundance of adolescents and young adults in the town, many of whom were but recently arrived and remained unsettled in their new surroundings. The departure of the English garrison and the subsequent 'mopping up' operation undertaken by the justice court went some way towards righting this imbalance. The sudden departure of several hundred people, mostly young and single and including among them many of the most disruptive elements in the town, had an immediate and far-reaching impact upon the community. Comparing the three years prior to 1660 with the five years which followed, the number of live births recorded fell by 10%,

prosecutions for fornication and adultery dropped by 25%, and cases of sabbath breach and disorderly conduct plummeted by 70% and 75% respectively.¹⁹ Neither the birth rate nor the various crime rates remained quite so depressed for very long, but to the end of the century none of these indices - especially those concerned with non-sexual offences - ever again registered a sustained pitch of activity to quite match that of the exuberant 1650's.

It was not just that from 1659 on there appear to have been fewer young single people around to make trouble. It must also be considered that the generations that grew to maturity after the Restoration did so in a rather different environment than those for whom the troubled middle decades of the century were formative years. Most of them grew up in less crowded conditions, for example, and far fewer were exposed to the unedifying spectacle of soldiers at leisure.²⁰ Most important of all, they grew up under the shadow of Aberdeen's expanded and revitalised system of authority and discipline.

We have seen that the establishment of the justice court effectively doubled the town's capacity for social control. When the kirk session and justice court were both at full strength there will have been 60 men a year specifically concerned to pry into their neighbours affairs in the pursuit of earthly and godly discipline - roughly one official for every 30 households. Faced with a far higher likelihood of being apprehended, convicted, and saddled with a burdensome penalty, many an unruly Aberdonian must have had second thoughts about straying from the straight and narrow. The sharp decline in the number of prosecutions for non-

sexual offences almost certainly reflected a real fall in the incidence of such activity, and can be marked down as a victory for the forces of law and order in the town.²¹

The victory was less than complete, however. As we have seen, prosecutions for fornication and adultery, the forms of indiscipline seemingly most disruptive to the community and certainly most abhorrent to its leaders, declined far less dramatically between 1657 and 1687. Because virtually every case of this nature involved a pregnancy, the justice court records can be used, in conjunction with the baptismal records, to estimate the ratio of illegitimate births in Aberdeen. The results of these calculations are set out in Table 6.2. Following the methods applied by Leneman and Mitchison to kirk session records in rural parishes spread across early modern Scotland, cases of ante-nuptial fornication are not included in the calculations, since the resultant children were born within marriage.²² The estimates for live births are based on the baptismal records published by Kennedy.

Table 6.2

Illegitimacy Ratios For Aberdeen (Percentage of Estimated Total Births) Five Year Averages 1657-1687			
Year	Estimated Births	Illegitimate Births	Percentage Illegitimate
1657-59*	218	32.3	14.8
1660-64	196	25.2	12.8
1665-69	216	23.4	10.8
1670-74	223	25.0	11.2
1675-79	221	22.6	10.2
1680-84	206	21.4	10.4
1685-87	189	18.3	9.7
Mean	210	24.0	11.4

Source: Kennedy, i, p.279; *Aberdeen Justice Court Book*,
i, Charter Room, Aberdeen Town House.

* No baptismal figures available for 1658.

These figures need to be treated with a certain degree of caution. No allowance has been made, for example, for the under-registration of births, though as discussed in Chapter 2 any discrepancy is unlikely to have amounted to much more than 5%, which would entail a downward adjustment in the estimated illegitimacy ratio of less than 1%.²³ A problem of potentially greater magnitude relates to the high degree of geographical mobility within the urban workforce, particularly among the female servants who bore the great majority of illegitimate children. It may prove to have been the case that a number of the women prosecuted for sexual offences committed in the town, perhaps like Issobel Couper whose case we examined in Chapter 5, satisfied the Aberdeen authorities but gave birth elsewhere. In such cases the offence but not the birth would be registered in the town, thereby over-inflating the apparent illegitimacy ratio. On the other hand, it should also be remembered that a certain proportion of the sexual offences prosecuted by the kirk session - something in the order of 10-20% over the period as a whole, far more in the period 1657-1659 - appear not to have been passed on to the justice court, and so will not show up in these figures. The estimate for 1657-59, in particular, may prove to be far too low.²⁴ Only a rigorous case-by-case matching of the voluminous records of both institutions over the entire period could begin to reveal the true extent of illegitimacy in the town.

Bearing these caveats in mind, what are we to make of the figures in Table 6.2 as they stand? To begin with, figures published by Kennedy suggest that comparable levels of illegitimacy pertained in sixteenth century Aberdeen. Illegitimate births were apparently noted in the baptismal registers of the 1570's and 1580's, when illegitimacy ratios of 18.2% and 14.9% respectively were recorded.²⁵ In the absence of similar data we cannot say how Aberdeen compares to other Scottish burghs in this regard. We can, however, draw comparisons with the rural parishes examined by Leneman and Mitchison. One would normally expect the incidence of bastardy to have been lower in British towns than in the countryside, but in Aberdeen the proportion of illegitimate births would seem to have been nearly three times as high as the level pertaining in rural Scotland as a whole in the second half of the seventeenth century, and nearly double the already high level for Aberdeenshire.²⁶

The figures for the town become all the more striking when set in a wider perspective, for the indications are that Scottish illegitimacy ratios were already among the highest in western Europe. From a peak of just over 5% in 1660 the figure for the country as a whole remained above 3.5% to the end of the century.²⁷ In rural England, where illegitimacy is said to have been higher than in the towns, the proportion of illegitimate births was as low as 1% in the Cromwellian era, rising to 2% by the 1690's: in New England these figures were halved.²⁸ For seventeenth century France an illegitimacy ratio of 2-4% would be considered high: in Paris the proportion of bastards and foundlings was under 5% between 1640 and

1700.²⁹ In rural east Sweden at this time a level of 3.3% pertained, while in the city of Uppsala the figure was higher, rising to 5.2%.³⁰ Denmark was one place where the level of illegitimacy may have exceeded that of Scotland in the seventeenth century, registering levels of 10.5% in the 1640's, 8.2% in the 1670's, and 6.2% in the 1690's - figures slightly higher than those for Aberdeenshire.³¹

The question as to why Scottish and Aberdonian illegitimacy ratios should have been higher than those pertaining elsewhere in north-western Europe is one which reaches well beyond the scope of the current study. On a more local level, however, why should the town of Aberdeen have had a larger proportion of illegitimate births than the surrounding region? In a subsequent study Leneman and Mitchison concluded that the likelihood as to whether single girls would engage in sexual relations had less to do with promises or intentions of marriage, and more to do with logistical factors - the degree of supervision and chaperonage they encountered in daily life, and their proximity to other young people.³² The findings in Aberdeen would seem to bear this out.

Young girls in domestic service tended, despite the kirk's exhortations to the masters of households, to be subjected to less scrutiny and supervision than daughters living at home, and in their daily routine most will have had ample opportunity to mix with other adolescents and young adults working in the same or nearby households. Aberdeen and other large towns in Scotland harboured far greater numbers and concentrations of domestic servants and other young people living away from the parental home than were to

be found in the countryside. Ian and Kathleen Whyte have estimated that in the 1690's one Scottish girl in ten between the ages of 15 and 24 was employed as a servant in Edinburgh, Glasgow, Aberdeen, or Dundee. In rural Aberdeenshire female servants made up 9-10% of the pollable population, whereas in the city of Aberdeen the figure was just under 25%.³³ On the basis of both opportunity and proximity, therefore, one would expect a higher rate of illicit sexual activity in the burgh.

IV Offenders and Their Fates

As we have seen, it was with regard to its prompt sentencing and its temporal punishments that the justice court differed most from the kirk session. 'In this Polemick Age', wrote Alexander Skene in 1685, 'when many things ar controverted which were not questioned formerly, it is found a matter very extrinsick to Church-Officers or Guides, to meddle with any thing that is propper to the Civil-Magistrat, such as Fynes, Imprisonments, or Corporall Punishments'.¹ These were the stock in trade of the justice court. The great majority of offenders were made to pay a fine of anywhere from 10/ to £100, but the court also imposed prison sentences, ordered people removed or banished from the town, and forced some to endure ritualized public sufferings and humiliations - a spell in the jogs or stocks, an appearance on the cuckstool set up in the marketplace, a shaven head, burnings with hot irons, duckings in the sea, and lashings administered by the hangman in the streets. In Aberdeen's twin-pronged pursuit of godly discipline, the kirk session strove for outward acquiescence and inward change: it can be said to have worked on men and women from the inside out. The justice court worked on them from the outside in, 'menacing their persons and exacting on their purses' in an effort to enforce basic standards of conduct. To paraphrase Skene's use of scripture, the Weapons of their Warfare were *decidedly* Carnall.²

There was nothing new or unusual about the types of punishments administered by the justice court.³ Most were set by statute and had been in force throughout much of the country since shortly after

the Reformation, if not before.⁴ Although much work remains to be done on the administration of earthly and godly discipline in Scottish towns, it seems likely that offenders against the moral order elsewhere were treated to much the same array of financial and physical discomforts courtesy of the kirk session. It was just that their ministers and magistrates, like those in Aberdeen before the troubles, did not always scruple to separate secular from ecclesiastical judgements.

In common with magistrates throughout Scotland and across early modern Europe, Aberdeen's justices of the peace were careful to make the punishment fit the criminal as well as the crime.⁵ Although there were standard punishments established by law and custom for each category of offence, in practice sentencing was carried out very much at the magistrate's discretion. This enabled them to take into account not only the nature and severity of the offence, but also such factors as the age, sex, marital status, past history, place of origin, occupation, wealth, and social standing of the parties involved. In a society of such extremes of wealth and poverty, power and powerlessness, it could hardly have been otherwise. The need for flexible sentencing was acknowledged in an act of the Scottish parliament of 1649 concerning fornication: previous acts, it was claimed, had been 'rendered ineffectuall because one and the same penalty is enjoyned upon persones of all ranks and quality, By which it comes to pass that the forsaide sin does exceedingly abound'.⁶

The men who ruled the town were driven not by a concern for blind justice, but by a wholly pragmatic calculation of what would,

in their view, best serve the interests of their community. Bearing this in mind, it is important to realise that both the kirk session and the justice court sometimes exercised their greatest discretionary powers not at the time of sentencing, but when deciding whether to launch court proceedings in the first place. It is clear that both the ministers and the magistrates were willing to circumvent the normal course of justice so as not to annoy powerful individuals they did not wish to annoy, and to prevent undue scandal and embarrassment within the ruling establishment.⁷ For obvious reasons we know very little about disciplinary cases which were effectively settled out of court, but in 1692 the justice court reported receiving an unsolicited sum 'from ane certain gentleman known to the magistrates, for ane alleged scandall'.⁸ Henry Scougal addressed the issue directly in his sermon to the synod of 1677. He saw nothing wrong with arrangements of this kind, and advised his fellow ministers that

More knowing and ingenious persons may be dealt with sometimes by secret insinuations, and oblique reflections on the vices they are guilty of, and we may sometimes seek a way to reprove their failings, by regretting and condemning our own; but that artifice is not necessary for the vulgar: having protested our love and good intentions, it will be best to fall roundly to the matter.⁹

On occasion the privileged and the well-to-do in Aberdeen were exposed and made to pay for their indiscretions: indeed, in light of the policy of tailoring the punishment to the criminal they could nearly always expect to pay an inflated price. One of the steepest fines was imposed on a local laird in 1683. Already imprisoned for his debts, George Seaton of Disblair gave ample proof of the

recklessness which had presumably helped to land him in jail in the first place by managing to get his servant with child while in 'the said tolbooth'. For this blatant, if not quite unprecedented, abuse of the town's facilities the indignant magistrates levied a fine of £100, thereby plunging the disolute laird still further into debt. It was to be two years before he was able to pay off his fine.¹⁰ A more typical example was that of John Sandilands, a prosperous and well-connected merchant. In 1680 he was fined £40, four times the usual rate, for his fall in fornication with a servant by the name of Jean Burnet. His good name, it seems, was only temporarily besmirched. Having also satisfied the kirk, ten years later he was elected provost, and thereby empowered to sit as both a JP and a kirk elder in judgement of other fornicators. Had Sandilands not been so rich, he would have been asked to pay the normal penalty of £10 for his fall in fornication.¹¹ He and other representatives of the town's upper classes could rest assured that they would never have to face the sorts of horrific corporal punishments visited all too often on 'the vulgar' when the magistrates 'set about roundly to the matter'.

A disproportionate share of the people prosecuted by the justice court were drawn from amongst the town's unfree majority of journeymen, petty retailers, labourers, and servants. They accounted for less than two-thirds of the urban population, but made up over nine-tenths of the justice court's clientele. This was a pattern common to virtually all kirk sessions as well, and has led one historian to claim that the 'evidence is quite categorical: the sins of fornication, cursing, swearing, and Sabbath breaking etc.,

were committed by a given group and not by another.¹² As we have seen, however, it cannot be assumed that the indiscretions of the privileged classes would always be exposed in court. With regard to towns it must also be considered that cases of disorderly conduct and sabbath breach committed by burgesses of craft and guild, or their apprentices, were meant to be dealt with by the disciplinary committees of their respective corporations.¹³ On the rare occasions when burgesses did appear in court, it was almost always for a lapse in sexual propriety. Similarly, students of Marischal College are known to have run riot at times, and not always at their instructors' bidding, yet they too stayed out of the justice court records, having been disciplined by the college authorities.

Up to a point, we might indeed expect to find a somewhat lower incidence of promiscuity and indiscipline among the wealthier and better educated elements of society. It would be most surprising if the privileged classes had not managed to instill some regard for the orthodox morality in their own children. And the major contribution made by servants and labourers to the burgh's high illegitimacy ratio might well suggest the existence of a more permissive popular morality in force among the lower orders. Whether or not young people of different classes were imbued with different sets of attitudes and standards, of internal checks on their behaviour, it was usually the case that that they were subjected to different degrees of external control. Children of prosperous families sometimes lived at home under parental supervision until they married, or if they did leave to go into service or take up an apprenticeship it was often with relations or

close friends of the family, and almost always with people of their own class or better.¹⁴ Either way, they were more likely to have encountered the sort of paternalistic scrutiny and chaperonage which tended to limit opportunities for misbehaviour, sexual and otherwise.

Since matters of disorderly conduct and breach of sabbath involving freemen will have been dealt with by the disciplinary committees of their corporations, virtually all such cases in the justice court records concerned unfree men and women. Many of the most colourful insights into the hurly-burly of urban life emerge from these cases, most of which culminated in a fine of under £5. To give but a few examples, a noisy couple were fined 30/ apiece in 1664 for 'living turbulently togidder not only to the disterbance of themselves but of their nichbours round about'. A millwright named James Stevin was fined £3 and sentenced to 48 hours in the tolbooth for 'abusing two women at the den burne, by casting them over in the said burne'. Two rash young people incurred fines of 18/ each in 1672 for 'going in over the dyke of the provosts yard in Robslaw and taking out certaine fruit out of the same and breaking certaine of the trees'. In 1670 a man was convicted of 'fyreing ane gunne with powder which did light in the face of John Anderson'. Since 'the same wes done negligentlie', he was made to pay 40/. And in 1671 two members of Aberdeen's militia company were convicted of 'stricking and cursing' and of 'tumbling in the gutter', for which they were 'sharplie rebookit and ordained to forbear'.¹⁵

The peace of the Lord's day was often shattered by people struggling over the limited number of seats in the kirk. Those pews

which were not reserved for civic or corporate luminaries were allocated strictly according to gender and status: two men were fined £5 and £2 respectively in 1665 for fighting over 'ane seat whereof nether of them had any interest'.¹⁶ Almost as bad as fighting in church was a failure to attend at all. In the spring of 1677 fifteen labourers and journeymen were convicted of 'going upon the Lord's day to the old toune and to the bridge of done and other places in tyme of sermon and drinking in tavirns'.¹⁷ Travelling or working on the sabbath was likely to incur a fine of up to £2. Two fishermen were fined 12/ apiece in 1657 for having been found 'lying in ane hous sleeping in tyme of sermon'.¹⁸

Failure to attend the service was bad enough, but the men were probably also suspected of having been up all night at their work. Sunday fishing was the most common offence against the Lord's day. Each year, from early in April until late in August a steady stream of white, black, and salmon fishers were assessed penalties of anywhere from £1 for a first offence to £10 for regular transgressions. At the height of the season constables of the justice court were known to patrol the shore looking for fishermen at work in the early hours of Sunday morning. In 1668 five men paid £3 each for having been spotted out on the water at 2:a.m. on the sabbath.¹⁹ Some years, so many penalties of this kind were assessed that the justice court, like bad weather, must have been considered a hazard of the fishing trade, to be avoided if possible but endured if necessary: in 1676 twenty fishermen paid fines of up to £5, and following a major crackdown in 1687 no less than twenty-two men paid £10 each.²⁰

When sentencing representatives of the lower orders, the magistrates usually offered them a choice of paying a fine or undergoing corporal punishment. The justice court accounts show that the great majority of those given the opportunity to pay a fine did so promptly.²¹ Between 1657 and 1687 the court prosecuted 527 cases of sabbath breach and disorderly conduct, roughly 100 of which, about 20%, appear to have ended in some form of corporal punishment. A handful of these cases involved people unable or unwilling to pay a fine, but most had not been given the option. Notorious or regular offenders could expect to spend a day or two in the rancid 'theefs hole' below the tolbooth, an hour or two in the stocks or the 'jougs' (an iron collar chained to an exterior wall of the kirk), or a spell on the cuckold, borrowed from the kirk session and set up in the marketplace on a busy Friday, where the miscreant could expect to be subjected to the insults, taunts, and possibly physical assaults of the public. It is not always clear from the records, however, why one drunkard was made to submit to corporal punishment while another was allowed to pay a fine: a degree of arbitrary brutality may well have been intended to serve as an added deterrent.

It comes as no surprise to find that most Aberdonians faced with the prospect of corporal punishment preferred to pay a fine if given the choice. What is somewhat more surprising is their ability to pay. Far and away the most common penalty assessed was the standard £10 fine for fornication. This was slightly more than a merchant of modest standing could expect to pay in tax in a year, and represented roughly two weeks work for a master craftsman in the

building trades, or three weeks for a skilled journeyman. The vast majority of miscreants, however, were people of lesser means. A more representative comparison might be with the wages of an unskilled male labourer, who would need four or five weeks of steady work simply to earn £10.²² It would take him months or years to save such a sum.

The financial burdens imposed by the magistrates must have weighed particularly heavily on women, who accounted for roughly half of all those convicted by the court. In theory, men and women were to be treated equally by the justices of the peace. Married women were to be assessed according to their husband's ability to pay, and he was to be liable for her fine. For unmarried women, wealth, status, and the particular nature of the offence might be taken into account when it came time to pass sentence, but not gender: the acts of 1655 and 1661 on which the justice court was based specified that all fines 'shall be levied, not only of the Man, but also of the Woman, according to her quality, and degree of her offence'.²³ But if the law was equitable, society was not. Working women normally earned much lower wages than men, and the great majority of the women convicted by the justice court were domestic servants, who were certainly among the lowest paid workers in the burgh.²⁴ Even the most senior servant in a household could expect to earn only £10 in an entire year, while more junior girls earned just £8.²⁵

The magistrates used their discretionary powers sparingly when it came to alleviating the financial pressure on these women. To avoid prison or corporal punishment the fines levied on a Monday had

to be paid by Friday. Yet despite this time pressure and the relative magnitude of the sums imposed, the justice court accounts suggest that most fines were paid on time. Clearly the money was being borrowed, not only by servants but probably by most of the people penalised by the justice court. Some will have turned to family or friends in the town, or perhaps to their employers. Others who were newer to the town or from a poorer background must have found some other way to tap into the network of credit which, recent work is beginning to show, wound through the entire early modern community: 'Every tenant or labourer, artisan or merchant, minister or laird, owed or was owed either goods, money or service at some time in his life'.²⁶ In the name of godly discipline, the justice court in Aberdeen and kirk sessions elsewhere did their bit to bring even the humblest members of society into the swirling pool of credit and debt.

Young women found guilty of fornication faced the long, public process of kirk session discipline as well as the stiff fine imposed by the justice court - plus the dangers, expenses, and responsibilities involved in bearing and raising a child. Church discipline could be endured, however, and one way or another the money for the fine could almost always be raised. And illegitimacy was so rife in Aberdeen that it can have carried little stigma for either mother or child. Adultery was another matter. Nowhere were the iniquities of seventeenth century burgh life laid quite so bare as in the justice court's treatment of women accused of having had an affair with a married man.

Adultery was the most serious offence dealt with by the justices of the peace in Aberdeen, and it drew the harshest punishments accordingly.²⁷ It was in fact a crime punishable by death in early modern Scotland, though the full rigour of the law was never applied in the burgh.²⁸ Not only was adultery a contravention of the seventh commandment, it was also regarded as an assault on three of western society's most fundamental institutions: marriage, the family, and the inheritance of property. It was almost certainly also seen as an affront to the cherished hierarchical structure of society.²⁹ Almost invariably, the adulterous couple consisted of a married man and a servant, usually a girl from his own household. Leneman and Mitchison found that in rural parishes such relationships, which everywhere accounted for the bulk of adultery cases, usually involved men and women of roughly the same social status.³⁰ This was probably less often the case in the more stratified society of the town. Many of the adulterous men convicted were burgesses of craft or guild, and it is hard to believe that the girls with whom they were involved would have been treated so severely by the magistrates, and indeed by society at large, had they been of a similar class themselves.

The standard fine for adultery was £40. Those of either sex who could not pay were made to submit to a variety of corporal punishments and public humiliations, culminating in banishment. Banishment was a much more serious matter than a straightforward order to remove from the town. It was almost invariably imposed in conjunction with the kirk's most comprehensive sentence of excommunication.³¹ It could be applied to established residents as

well as migrants, and was normally reserved for notorious thieves, prostitutes, penurious adulterers, and most adulteresses. Not only were the banished parties denied a testificate of good behaviour, without which it was difficult to settle in a new parish, but their names and details of their offences were posted at the mercat cross and at the various gates of the town, as well as being circulated to all the ministers in the region.

Some at least of those banished people are likely to have been condemned to a life of vagrancy.³² Ordinarily the sentence of banishment was meant to apply for a number of years only. In one particularly scandalous case, however, a woman was banished for life. Christiane Galloway was one of the few married women convicted of adultery. She had married an Aberdeen merchant, but left him and fled southwards with a merchant from Stonehaven. She brought forth a child, but in January 1668 was reported 'returnit back to this burghe, the child being dead'. Having acknowledged her adultery, she also confessed to having stolen money and goods from a booth in the town. Suspecting that her thieving was more extensive, the magistrates had her searched, and found all the proof they needed. 'Lykeas for forder evidencing thereof ther wes found in her stockings certain crucked irons ... and false keys', which she used for entering houses by day and night 'as shee might have opportunitie'. The court wasted no time in declaring her 'ane wyld adulteres and commone notorious theef'. Since it seemed the inhabitants and their property could not be secure as long as she remained in the town, she was 'declarit perpetuallie Banishit'. The form of banishment inflicted on her was to be uniquely

comprehensive. She was turned over to one William Foulles, holder of a warrent from privy council 'for apprehending banishit persons and transporting them to Virginia ... the said christiane to be delyvered to him for the said effect which wes accordinglie done'.³³ Christiane Galloway suffered the distinction of being the only person transported by the Aberdeen magistrates in the second half of the seventeenth century.³⁴

A more typical case of adultery came to light in 1678. Agnes Brinder, a servant, was convicted of having fallen in 'pregnant and manifest scandall of adultrie' with her master, William Murray. He was a man of some standing in the community, a burgess of craft who had held positions as deacon of the weaver trade, a craft representative on the town council, and indeed as a constable of the justice court. Gossip about the couple had evidently reached the constabulary, and when Agnes became pregnant a local fishwife came forward to admit that she had received the couple in her home 'under silence of night', and then helped to conceal them 'when searched for by the constables upon informatione of their being together in the said hous'. For this the fishwife received a fine of £20. Murray for his part was assessed the usual fine of £40, which he promptly paid. He never again held public office.³⁵

Three-quarters of the men convicted of adultery between 1657 and 1687 managed to pay their fines, as compared to just one-quarter of the women. There was presumably a limit to the amount of money a single girl could expect to borrow, particularly a convicted adulteress who had been cast out by her employer (or his wife) and was unlikely to find it easy to land another job in the town. The

refusal to extend credit may also have reflected an element of moral as well as economic judgement on the part of those with money to lend. In Agnes Brinder's case, she had been found loitering outside her former lover and employer's house, and this convinced the magistrates that the scandal was unlikely to die down so long as she remained in the town. She was not even given the option of paying of a fine. Instead she was to be put on

ane kairt and cartit efter ane hors, with ane croune of paper on her head declairing hir guiltines, and to be takin doune the streit to the greine and there whipit befir the said william his house, and thereafter conveyit be the hangman along to the bow bridge and banished.³⁶

The period of banishment was not specified in the court register, but to return before the time had elapsed would be to invite a repetition of her ordeal, augmented by being branded on the face or hand with the iron used to burn the town's coat of arms onto barrels of salmon, or 'doukit' in the sea, strapped into a special seat affixed to the crane at the harbour. In the chilling words of the magistrates, the banished who dared return without permission could expect to be 'roughly punishit according to justice'.³⁷

THE JUSTICE OF THE PEACE COURT

I The Origins and Nature of the Court

1. An earlier version of this chapter was published as '"Menacing Their Persons and Exacting on Their Purses": The Aberdeen Justice Court, 1657-1700', in David Stevenson, ed., *From Lairds to Louns: Country and Burgh Life in Aberdeen: 1600-1800* (Aberdeen: 1986). Many of the points raised there have been considerably amplified or amended here.
2. For a list of most known sets of seventeenth century justice of the peace court records see B. Lenman, N.G. Parker, and P. Rayner, *Handlist of Records for the Study of Crime in Early Modern Scotland* (List and Index Society: 1982), p.71-75. Since that list was published the records of the Musselburgh JP's have also come to light, covering the years 1656-1661. These are to be found in the SRO at B.52/11/5. I would like to thank Dr. Frances Shaw, Accessions Officer at the SRO, for kindly drawing my attention to these records.
3. Skene discussed all aspects of burgh government, but the justice of the peace court was the only part of civic administration which he assumed might not be familiar to his intended audience of prospective magistrates.
4. Skene, *Memoriaills*, p.160.
5. *Ibid.*, p.163.
6. As expressed by Robert Barclay, the Quaker view on discipline was in this regard not far removed from that of other radical Protestants, in that they called for a strict separation of ecclesiastical and secular authority. *Apology*, p.308. Note that Barclay cited Skene as an example of a man 'confirmed by the authority both of scripture and right reason' before he finally turned to Quakerism. *Apology*, p.251.
7. See Jonathan Barry, 'The Parish in Civic Life: Bristol and Its Churches, 1640-1750', p.158-161.
8. Harro Höpfl, *The Christian Polity of John Calvin*, p.193; J.K. Cameron, ed., *The First Book of Discipline* (Edinburgh: 1972), p.32, 165; James Kirk, ed., *The Second Book of Discipline* (Edinburgh: 1980), p.214; Ivo Macnaughton Clark, *A History of Church Discipline in Scotland*, p.155-57; Francis Lyall, *Of Presbyters and Kings: Church and State in the Law of Scotland* (Aberdeen: 1980), p.3-9.
9. *Memoriaills*, p.162-3.
10. For the chequered history of the commission of the peace in seventeenth century Scotland see C.A. Malcolm, ed., *The Minutes of the Justices of the Peace For Lanarkshire* Scottish History Society, ser.3, vol. 17 (Edinburgh: 1931), p.ix-xxi; Lenman, Parker, and Rayner, *Handlist*, p.71; S.J. Davies, 'The Courts and the Scottish Legal System, 1600-1747: The Case of Stirlingshire', in Lenman, Parker, and V.A.C. Gattrell, eds., *Crime and the Law - The Social History of Crime in Western Europe Since 1500* (London: 1980), p.132-33. On JP's in Cromwellian Scotland see especially Smith, *Thesis*, p.165-89, and Dow, *Cromwellian Scotland*, esp. p.145-46, 172, 178-81, p.271.

11. See *Acts of the Parliaments of Scotland*, vi, p.833-836 (1655) and iv, p.236-240 (1617).
12. This was because almost all of the duties and responsibilities ascribed to JP's - to arrest those suspected of serious crimes, to maintain bridges and roads, to set prices for craftsmen's handiwork, to enforce acts against regraters and forestallers, etc. - were already undertaken by burgh magistrates. In their capacity as JP's Aberdeen's magistrates seem only ever to have concerned themselves with discipline and poor relief. JP's elsewhere appear to have acted upon those aspects of the legislation which suited them: the justices of Midlothian, for example, wrote to the Earl of Lothian in 1659 asking that he provide a conduit for standing water in Newbattle. S.R.O. GD 40/E/1. I would like to thank Mr. Bruno Longmore of the Historical Search Room for kindly drawing this document to my attention.
13. A fifth change, important for landward JP's but of little relevance in towns, removed the exemption previously enjoyed by nobles and 'landit gentlemen'. See Malcolm, p.xxii; Dow, p.271.
14. See clauses 22, 23, and 30 of the 1655 act.
15. The introduction of competition for the church courts was timed to coincide with the first serious attempt to implement the sweeping reforms of the universities and of the process of selecting ministers set out in 'Gillespie's Charter' of August 1654. See *A.P.S.*, vi, p.830-32. See also Dow, p.167, 196-98.
16. See Smith, *Scotland and Cromwell*, p.180, 189.
17. See for example Parker, "The Kirk By Law Established" and the Origins of "The Taming of Scotland": St. Andrews 1559-1600', p.6.
18. See Chapter 1.
19. *Kirk Session Extracts*, p.122.
20. See Chapter 1, Part II.
21. For an evocation of sexual morality during a more recent period of warfare and upheaval, see J. Costello, *Sex and War: Changing Values 1939-1945* (London: 1985).
22. The session went on to add that 'the children of new maryed persones sall not be baptized till they produce ane testimonial from the minister of the tyme of thair mariages'. *Kirk Session Register*, CH2/448/6 (18 January 1656).
23. Divinity students and ministers from outlying parishes could be called upon to fill in during vacancies in the full-time ministry, though this was meant to be a stop-gap measure. See Chapter 5.
24. *Kirk Session Register*, CH2/448/6 (18 January 1656).
25. *Kirk Session Register*, CH2/448/6 (28 December 1655).
26. See David Laing, ed., *The Diary of Alexander Brodie of Brodie*, p.162-163, 176, 178, 183.
27. Edinburgh established a justice of the peace court early in 1656, and its magistrates received assurances from the English in February of that year that they alone would serve as JP's. See Dow, p.181. Aberdeen followed these developments closely. *Letters*, iii, p.265, 272, 289.
28. See *Justice Court Book*, i, ff.1, which refers to £17-15-8 handed in by Baillie Alexander Skene, representing fines uplifted by

the eager constables of the even quarter in December 1656.

29. *Ibid.*, frontispiece.
30. *Ibid.*, ff.1-3.
31. Skene, *Scottish Notes and Queries*, July 1898, p.2. See also *Memorialls*, p.160.
32. 1654/5 was the second busiest kirk session year examined, in which 86 procedures were initiated.
33. The undoubted demise of the commission of the peace in Scotland after the Restoration has nearly always been ascribed to changes in the legislation. The act of 1661 which superceded that of 1655 is held to have restored JP's to the generally unappealing pre-Cromwellian role set out in 1617. See Lenman, Parker, and Rayner, *Handlist*, p.71; Dow, p.271. Though there were important changes in the 1661 act, the key clauses concerning discipline and poor relief on which the Aberdeen court was founded were in fact retained, (although they appear further down in the later act, which may have caused some confusion). Assuming other urban justice courts resembled Aberdeen's, the re-establishment of close ties between the council and the session can be expected to have rendered redundant any justice court which had existed solely as an alternative to the kirk session.
34. See Table 6.1.

II The Constabulary

1. See Chapter 4, Part I. The instructions to the constables are set out in the *Justice Court Book*, i, ff.1-3.
2. See Chapter 5, Part II for a discussion of the elders and deacons.
3. As with the council and kirk session, the members of the constabulary were listed at the outset of each council year, which began shortly after Michaelmas. These lists survive for the entire period 1657-1700, and are to be found in *Justice Court Book*, i, ii, and iii. Just over 1,400 places were filled over the period.
4. Unlike the kirk session, whose authority extended only over the urban parish of St. Nicholas, the justice court was also concerned with the surrounding freedom lands.
5. The same instructions were copied into the records in 1696. *Justice Court Book*, iii, ff.89.
6. No evidence of such lists of inhabitants or of testimonials collected in the town has come to light.
7. 9:p.m. was also the time apprentices had to be in by. See Chapter 3, Part V.
8. Instructions to the constables, *Justice Court Book*, i, ff.2.
9. *Justice Court Book*, i, ff. 87. See Issobel Rutherford's caustic comment when asked to assist a constable, quoted in Chapter 3, Part I. Such cases were, however, rare.
10. Instructions, *Justice Court Book*, i, ff.2.
11. See Lesly Smith, 'Sackcloth for the Sinner', p.124.
12. Instructions, *Justice Court Book*, i, ff.2.
13. See for example the adulterous affair of William Murray and Agnes Brinder, discussed in Part IV, below. Stephen Davies examined 1,981 prosecutions for fornication in Stirlingshire between 1637 and 1747, and found that pregnancies were involved in all but 26 cases (98%). *Thesis*, p.83.
14. The two courts shared as much as 80% of their business by the 1670's, a sharp increase over the period 1657-1660. See Chapter 5.
15. The collector was a constable chosen from among the merchants elected each year.
16. The following discussion of poor relief is based on the *Justice Court Accounts*, Charter Room, Aberdeen Town House.
17. See for example Tyson, 'Famine in Aberdeenshire', p.39.
18. Very few foundlings are mentioned in the Aberdeen records.
19. Most likely the French sailors will have been soliciting funds from other towns as well.
20. Paupers were provided with 'half coffins', which we may suppose lacked a lid. There is no mention of mortcloths having been provided for the use of paupers.
21. See Appendix I for burial and baptism totals.
22. The reference to mass graves is to be found in the *Justice Court Accounts* for 1698/99.
23. The following discussion is based on an analysis and comparison of the lists of constables and other office holders in the burgh. See also Chapters 4 and 5.

24. Based on a comparison of the lists of constables with the names included in the *Aberdeem Customs Books* of 1668/9 and 1690/91 (SRO E72/1/1), and with the index of the *Shore Work Accounts*.
25. Each year the occupations of a few constables were given in the list of court officials, and these have been collated. Further checks were made using the poll book and stent rolls, lists of trade deacons, lists of the elders and deacons of the kirk session, and the *Burgess Register*.
26. It is possible that the actual proportion of tradesmen was somewhat higher, given that merchants were more likely to have their occupation listed.
27. Because of the small pool of Christian names and surnames and the relative obscurity of the men involved, we cannot be certain of the exact number of unfree constables. Unfree status is assumed wherever a name fails to appear in the *Burgess Register*, which appears to be an almost entirely reliable record of burgess enrollment.
28. See Chapter 4, Part V.
29. Dundee, for example, was prepared to enroll burgesses free of charge when necessary. See Lynch, 'Urban Society', p.92-93.
30. Women headed 13.9% of the households polled in 1695. See Appendix III. If we accept this figure, and an estimate of 1,850 households for 1669 (see Chapters 2 and 3), then there should have been roughly 1,550 male householders in that year - the rough estimates offered in the text are based on this figure.
31. See Chapter 5.
32. Of the 210 merchants elected to the council between 1650 and 1700, 102 (48.6%) belonged to the guild in 1669. See Chapter 4.
33. No similar figures for other Scottish towns are available. Comparisons with English and continental towns are made difficult by differences in the definition and nature of office-holding, and by differing sorts of calculations which depend upon estimates of population or household size, for example. We might note, however, that Aberdeen's ratio of about 80 office-holders for about 8,000 people closely matches estimates of 300 in 27,000 for one of the larger and poorer wards of the London in the 1640's. In wealthier parts of London the proportion might have been much higher. See Pearl, 'Change and Stability', p.16; and Boulton, p.262-63, 268.

III Trends in Court Activity

1. For the types of disciplinary work undertaken by kirk sessions see for example Stephen Davies, 'The Courts and the Scottish Legal System', p.124-128; and Parker 'The "Kirk by Law Established"', p.10.
2. For an interesting discussion of sexual offences as offences against the 'gender order' as well as the wider social order, see Susan Amussen, 'Gender, Family, and the Social Order, 1560-1725', in Anthony Fletcher and John Stevenson, eds., *Order and Disorder in Early Modern England* (Cambridge: 1985), p.205-210.
3. An additional aspect of kirk session work concerned slander and defamation of character, which in Aberdeen was handled by the burgh court. See Chapter 4, Part I.
4. See *Justice Court Books*, ii and iii.
5. More often than not a couple would be cited together for a sexual offence - this was counted as one 'case'. Where a woman was cited alone, this too was considered a case. A man cited alone was not considered a separate case, since it was nearly always possible to match him with the girl involved. The potential for counting a single pregnancy as two 'cases' should therefore be substantially reduced.
6. Parker, p.10; Davies, *Thesis*, p.83.
7. The kirk session cases examined are to be found in *Kirk Session Records*, CH2/448/6-19.
8. A quick check of justice court activity can be made by counting the fines recorded in the court accounts. Offences in which non-pecuniary offences were levied will not appear in these records, although if the trends pertaining prior to 1687 held we would expect these to have been a very small proportion of the court's work.
9. Figures provided by Davies for the parish of St. Ninian's, near Stirling, for example, show that sexual offences accounted for 50% or more of the session's work in five of sixteen years prior to 1670, and in sixteen of twenty years after 1670. *Davies, Thesis*. Leneman and Mitchison have noted that by the mid-eighteenth century sexual offences accounted for a great majority of the kirk's disciplinary work throughout the country. 'Girls in Trouble: The Social and Geographical Setting of Illegitimacy in Early Modern Scotland', *Journal of Social History*, vol.21, no.3, 1988, p.483.
10. *Justice Court Book*, iii.
11. Events of this year are set out in greater detail in Chapter 1, Part IV.
12. *Justice Court Book*, i, ff.46, 48, 47, 43.
13. See Part II, n.5.
14. As noted in Part II, however, a few merchants of higher status than were subsequently to serve on the constabulary held office prior to the re-establishment of close ties between the town council and the kirk session in 1661.
15. *Memorials*, p.164.
16. See Chapter 5.
17. Smout, *A History of the Scottish People*, p.77.

18. See Part I, above, and Chapter 1, Part II.
19. The decline in prosecutions would not seem attributable to a sudden turnover at the top of civic government at or about 1660. Although a handful of ardent covenanters such as Alexander Skene and Alexander and John Jaffray were cast into the political wilderness at the Restoration, there was generally a great degree of continuity within the town's ruling establishment over the period from roughly 1655 to 1665. See Chapter 1.
20. In 1675 a small party of soldiers from Edinburgh Castle arrived to try to extract back taxes from the burgh. The town council looked into the legality of having them all quartered on the property of Alexander Alexander (for once not serving on the magistracy), who having been a collector of the taxes in question was said to owe no less than £258! *Council Register*, lvi, p.4 (10 March 1675). Troops were also reported to have been present in 1687, and from 1689 the town endured regular quarterings. This imposed a considerable burden on the community, though the army usually met some of the costs incurred. In 1698, in the midst of the famine, a Major Campbell more or less demanded free quarter for his underpaid regiment of foot stationed in the town. *Council Register*, lvii, p.626 (2 February 1698).
21. Sampling of the burgh court records suggests that cases of disorderly conduct were not simply being transferred to another jurisdiction in the town. A total of 108 cases were processed by the burgh court in 1658, as compared to 100 cases in 1668, 40 in 1678, and 33 in 1688. Cases of assault, which correspond most closely to disorderly conduct, accounted for 32.4%, 26%, 22.5%, and 39.4% of court business in the years examined.
22. Leneman and Mitchison, 'Scottish Illegitimacy Ratios in the Early Modern Period', *Economic History Review*, 2nd ser., XL, no.1, 1987, p.45-47.
23. For a discussion of the likely reliability of the baptismal records see Chapter 2, Part I.
24. Of 37 sexual offences tried by the kirk session between January and September 1657, 24 were not subsequently tried by the justice court.
25. Kennedy, i, p.188.
26. See P. Laslett, *Family Life and Illicit Love in Earlier Generations* (Cambridge: 1977), p.146 n.1. The Scottish figures are found in Leneman and Mitchison, 'Scottish Illegitimacy Ratios', p.51, 53.
27. *Ibid.*, p.51.
28. See Peter Laslett, Karla Oosterveen and Richard M. Smith, eds., *Bastardy and Its Comparative History* (London: 1980), p.19; and Roger Thompson, *Sex in Middlesex: Popular Mores in a Massachusetts County, 1649-1699* (Amherst: 1986), p.12.
29. Jean Meyer, 'Illegitimacy and Foundlings in Pre-Industrial France', in Laslett, Oosterveen, and Smith, p.249-50.
30. David Gaunt, 'Illegitimacy in Seventeenth and Eighteenth Century East Sweden', in Laslett, Oosterveen, and Smith, p.322.
31. *Ibid.*, p.322, n.1.

32. Leneman and Mitchison, 'Girls in Trouble', p.486-88, 495-96.
33. Whyte and Whyte, 'Geographical Mobility of Women', p.95, 97.

IV Offenders and Their Fates

1. *Memoriaills*, p.162.
2. See above, Part I, n.9.
3. See for example Davies, *Thesis*, p.104-117.
4. Lenman, 'The Limits of Godly Discipline', p.124-134.
5. See Lenman and Parker, 'The State, The Community, and The Criminal Law in Early Modern Europe', in Lenman, Parker, and V.A.C. Gattrell, eds., *Crime and the Law: The Social History of Crime in Western Europe Since 1500* (London: 1980), p.23-46.
6. *A.P.S.*, vi, p.152.
7. As Lenman has pointed out, 'such tactical concessions strengthened rather than weakened the ability of the Restoration kirk to enforce Godly Discipline'. 'The Limits of Godly Discipline', p.136.
8. *Justice Court Book*, iii, ff.50.
9. Scougal, 'Of The Importance and Difficulty of the Ministerial Function', p.388-89.
10. *Justice Court Book*, i, ff.208. In 1662 Issobel Stevin confessed to 'goeing to the theeffs house (the lower chamber of the tolbooth) to thrie prisoners and lying with them ther thrie nights', for which she received 12 lashes and was banished. *Justice Court Book*, i, ff.60.
11. *Justice Court Accounts*, 1679/80.
12. This was a view expressed by John di Folco in his 1975 B.Phil thesis for the University of St. Andrews, *Aspects of Seventeenth Century Social Life in Central and North Fife*, but subsequently ammended in his article 'Discipline and Welfare in the Mid-Seventeenth Century Scots Parish', *Records of the Scottish Church History Society*, XIX, 1977, p.170-71.
13. See Chapter 3, Part V.
14. Alexander Jaffray married young, at 18, and although he travelled widely he and his wife lived with his parents for four years, which he admitted was unusual and less than ideal: 'my wife most easily supported to be with my parents, and grudged neither at her her long stay with them, nor at my long absence'. Only after they had settled into a home of their own did Jaffray join the guild, at the age of 23. Jaffray, *Diary*, p.15-19. On servants serving in households of roughly equivalent status to their own, see Leneman and Mitchison, 'Girls In Trouble', p.486. See also the discussion of adultery, below.
15. *Justice Court Book*, i, ff.74, 103, 144, 130, 134.
16. Seating in the kirk was a constant source of friction in Aberdeen. There were complaints in 1661, for example, that 'certane inhabitants who haid the libertie and priviledge of daskis for ther awne uses, did bring ther wyffis with them to ther dasks, which wes not, nether hes bein in tyme bygane the practice of this brughe, it being only practicable that the women did sit upon the floor or in the body of the churches in litle handsome chaires, or such comodious seats as they fand expedient'. *Council Extracts*, p.193 (12 September 1660). A 'keeper of the pews' had to be hired in 1663 to try to keep order, but the problem continued. See *Council Register*, liv, p.452 (8 July 1663). Seating in the church was a touchy issue

in many communities. See also Callum G. Brown, 'The Costs of Pew-Renting: Church Management, Church-Going, and Social Class in Nineteenth Century Glasgow', *Journal of Ecclesiastical History*, 1987, p.347-350; and Amusson, 'Gender, Family, and the Social Order', p.212-214.

17. *Justice Court Book*, i, ff.176
18. *Justice Court Book*, i, (30 March 1657).
19. *Justice Court Book*, i, ff.111. Fishermen could be a problem all year round. In February 1667 ten men were convicted of 'gathering bait on the Lord's day'. *Justice Court Book*, i, ff.100. Some of those convicted were amateur or part-time fishermen, such as the three weavers convicted that same year of 'goeing out in ane coble almost the hail nicht' on the sabbath. *Justice Court Book*, i, ff.100. A salmon or 'lax' fisher was fined £4 for a sabbath breach in 1668, but could not pay and was imprisoned, where he took ill. The magistrates ordered that he be released 'in respect of his povertie', but it was too late and he died in prison. *Justice Court Accounts*, 1668/9.
20. See the *Justice Court Accounts* for the years in question.
21. See Part I, n.16.
22. See the key to Appendix II for an indication of wages in the town.
23. *A.P.S.*, vi, p.835; vii, p.310.
24. Rab Houston, 'Women in the Economy and Society', p.123.
25. See Appendix II.
26. Lorna Ewen, 'Debtors, Imprisonment and the Privilege of Girth', in Leneman, ed., *Perspectives in Scottish Social History*, p.54.
27. The kirk session automatically referred all cases of adultery to the presbytery, where a panel of ministers imposed the greater sentence of excommunication (see Chapter 5, Part III, n.11) and generally did their best to intimidate the couple and secure signs of contrition before handing them back to the kirk session to begin the long cycle of penance, which for adultery often involved 26 weekly appearances in sackcloth before the congregation (as compared to 3 for fornication and 6 for a relapse). In addition, those found guilty of adultery by the local courts were made to appear before the circuit court of the High Court of Justiciary, though unfortunately the sentences it imposed were not recorded. See for example SRO, JC26/38 for the records of the courts' work in Aberdeen in 1671.
28. 'Notorious adultery' involving open cohabitation or refusal to submit to discipline was made punishable by death in an act of 1563, ratified in whole or in part in 1567, 1581, 1646, 1649, 1650, 1661, and 1701. See the relevant volumes of the *Acts of the Parliaments of Scotland*. For the situation in England see Keith Thomas, 'The Puritans and Adultery: The Act of 1650 Reconsidered', in Pennington and Thomas, eds., *Puritans and Revolutionaries*, p.257-282.
29. There were various hierarchies in urban society - wealth, privilege, age, and gender - and a single case of adultery might conceivably run afoul of all of them. See for example Amussen, p.205-210.

30. Leneman and Mitchison, 'Girls in Trouble', p.484.
31. See Lynch, 'The Reformation in Edinburgh: the Growth and Growing Pains of Urban Protestantism', p.290.
32. Larner, *Enemies of God*, p.105,
33. *Justice Court Book*, i, ff. 182.
34. Christiane Galloway's case was decided by the justice court in January 1668. On the 27th of that month the kirk session learned that she was 'sent away be the magistrats to Virginia, so that all process now is sealed'. Nevertheless, on 13 July of that year the session noted that she was due to appear before the presbytery (for which no records of the period survive), and on the 20th of that month the session reported that the presbytery had declared her fugitive. *Kirk Session Register*, CH2/448/10. We are left to wonder whether the woman was among the vagrants and prisoners on a Scottish vessel bound for Virginia which in October 1669 ran aground off Fraserburgh, with the loss of all hands. See Peter Gouldesbrough, 'An Attempted Scottish Voyage to New York in 1669', *Scottish Historical Review*, vol. 40, 1961.
35. *Justice Court Book*, i, ff.182.
36. *Ibid.*
37. *Ibid.*

CONCLUSION

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The second half of the seventeenth century was a testing time for Aberdeen. For the most part, the town's experience in these years conforms to the model of early modern Scottish urban development recently put forward by Michael Lynch. In common with most towns in Scotland, Glasgow being the obvious exception, and most towns of comparable size in England and north-western Europe, Aberdeen was in decline in this period. The ravages of war, plague, dearth, and financial ruin hit the burgh very hard in the 1640's and early 1650's. The most intense cycle of difficulties ended about 1653, and there followed two decades of modest economic and demographic recovery: the revival of trade in the 1650's and, especially, the 1670's, has almost certainly been exaggerated. The recovery was severely hampered by what turned out to be a definitive downturn in the overseas demand for plaiding, the manufacture and export of which had fueled the burgh's and indeed the region's pre-war boom. The loss of its trading monopolies in 1672 appears to have halted any growth the town was enjoying up to that point, and signalled the start of two decades of deepening depression which preceded the final catastrophe of the century, the great famine of 1695-1700.

Aberdeen also provides a clear example of a burgh in which the essential structures of urban society were being stretched in response to new challenges and changing circumstances. A number of key developments in this regard took place in the 1650's, when civic leaders were first able to take stock of the changes wrought by the

preceding years of turmoil. The most obvious and far-reaching response was the creation in 1657 of the justice of the peace court. As we have seen, the justice court was the product of a number of different forces - of the mixed motives of the English regime, of the bitter and seemingly intractable divisions between the town council and the kirk session, of the strong anti-Erastian sentiments held by many radical Protestants in the burgh, and of the upsurge in disorderly conduct and illicit sexual relations spawned by the mingling of soldiers and servants. Virtually from the outset, the new institution was fully integrated into the existing network of authority and discipline in the burgh. Much of its success was owed to the fact that there was nothing very new about the justice court, which was in essence a secular twin of the kirk session. It did not take civic government into new corners of urban life, but represented instead an effort to carry out traditional activities with greater efficiency.

One of the most significant things about the justice court was that over the years it gave hundreds of men from the middle ranks of the urban community a chance to hold public office for the first time. Many of them were even drawn from amongst the ranks of unfree inhabitants. A place on the constabulary did not convey much in the way of real power or responsibility, nor was it often a stepping stone to higher office. It did, however, provide such men with an opportunity to lord it over their neighbours for a time, and to feel a part of the great and necessary enterprise of authority and discipline. And it provided that enterprise with a bedrock of

middle-class support and the manpower it needed for its expanded operations.

The creation of the justice of the peace court was part of a wider trend towards a much greater sharing of the burdens and privileges of office-holding. There was a new degree of openness in the more senior branches of urban government: the town council and the kirk session did not throw their doors open to the unfree, but far more burgesses held elective office over the course of their adult lives than would have been the case at any point for at least 150 years. Power may have been concentrating in fewer hands elsewhere, but in Aberdeen just the opposite happened.

APPENDICES

Burials and Baptisms: Annual Totals*

Year	Burials			Total	Baptisms
	Paupers	Paid Adults	Children		
1649	--	37	46	83	258
1650	--	28	74	102	227
1651	--	38	59	97	257
1652	--	59	87	146	240
1653	--	43	71	114	238
1654	--	46	78	124	253
1655	--	34	59	93	255
1656	14	56	167	237	229
1657	--	53	50	103	225
1658	--	60	86	146	---
1659	--	58	112	170	211
1660	34	41	98	173	210
1661	79	77	185	341	205
1662	37	60	69	166	173
1663	31	44	83	158	186
1664	27	36	89	152	204
1665	32	39	81	152	203
1666	27	46	80	153	255
1667	34	64	88	186	200
1668	40	75	85	195	204
1669	47	55	78	180	218
1670	35	49	101	185	235
1671	55	48	102	205	219
1672	61	42	157	260	205
1673	42	36	74	152	238
1674	75	43	73	191	219
1675	62	42	102	206	216
1676	95	71	83	237	215
1677	41	40	69	150	230
1678	44	40	66	150	206
1679	51	38	86	175	237
1680	44	46	75	165	210
1681	74	50	145	269	200
1682	52	48	75	175	199
1683	43	36	61	140	197
1684	52	43	59	154	223
1685	47	32	72	176	172
1686	52	57	62	181	213
1687	49	47	92	188	183
1688	47	27	65	139	108
1689	65	55	71	191	193

(continued over)

Year	Burials			Total	Baptisms
	Paupers	Paid Adults	Children		
1690	83	44	75	202	172
1691	115	57	71	243	170
1692	70	51	54	175	197
1693	34	31	85	150	210
1694	23	61	96	180	197
1695	42	54	59	155	179
1696	44	58	52	154	171
1697	169	75	105	349	177
1698	106	41	70	218	154
1699	243	63	70	376	156
1700	47	43	41	131	156

Burials - *MSS. Kirk and Bridgework Accounts*, Charter Room, Aberdeen Town House

Baptisms - Kennedy, *Annals of Aberdeen*, i, p.279.

* All totals relate to harvest years, commencing 29 September.

Wages and Price Ratios
1657 -1700

The wage and price index which follows is derived from the burgh statutes set down annually in the *Council Register*. The statutes were reviewed and amended for the forthcoming year soon after the Michaelmas council elections - thus the 1657 statutes, (the first to be set down after 1650) were established in October 1656. The year 1670 was selected as a base because the records for that year are particularly clear and fulsome, it was one of the first years for which a complete range of wages and prices was set down, and comes near the start of a period of particular wage and price stability. Unfortunately, only one set of statutes appears to have survived for the 1690's, that of 1697, a year of famine. The figures for 1701 are provided as being the first issued after the famine of 1695-1699.

Weights and measures are taken from Ronald Edward Zupko, 'The Weights and Measures of Scotland Before the Union', *Scottish Historical Review*, vol. lvi, 1972, p.119-145.

Key

Commodity or Service	Units	Base Rate (1670 = 100)
Wheat Bread:	<i>weight</i> in ounces, set against fixed price of 12 d. per loaf.	14 oz.
Oat Bread:	<i>weight</i> in ounces, set against fixed price of 8 d. per loaf.	17 oz.
Ale:	price in shillings Scots per <i>pint</i> (Aberdeenshire: 1.785 litres). After 1681 the price of ale was set by the privy council.	2 /
Mutton:	best price in £ Scots per carcass	£ 1- 4-0
	second price in £ Scots per carcass	£ 0-18-0
Ox Beef:	best price in £ Scots per carcass	£ 9- 0-0
	second price in £ Scots per carcass	£ 6- 0-0
Cow Beef:	best price in £ Scots per carcass	£ 6- 0-0
	second price in £ Scots per carcass	£ 5- 0-0
Veal:	best price in £ Scots per carcass	£ 5- 6-8
	second price in £ Scots per carcass	£ 3- 6-8
Ox Hide:	best price in £ Scots per hide	£ 4-10-0
	second price in £ Scots per hide	£ 3-10-0
Cow Hide:	best price in £ Scots per hide	£ 3- 0-0
	second price in £ Scots per hide	£ 2- 0-0
Tallow:	beef price in £ Scots per <i>stone</i> (Aberdeenshire: 28 pounds weight)	£ 2-13-4
	sheep price in £ Scots per stone	£ 2-18-0
	molten price in £ Scots per stone	£ 3-13-4
Candle:	price in shillings Scots per pound weight	4/6d
Shoes:	I best price in shillings per inch of double-soled imported leather	2/8d
	second price in shillings per inch of single-soled imported leather	2/4d
	II best price in shillings per inch of double-soled Scots leather	2/
	second price in shillings per inch of single-soled Scots leather	1/4d
	bairns price in shillings per inch of single-soled Scots leather for children.	1/6d

Wages and Price Ratios
1657 -1700Key

Commodity or Service	Units	Base Rate (1670 = 100)
Pewterers: plate	price in shillings per pound weight of pewter plate cast	2/
stoup	price in shillings per pound weight of pint (1.785 litre) buckets ('stoups') cast	2/6d
Smiths: iron	price in £ Scots per stone (28 pounds weight) of gross iron	£ 1- 6-8
Coopers: barrels	price in £ Scots per packed, sealed, double-girded salmon barrel	£ 2-15-0
Slaters* : master	wage in £ Scots per day	£ 0-16-0
trowel	wage in £ Scots per day	£ 0-10-0
carrier	wage in £ Scots per day	£ 0- 6-8
mixer	fee in £ Scots per <i>boll</i> (128 Aberdeen pints) of lime mixed	£ 0- 1-0
new work	price in £ Scots per <i>rood</i> of new work, ((less cost of slates)	£10- 0-0
Masons* : master	wage in £ Scots per week	£ 4- 0-0
underlayer	wage in £ Scots per week	£ 3- 0-0
barrowman	wage in £ Scots per day	£ 0- 6-8
new work	price in £ Scots per <i>rood</i> of new work, under 2 <i>ells</i> (Aberdeenshire: 38.4 inches) in height.	£14- 0-0
Wrights* : master	wage in £ Scots per week	£ 5- 0-0
servant	wage in £ Scots per week	£ 2-13-4
boy	wage in £ Scots per week	£ 2 -8-0
Servants: best woman	sum of fee in £ Scots per year, based on twice yearly payments of £3 'silver' (cash), £1 for shoes, and £1 'for other bounties' (ie., a gratuity for good service).	£10- 0-0
2nd woman	sum of fee in £ Scots per year, based on twice yearly payments of £2 silver, £1 for shoes, and £1 bountie.	£ 8- 0-0
tapster	sum of fee in £ Scots per year, 'conforme to the first order of women servants becaus they have advantage upon that which they handle'.	£10- 0-0
nurse	sum of fee in £ Scots per year, based on fee of £10 plus 'bounties worth £10', or £20 'without bounties'.	£20- 0-0

* The wages of slaters, masons, and wrights were all set at rates exclusive of food and drink. For the lowest paid workers, such as the wright's 'ordinary boy', who earned 8/ or 6/8d a day (£2 or £2 -8-0 a week), it was specifically stated that the wage could be halved in return for 'meat and drink'.

Occupational Structure of Aberdeen1655 - 1669 - 1695

Occupations	Stent 1655	Stent 1669	Poll 1695
<i><u>Distributive:</u></i>			
Merchants	195	253	192
Hucksters	3	14	-
Chapmen	6	9	2
	204 ^a	276	194
	27.4% ^b (34.1%) ^c	27.6% ^b (34.8%)	25.0% ^b (33.1%)
<i><u>Clothing:</u></i>			
Tailors	40	42	32
Cappers	1	1	-
Hatmakers	1	1	-
Embroiderers	1	1	-
	42	45	32
	5.6% ^b (7.0%)	4.5% ^b (5.7%)	4.7% ^b (5.5%)
<i><u>Textiles:</u></i>			
Weavers	36	53	27
Litsters & Dyers	16	8	8
Wool Drawers	-	1	-
Spinners	-	-	1
Ropemakers	-	-	1
Feltmakers	-	-	1
	52	62	39
	7.0% ^b (8.7%)	6.2% ^b (7.8%)	5.0% ^b (6.7%)
<i><u>Food & Drink:</u></i>			
Bakers	12	11	1
Fleshers	10	15	1
Salmon Fishers	22	29	4
White Fishers	-	-	1
Brewers	24	1	-
Maltmen	9	3	5
Millers	2	4	2
Cooks	-	1	-
Candlemakers	1	-	-
Creamers	-	-	1
Tobacco Spinners	-	-	1
	80	64	26
	10.8% ^b (13.4%)	6.4% ^b (8.1%)	3.3% ^b (4.4%)
<i><u>Metallwork:</u></i>			
Smiths	5	7	6
Gunsmiths	2	2	1
Goldsmiths	4	2	4
Pewterers	1	1	1
Coppersmiths	-	-	1
Tinkers	1	-	-
Armourers	3	3	2
Cutlers	-	1	-
Hookmakers	-	1	1
Watchmakers	-	-	3
	16	17	19
	2.1% ^b (2.7%)	1.7% ^b (2.1%)	2.4% ^b (3.2%)

Key: a - number of taxpayers in given occupation/classification

b - percentage of taxpayers

c - percentage of taxpayers for whom an occupation is known

Occupations	Stent 1655	Stent 1669	Poll 1696
<u>Woodwork:</u>			
Coopers	16	19	8
Wrights	10	15	18
Wheelwrights	1	-	1
Timbermen	2	-	-
Bowers	-	-	1
	29	34	28
	(3.9%) (4.8%)	(4.3%) (4.3%)	(3.6%) (4.8%)
<u>Building & Allied:</u>			
Masons	5	7	6
Glaziers	2	2	5
Slaters	7	10	4
Painters	4	3	2
Paintmakers	1	-	-
Calsiers	-	1	-
	19	23	17
	(2.6%) (3.2%)	(2.3%) (2.9%)	(2.2%) (2.9%)
<u>Leather & Allied:</u>			
Cordiners	33	49	23
Glovers	6	14	3
Saddlers	4	4	2
Skinner	3	1	1
	46	68	29
	(6.2%) (7.7%)	(6.8%) (8.6%)	(3.7%) (4.9%)
<u>Transport:</u>			
Skippers	10	8	5
Sailors	4	18	7
Horsehirers	6	8	11
Stablers	7	11	5
Postmen	2	2	1
Crane Operators	-	-	2
Waiters	-	-	3
Barrowmen	-	8	-
Sledders	-	2	-
	29	57	34
	(3.9%) (4.8%)	(5.7%) (7.2%)	(4.4%) (5.8%)
<u>Agriculture:</u>			
Tenant Farmers	6	3	19
Gardeners	16	10	8
Fermorsers	-	8	6
Mucksters	2	-	-
	24	21	33
	(3.2%) (4.0%)	(2.1%) (2.6%)	(4.2%) (5.6%)
<u>Professional:</u>			
<i>a) Law</i>			
Writers	1	1	2
Advocates	0	4	-
Messengers	4	2	5
Procurators	-	-	4
Notaries	-	-	5
Clerks	-	-	3
<i>b) The Church</i>			
Ministers	-	-	6
Preachers	-	-	1
Precentors	-	-	1

Occupations	Stent 1655	Stent 1669	Poll 1696
<u>Professional: (cont.)</u>			
<i>c) Education</i>			
Principal	1	-	-
Professors	1	3	1
Regents	1	-	4
Schoolmasters	1	1	4
<i>d) Medicine</i>			
Apothecary Surgeons	2	4	4
Physicians	1	-	2
Midwives	-	1	-
Barbers	2	3	6
	23	19	48
	(3.1%)	(1.6%)	(6.2%)
	(3.8%)	(2.3%)	(8.2%)
<u>Miscellaneous:</u>			
'Outdwellers'	-	34	60
'Gentlemen'	-	-	15
Lajrds	4	2	-
Printers	-	1	1
Stationers	-	-	1
Bookbinders	-	2	3
Town Sergeants	-	1	1
Bellmen	-	1	1
Millwrights	-	-	1
Drywalkers	-	2	-
Surveyor	-	-	1
Violers	1	3	2
Trumpeters	1	-	-
Militiamen	-	42	-
Labourers	29	19	1
	35	107	87
	(4.7%)	(10.7%)	(11.2%)
	(5.8%)	(13.5%)	(14.8%)
<u>Women:</u>			
Single Women	11	24	7
Married Women	2	-	2
Relicts	52	76	99
	65	100	108
	8.7%	10.0%	13.9%
	(--)	(--)	(--)
<u>Unknown:</u>			
Indwellers/ No Designation	80	105	83
	10.8%	10.5%	10.7%
	(--)	(--)	(--)
=====			
<u>Total:</u>	744 ^d	998	777
	(599) ^e	(793)	(586)

Key: d - total number of taxpayers enrolled in register
e - total number of taxpayers for whom an occupation is known

Occupational Analysis of AberdeenBy Wealth1669

Occupation	Tax Bracket					Total
	0 - £5	£6 - £10	£11 - £15	£16 - £20	£21 +	
<u>Distributive:</u>						
Merchants	48	50	24	27	104	253
Hucksters	14	-	-	-	-	14
Chapmen	9	-	-	-	-	9
<u>Clothing:</u>						
Tailors	34	5	2	1	-	42
Hatmakers	-	1	-	-	-	1
Cappers	1	-	-	-	-	1
Embroiderers	1	-	-	-	-	1
<u>Textiles:</u>						
Weavers	47	5	1	-	-	53
Litsters & Dyers	2	2	1	2	1	8
Wool Drawers* (Ropemakers)	1	-	-	-	-	1
(Spinners)	-	-	-	-	-	-
(Feltmakers)	-	-	-	-	-	-
<u>Food & Drink:</u>						
Bakers	7	2	1	-	1	11
Cooks	1	-	-	-	-	1
Fleishers	8	3	-	1	3	15
Salmon Fishers	29	-	-	-	-	29
Brewers	1	-	-	-	-	1
Maltmen	1	1	-	-	1	3
Millers	4	-	-	-	-	4
(White Fishers)	-	-	-	-	-	-
(Creamer)	-	-	-	-	-	-
(Tobacco Spinner)	-	-	-	-	-	-
(Candlemakers)	-	-	-	-	-	-
<u>Metals:</u>						
Smiths	3	2	2	-	-	7
Gunsmiths	2	-	-	-	-	2
Goldsmiths	-	2	-	-	-	2
Pewterers	-	-	-	1	-	1
Armourers	3	-	-	-	-	3
Hookmakers	1	-	-	-	-	1
Cutlers	1	-	-	-	-	1
(Tinkers)	-	-	-	-	-	-
(Coppersmiths)	-	-	-	-	-	-
(Watchmakers)	-	-	-	-	-	-
<u>Woodwork:</u>						
Coopers	11	3	2	-	3	19
Wrights	10	1	4	-	-	15
(Wheelwrights)	-	-	-	-	-	-
(Bowers)	-	-	-	-	-	-
<u>Building & Allied:</u>						
Masons	4	1	2	-	-	7
Glaziers	1	-	-	1	-	2
Slaters	10	-	-	-	-	10
Painters	3	-	-	-	-	3
Calsier	-	1	-	-	-	1

* - Occupations in parentheses are those found in 1655 and/or 1695 registers, but not 1669.

Occupations	0 - £5	£6 - £10	£11 - £15	£16 - £20	£21 +	Total
<i>Leather & Allied:</i>						
Cordiners	43	4	2	-	-	49
Glovers	8	5	-	1	-	14
Sajdler	3	-	1	-	-	4
Skinner	1	-	-	-	-	1
<i>Transport:</i>						
Skippers	2	-	4	1	1	8
Sailors	16	-	1	-	1	18
Horsehirers	8	-	-	-	-	8
Stablers	9	1	-	-	1	11
Barrowmen	8	-	-	-	-	8
Sledders	2	-	-	-	-	2
Postmen	1	1	-	-	-	2
(Crane Operator)	-	-	-	-	-	-
(Waiters)	-	-	-	-	-	-
<i>Agriculture:</i>						
Tenant Farmer	2	1	-	-	-	3
Gardeners	10	-	-	-	-	10
Fermors	7	1	-	-	-	8
(Mucksters)	-	-	-	-	-	-
<i>Professional:</i>						
a) Law						
Writers	1	-	-	-	-	1
Advocates	1	1	2	-	-	4
Messengers	1	1	-	-	-	2
(Notaries)	-	-	-	-	-	-
(Procurators)	-	-	-	-	-	-
(Commisary)	-	-	-	-	-	-
b) The Church (No kirk officials stented)						
c) Education						
(Principal)	-	-	-	-	-	-
Professor	2	-	-	-	1	3
(Regents)	-	-	-	-	-	-
Schoolmaster	1	-	-	-	-	1
d) Medicine						
Apothecary Surgeons	1	2	1	-	-	4
Barbers	1	1	1	-	-	3
Midwives	-	1	-	-	-	1
(Physicians)	-	-	-	-	-	-
<i>Miscellaneous:</i>						
'Outdwellers'	34	-	-	-	-	34
Lairds	-	-	2	-	-	2
Drywalker	1	1	-	-	-	2
Town Sergeants	1	-	-	-	-	1
Bellman	1	-	-	-	-	1
Violers	3	-	-	-	-	3
Printers	1	-	-	-	-	1
Bookbinder	1	1	-	-	-	2
Militiamen	42	-	-	-	-	42
Labourers	16	1	-	1	-	18
<i>Women:</i>						
Single Women	14	5	4	-	-	23
Relicts	44	14	6	8	4	76
(Spouses)	-	-	-	-	-	-
<i>Unknown:</i>						
Indwellers/No Designation	84	15	2	3	1	105

Occupational Structure of AberdeenBy District1669

Occupation	Futtie	Crooked	Green	Even	Freedom	Burgh
<i>Distributive:</i>						
Merchants	59	78	29	85	2	253
Hucksters	2	6	6	-	-	14
Chapmen	-	6	1	2	-	9
	61 ^a	90	36	87	2	276
	22.1% ^b	32.6%	13.0%	31.5%	.72%	
<i>Clothing:</i>						
Tailors	9	16	10	7	-	42
Cappers	-	-	1	-	-	1
Hatmakers	-	1	-	-	-	1
Embroiderers	-	-	1	-	-	1
	9	17	12	7	-	45
	20.0%	37.8%	26.7%	15.6%	-	
<i>Textiles:</i>						
Weavers	-	14	35	1	3	53
Litsters & Dyers	-	3	4	1	-	8
Wool Drawers	-	-	1	-	-	1
(Spinners)	-	-	-	-	-	-
(Ropemakers)	-	-	-	-	-	-
(Feltmakers)	-	-	-	-	-	-
	-	17	40	2	3	62
	-	27.4%	64.5%	3.2%	4.8%	
<i>Food & Drink:</i>						
Bakers	4	4	1	2	-	11
Fleshers	4	1	2	5	3	15
Salmon Fishers	-	1	27	1	-	29
(White Fishers)	-	-	-	-	-	-
Brewers	-	-	1	-	-	1
Maltsmen	-	1	1	1	-	3
Millers	-	-	1	-	3	4
Cooks	-	1	-	-	-	1
(Candlemakers)	-	-	-	-	-	-
(Creamers)	-	-	-	-	-	-
(Tobacco Spinners)	-	-	-	-	-	-
	8	8	33	9	6	64
	12.5%	12.5%	51.6%	14.1%	9.4%	
<i>Metals:</i>						
Smiths	2	1	1	1	2	7
Gunsmiths	2	-	-	-	-	2
Goldsmiths	-	2	-	-	-	2
Pewterers	-	-	1	-	-	1
(Coppersmiths)	-	-	-	-	-	-
Armourers	-	3	-	-	-	3
Cutlers	1	-	-	-	-	1
Hookmakers	-	-	-	1	-	1
(Watchmakers)	-	-	-	-	-	-
	5	6	2	2	2	17
	29.4%	35.3%	11.8%	11.8%	11.8%	

Key: a - number of taxpayers in given occupation per quarter/burgh
b - percentage of taxpayers in given occupation per quarter

Occupation	Futtie	Crooked	Green	Even	Freedom	Total
<u>Woodwork:</u>						
Coopers	7	3	4	5	-	19
Wrights (Wheelwrights)	5	5	3	2	-	15
(Timbermen)	-	-	-	-	-	-
(Bowers)	-	-	-	-	-	-
	12	8	7	7	-	34
	35.3%	23.5%	20.6%	20.6%	-	
<u>Building & Allied:</u>						
Masons	3	1	2	1	-	7
Glaziers	-	7	3	2	-	12
Slaters	-	2	1	-	-	3
Painters	-	1	-	-	-	1
Calsiers	-	1	-	-	-	1
	3	11	6	3	-	23
	13.0%	47.8%	26.1%	13%	-	
<u>Leather & Allied:</u>						
Cordiners	12	14	10	7	6	49
Glovers	-	10	2	2	-	14
Sajdlers	-	3	-	1	-	4
Skinner	-	1	-	-	-	1
	12	28	12	10	6	68
	17.6%	41.2%	17.6%	14.7%	8.8%	
<u>Transport:</u>						
Skippers	4	-	4	-	-	8
Sailors	11	-	5	2	-	18
Horsehirers	2	1	-	5	-	8
Stablers	1	2	1	7	-	11
Postmen	-	1	-	1	-	2
Barrowmen	-	5	-	3	-	8
Sledders	-	-	-	2	-	2
(Crane Operator)	-	-	-	-	-	-
(Waiters)	-	-	-	-	-	-
	18	9	10	20	-	57
	31.6%	15.8%	17.5%	35.1%	-	
<u>Agriculture:</u>						
Tenant Farmers	-	-	-	1	2	3
Gardeners	4	2	2	2	-	10
Fermors	-	3	-	5	-	8
(Mucksters)	-	-	-	-	-	-
	4	5	2	8	2	21
	19.0%	23.8%	9.5%	38.1%	9.5%	
<u>Professional:</u>						
a) Law						
Writers	-	1	-	-	-	1
Advocates	-	4	-	-	-	4
Messengers	-	-	-	2	-	2
(Notaries)	-	-	-	-	-	-
(Procurators)	-	-	-	-	-	-
(Clerks)	-	-	-	-	-	-
b) The Church (No kirk officials stented)						
c) Education						
Professors	1	1	-	1	-	3
School Masters	-	1	-	-	-	1
(Principal)	-	-	-	-	-	-
(Regents)	-	-	-	-	-	-
d) Medicine						
Apothecary Surgeons	-	4	-	-	-	4
Barbers	1	1	-	1	-	3
Midwives	-	1	-	-	-	1
(Physicians)	-	-	-	-	-	-
	2	13	-	4	-	19
	10.5%	68.4%	-	21.1%	-	

Occupation	Futtie	Crooked	Green	Even	Freedom	Total
<i>Miscellaneous:</i>						
Outdwellers (Gentlemen)	-	-	-	-	34	34
Lairds	-	2	-	-	-	2
Printers (Stationers)	-	-	-	1	-	1
Bookbinders	-	2	-	-	-	2
Town Sargeants	1	-	-	-	-	1
Bellmen (Millwrights)	-	-	1	-	-	1
Drywalkers (Surveyors)	-	1	1	-	-	2
Violers	-	-	1	2	-	3
(Trumpeters)	-	-	-	-	-	-
Militiamen	8	11	7	16	-	42
Labourers	9	9	8	2	-	19
	8.4%	23.4%	16.8%	19.6%	31.8%	107
<i>Women:</i>						
Single Women	7	10	2	4	1	24
Relicts (Spouses)	13	33	12	17	1	76
	20.0%	43.0%	14.0%	21.0%	2.0%	100
<i>Unknown:</i>						
Indwellers/ No Designation	12	30	22	41	-	105
	11.4%	28.6%	21.0%	39.0%	-	105
<u>Total:</u>	175	310	214	242	57	998

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