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# OBSERVATIONS

Upon the Chief Acts of the two  
late P. Assemblies at

St. *ANDREWS* and *DUNDEE*,  
the Year of God 1651, and 1652.

Together with the Reasons why the Ministers, Elders and  
Professors, who protested against the said Pretended  
Assemblies, and the Pretended Assembly at *Edinburgh*,  
cannot agree to the Overtures made to them at the  
Conference upon the 28. and 29. dayes of *July* 1652.

As also the Instructions given by them to such of their  
Number as were sent to the said Conference.

And the Letter directed to Mr. *David*  
*Dickson* for communicating  
their P*A*P*E*R*S*.

Whereunto is subjoynd the Propositions which were  
offered to the Meeting of Ministers and others  
appointed to be kept at *Edinburgh*

*July* 21. 1652.



*Printed in the Year* 1653.

W. O. 114

ORDER V. J. J. J.

Upon the 21st day of the month of  
1871, the following

ORDER was made by the Court  
in the case of

That the said

ORDER be

That the said

1871

Witness in the year 1871



# OBSERVATIONS

Upon the Chief Acts of the Two late  
P. Assemblies at *S. Andrews* and  
*Dundee*, the Year of God  
1651. and 1652.

Act at *Dundee*, approving the Proceedings of the Commission  
of the former Assembly, *July 24. 1651. Postmeridie.*

**T**He Generall Assembly having considered  
the report of the Committee appointed for  
revising the Proceedings of the Commis-  
sion of the preceding Assembly; <sup>a</sup> and  
having also heard the doubts and ob-  
jections of diverse Brethren, against their  
Acts and resolutions after-mentioned, after due examination,  
long and much debate and mature deliberation, <sup>b</sup> The Assembly  
findes the Zeal, diligence, wisdom and faithfulness of the  
said Commissioners in the discharge of the trust committed  
unto them, very great, and in the manifold difficulties of this  
last years great and dangerous occasions, their watchfulness  
and labours to have been very singular and more then ordina-  
ry: And therefore do approve their Acts and Proceedings,  
<sup>c</sup> especially their sense of the Western Remonstrance, Perth  
Novemb. 28, their Answer to the Parliaments Quære,

anent the more generall calling forth of the People, Perth Decemb. 13. their Solemn Warning, Perth Jan. 6, their Answer to the Letter of the Ministers of the Presbyterie of Stirling, Perth Jan. 6. their Answers to the Letters from other Brethren and Presbyteries in relation to Publick Resolutions; their Answer to his Majesty, and Committee of Estates Letter anent the Protestation of the Ministers of Stirling, Perth March 18; their Act concerning the opposers of Publick Resolutions, and Letter to Presbyteries thereupon; their Answer to the Quere anent the Acts of Classes. <sup>d</sup> and in these and the rest of their proceedings, do judge them to deserve high commendation. <sup>e</sup> Onely the Assembly having considered their Act and Declaration of August 13, 1650. at the West Kirk, finding that some have already made ill use of the same: And to the end that it may not hereafter be to any a ground of unwarrantable proceeding in reference to the Kings Majesty, or any of his Successors, Declare, that the said Act and Declaration shall not in any time coming be interpreted to have any other meaning, then that the Kings Interest is not to be owned but in subordination to God, the Kirk being ever willing, as their duty is, to own and maintain in their station, his Majesties Interest in that subordination, according to the Covenants. And the Assembly Ordains Master Robert Bailzie Moderator pro tempore, to return to their said Brethren hearty thanks in the name of the Assembly, for their great pains, travell and fidelitie.

Sic subscribitur

A. K. E. R.

Obser-

## Observations upon the same Act.

A. **T** Here was neither such fair hearing allowed, nor such due examination used, nor such mature deliberation taken as was requisite in such a case, anent which such a multitude of godly Ministers, Elders and Professors in the Land had so great dissatisfaction in their consciences; For, 1. Albeit the most materiall and important of these proceedings of the Commission ( to wit, their answers and resolutions about imploying such as were formerly excluded ) were of things which the Authors thereof acknowledge not to have been determined by any of the former Assemblies of this Kirk, as is granted in the Vindication of that Assembly; yea, of things which to their knowledge were in the judgment of many gracious ones in the Land, contrary to many Acts, Warnings, and Declarations of former Assemblies, and to the Covenant, and the Word of God, yet as the Commission had at first determined the same in a very thin meeting at *Perth*, not only before communicating the same to Presbyteries, and hearing their judgment there-anent; but the greatest part of their number being absent, and many of them not being at all advertised; so did that Assembly at *Dundee* go on very suddenly, notwithstanding that a delay was most earnestly desired at *S. Andrews* where they first met, and that it be expressly provided by an Act of the Assembly 1639, That no Novation which may disturb the Peace of the Church, and make division, be suddenly propounded and enacted; but so, as the motion be first communicated to the severall Synods, Presbyteries and Kirks, that the matter may be approved by all at home, and Commissioners may come well prepared, unanimously to conclude a solid deliberation upon these points in the Generall Assembly.

2. Albeit many things were offered unto them, both from the Scriptures and Reason, and from many Acts of former Assemblies against the proceedings of the Commission, and the approving thereof; the reading of a part whereof, to wit, Sir *Archibald Johnston* of *Waristoun* their own Clerk his Letter, was much pressed at severall Diets by many of their own number, yet were not these things heard, nor taken in consideration, nor could the reading

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of that Letter be obtained, notwithstanding that it was once publicly promised by the Moderator.

B. Would to God their wisdom and faithfulness in the discharge of their trust had been such as might justly deserve such a commendation; but we fear that upon examination, it shall be found not to have been so: 1. Because they did not keep themselves within the bounds of their trust, which was to treat and determine in the matters referred unto them, as their Commission expressly bears; but it was not referred unto them to determine Cases not formerly determined by any Assembly of this Church, there is no such clause in their Commission; yet did they determine a very grave Case, to wit, the employing of these who were formerly excluded, which by the chief Authors of that determination, is acknowledged to have been *indeterminati juris*, a fault that was the greater, because it is provided by the Acts of the Generall Assembly 1641, That since it hath pleased God to vouchsafe us the liberty of yearly Generall Assemblies, that no novation in Doctrine, Worship or Government, be brought in or practised in this Kirk, unless it be first propounded, examined and allowed in the Generall Assembly. 2. Because they did not onely go beyond their trust, but walk contrary unto their trust, great part of their trust was, to preserve the established Doctrine, Discipline, Worship and Government of this Kirk, against all who should endeavor to bring in any contrary thereunto, to censure Complyers and persons disaffected to the Covenant, according to the Acts of the Assembly, and to protest against all encroachments upon the Liberties of the Kirk; in all which three they failed: 1. In the matter of preserving the Doctrine, not onely because they taught and allowed, that Malignants being Subjects, might be employed and intrusted for defence of the Cause and Kingdom, as appears at length in their Warning of the date *January* 1651. and in their Answer to the Letter of the Presbyterie of *Stirling* at the same Diet, notwithstanding that the contrary had been constantly taught and holden by this Kirk these years past, but also were instrumentall unto the actuall employing and intrusting of these men, which as to man could not but prove destructive to the Doctrine, Worship, Discipline and Government of this Kirk. 2. In the matter of censuring Complyers and Persons disaffected to the Covenant, according

(7)  
according to the Acts of the Assembly, because they did not onely allow persons who were not of constant integrity and affection to the Cause, and of a blamelesse and Christian conversation to be employed and intrusted, which was contrary to our Solemne Engagement, but also because they take off Censures which had been formerly inflicted upon many dis-affected persons, who had not in their ordinary conversation, given reall testimony of their dislike of the late unlawfull Engagement, and of the courses and wayes of Malignants, and of their sorrow for accession to the same, and to live soberly, righteously and godly, notwithstanding that this was expressly provided by the Act of the Generall Assembly 1649. and did ordain Presbyteries to censure all such Ministers within their bounds as did oppose or bear testimony against these their proceedings. 3. In the matter of protesting against encroachments upon the Liberties of the Kirk, because when some Ministers were confined at *Perth* by the Civil Magistrate for their doctrine, before they were cited or sentenced by any of the Judicatories for the same, they were so far from protesting against this, that as they were silent when these Ministers were first cited, notwithstanding that the Letter of citation was communicated unto them by the Committee of Estates; so by a Publick Paper given in to the Parliament, they did condemne the Protestation of these Ministers against that citation and confinement, which Paper is especially approven in this Act.

C. It is not our purpose to fall upon the particulars which are said to be especially approven here; but by the word *especially*, and by the particulars which are here mentioned, it is evident that the spirit which ruled in the Assembly at *Dundee*, was zealous above measure for the Publick Resolutions, most of all the Proceedings of the Commission that relate thereunto, or to the opposers thereof, or any Testimony given against the same, being particularly mentioned, and especially without leaving out, much lesse excepting so much as their Act concerning the opposers of Publick Resolutions, and Letter to Presbyteries thereupon, by which all of them were appointed to be cited as persons guilty to the Assembly, and so were excluded from having any hand to treat or vote therein in any thing concerning the Publick Resolutions, which beside the injury done to the persons, was to *præ-limit* the Assembly, and to make it

up. of such onely as did approve of their Proceedings.

D. The generality of Malignant and dis-affected persons in the Land, who have been enemies to Reformation and godlinesse, do joyn in this high testimony, and cry-up these proceedings and the Authors thereof, as deserving high commendation, but most of the godly of the Land refuse to put to their seal thereto, and make these proceedings the matter of their mourning, begging pardon and repentance unto the Authors thereof.

E. This is another evidence, what spirit led that Assembly, as every thing must be cried-up that made for strengthening of the Publiick resolutions, so every thing must be cryed-down that made for weakening thereof; yea, that very Declaration which before *Dumbar* was unanimously condescended upon and approved both by the Commission of the Kirk and the Committee of Estates, for holding forth the true state of the quarrell upon which the Kingdom then fought, and for shutting out every Malignant party, or quarrell, or interest. 1. By insinuating that it hath already been to some a ground of unwarrantable proceeding in these words of their Act:

*To the end it may not hereafter be to any a ground of unwarrantable proceeding in reference to the Kings Majesty, or any of his Successours.*

2. They take onely one clause of the whole Declaration, to wit, that *the Kings Interest is not to be owned but in subordination to God*, leaving wholly out another material part thereof, to wit, *and so far as he ownes and prosecutes the Cause of God, and disclaims his and his fathers opposition to the Work of God, and to the Covenant, and likewise all the enemies thereof*; which

is again repeated thus in the close of that Declaration, *and that they will with convenient speed take in consideration the Papers lately sent unto them, and vindicate themselves from all the falshoods contained therein, especially in those things wherein the quarrell betwixt us and that party is mis-stated, as if we owned the late Kings proceedings, and were resolved to prosecute and maintain his present Majesties Interest, before and without acknowledgment of the sins of his House and former wayes, and satisfaction to Gods People in both Kingdoms.*

The omitting of which Clauses doth so far as I can discern either from the Assemblies own words, or from the judgments and expressions of these who had chief hand therein, or from comparing things with things, indeed import an altering

altering of the state of the question, and brings it to that which was so much pleaded for by the opposers of Reformation from the very beginning of our differences with the Kings father, especially by some of the Authors of the crosse Petition in 1643. and of the unlawfull Engagement in the year 1648. to wit, that though the King did not disclaim his former opposition to the Work of God and to the Covenant, and likewise all the enemies thereof, and own and prosecute the Cause of God, yet we ought to owne his Kingly Interest, by admitting him to the exercise of his Royall Power, and obeying him in all things lawful, which how far it reacheth, as to the casting loose, and condemning of the former proceedings of this Church and Kingdom with the King and his Father, and making a new state of the question, hath been often heretofore shewen by this Church, and cannot but be obvious to every intelligent man.



Two Acts of the Assembly at *Dundee*,  
and one Act of the Assembly at *Edinburgh*,  
which relates unto censures.

*DUNDEE Julii 31. 1651. antemer. Sess. 19.*

Act for censuring of those who do not acknowledge this  
present Assembly, and do not acquiesce to the  
Acts thereof, &c.

**T**He General Assembly considering that all persons who  
protest against, and decline the authority of the General  
Assembly, are censurable by the Acts and Constitutions  
of this Kirk, with the highest censures thereof, and that by  
the Act of the solemn General Assembly of Glasgow, 20.  
Decemb. 1638. Sess. 26. Presbyteries and Provincials are or-

dained to cite and censure all such as would not acknowledge  
 the said Assembly. And the Assembly being very sensible of  
 the prejudice this Kirk may suffer in her Liberties and Privi-  
 ledges, by the beginnings of such practices (if they be not time-  
 ously prevented and restrained ) Therefore according to the  
 practice and example of the said Assembly, They ordain Pres-  
 byteries and Provinciaill Assemblies, to call before them all per-  
 sons that do not acknowledge this present Assembly, and to cen-  
 sure them according to the degree of their contempt and obsti-  
 nacie to the Acts of this Kirk: And the Assembly having also  
 considered that by the afore-mentioned Act of the Assembly of  
 Glasgow, and another Act of the said Assembly, Decemb. 18.  
 Sess. 24. Presbyteries are ordained to proceed against those  
 that do not acquiesce to the Acts of the said Assembly, and that  
 refuse themselves, or draw others from the obedience of the  
 Act of the General Assembly, in manner mentioned in the said  
 Act. Therefore do ratifie and approve the said Acts, and de-  
 clare, that they are to be extended against Ministers censured  
 by this Assembly, and all those that oppose the Publick Resoluti-  
 ons thereof. Ordaining also Presbyteries and Provincial As-  
 ssemblies, To call before them all persons that shall not acqui-  
 esce to the Acts and Constitutions of this present Assembly and  
 to deal with them by conference for their satisfaction. And if in  
 their conference with them they shall still oppose the Acts and  
 Conclusions of this Assembly, That they censure them accor-  
 ding to the degree of their offence and obstinacie to the Acts of  
 this Assembly. And where Presbyteries are negligent or  
 wanting herein, the Assembly appoints the Commission ap-  
 pointed for Publick Affairs, to proceed against the said offen-  
 ders respectivè, and to censure them in manner above spec-  
 ified, giving unto them full power for that effect.

## Eodem die at Dundee Sess. 19. antemerid.

Act against Expectants who oppose the  
Publick Resolutions.

**T**He General Assembly understanding the scandall and prejudice of practices and carriage of some Expectants and students, attenders of families, for performance of religious duties by their private or publick opposing Publick Resolutions; For removing whereof, they do extend the Act of the Assembly 1640. Sess. 10. against expectants, refusing to subscribe the Covenant and the censure therein specified, against all expectants, students in Divinity, and attenders upon families for religious duties, that shal not acknowledge the General Assemblies of this Kirk, and this present General Assembly, and that shal not acquiesce to the Acts and Constitutions thereof; and do ordain them to be removed from Bursaries, and to be discharged from publick preaching and catechising in Congregations and families, and from all other priviledges and liberties allowed to expectants; appointing Presbyteries and Provincials to proceed against them accordingly.

## Edinburgh 3. Aug. 1652. antemer. Sess 19.

Act concerning admitting Expectants to their tryals, and Ruling Elders to act in Presbyteries and Synods.

**T**He General Assembly having out of their earnest desire of the Peace and Unity of this Kirk, condescended upon an Overture of Peace, and not onely propounded it to some Brethren who were here, opposite to the Publick Judicatories of this Kirk, But also in pursuance of that end, Ordained the said Overture to be presented and offered by the severall Presbyteries or Synods, to all in their respective bounds, who have Protested against, and Declined, or consented or adhered unto the Protestations and Declinatours made against this and the preceding General Assembly, and the conditions therein contained, to be required of them; And considering the great prejudice like to arise to this Kirk, by encreasing of our unhappy Differences and Distractions, if young men shal be admitted into the Ministry, which shal still blow the

fire of contention, and continue in avowed opposition to, and contempt of the Publick Judicatories, Therefore Ordains Presbyteries to take special care, that upon the calling of any Expectant to a particular charge of the Ministry, before they admit him to his trials, they require him under his hand, to passe from the Protestations and Declinatours against this and the preceding General Assembly, if he hath been accessory to the same, and to promise and give assurance, that he shal abstain from holding up Debates and Controversies, about matters of Differences in this Kirk, since the Assembly 1650, in Preaching, Writing, or other Wayes. Upon the performance whereof, the Presbyterie shal proceed to his trials; if not, in that case, the Presbyterie shal forbear to proceed until the next General Assembly, leaving liberty to the Presbyterie and Congregation for planting of the place otherwise. And the Assembly Ordains and requires, that Presbyteries be not sudden to lay by such young men as at first refuses or scruples to perform these conditions mentioned, but that pains be taken upon them to convince them of the reasonablenesse thereof, and to persuade them to embrace them, and to give them a competent time for that effect.

Likeas the Assembly considering the prejudice of Elders coming to Presbyteries for strengthening a faction in opposition to the Publick Judicatories, Ordains, that Presbyteries shal require the same things fore-mentioned of every Ruling Elder that comes to sit and act in Presbyteries; and in case of his refusal, shall not admit him to act as an Elder in the Presbyterie, but require the Kirk Session from which he is sent, to make choise of, and send another, who for the Peace of this Church, shal agree to perform the conditions required.

**T**Hese three Acts I have put together, because they are much of the same or like nature, that is, such as ordain censures upon these who do not acknowledge the authority of that Assembly at Dundee, or who shall not acquiesce to the Acts and Constitutions thereof, or who shall not passe from the Protestations against these two pretended Assemblies at Dundee and Edinburgh; and I offer unto the Reader these animadversions upon them: 1. That in the first Act at Dundee, the Act of the Assembly at Glasgow 20. Decemb.

emb, 1638. Sefs. 26. is not faithfully made use of, but by leaving out of some words, is stretched beyond the sense and meaning thereof, The words of that Act Decemb. 20. 1638 are, *that all such as are scandalous and malicious, and will not acknowledge nor acquiesce unto the Acts thereof, be censured according to their malice and contempt.* But at Dundee these words, *scandalous and malicious* are left out, and the censure is extended to all persons that do not acknowledge that Assembly, how blameless or holy soever they be in their carriage, or how tender or sober soever they be in not acknowledging the same. 2. Whereas the Act of Glasgow 1638. Decemb. 18. Sefs. 24. Ordains *Presbyteries to proceed with the censures of the Kirk to excommunication against those Ministers only who being deposed, acquiesce not to their sentences, but exercise some part of their Ministerial function, refuse themselves, and withdraw others from the obedience of the Acts of the Assembly.* By the Act at Dundee, all persons whatsoever who shall so do, are made liable to excommunication. That the sin and snares of these three Acts may be the better understood, I desire a short view to be taken. 1. Of the thing that is thereby made censurable. 2. Of the censures themselves. 3. Of the persons who fall under that censure. The thing that is made censurable is, the not acknowledging of that Assembly, or not acquiescing to the Acts and Constitutions thereof, or refusing to pass from the Protestations against the two late Assemblies, &c. things that are in themselves not censurable, but commendable, not sins but duties, as is sufficiently demonstrated in other Papers and Treatises which are already published, because that Assembly at Dundee was no free nor lawful Assembly.

The censures contained in these Acts are either in reference to places and trust in the Church, or in reference to Church-fellowship and communion as Church-members. The censures of the first kind are either for keeping from places and trust, or for removing from the same. The first are relative. 1 to Expectants, students of Divinitie, attenders upon Families, who by the second Act at Dundee, and by their extending the Act of the Assembly 1640. Sess. 10. are declared incapable of a Pedagogie, teaching of a School, catechizing of a family, preaching or catechizing in a Congregation, or of a Bursary, or of liberty to reside within a Burgh, University or Colledge

Colledge, or of any other priviledge and liberty allowed to Expectants And by the Act at *Edinburgh* it is provided, that if any of them be called to a particular charge of the Ministerie, that the Presbyterie shall not admit him to his trials, unless he do under his hand passe from the Protestations against these two Assemblies at *Dundee* and at *Edinburgh*, and promise and give assurance never any more to open his mouth, nor put pen to paper against the Publick Resolutions, and the things that have followed thereupon, which they expresse by abstaining from holding up Debates and Controversies about matters of Differences in this Kirk, since the Assembly 1650. which if he do refuse, that there shall be no proceeding in his tryals till the next Generall Assembly, and that in the mean while liberty be left to the Presbyterie and Congregation to plant the place otherwise. 2. To Ruling Elders coming to sit and act in Presbyteries, who by the Act at *Edinburgh* in case of their refusall to perform the things formerly mentioned, the Presbyteries are ordained not to admit them to act as Elders in the Presbyterie. These censures that concern removing from places and trust, are determined in regard of Elders in Presbyteries, and Expectants to preach or catechize in Families or Congregations, or have Bursaries, for both these (if they do not condescend to the former conditions) must unjustly be removed and discharged, the Elder from sitting in the Presbyterie, the Expectant from his preaching or catechizing, or bursarie. Concerning Ministers they are not so expresse, but leave it to Presbyteries, to proceed according to the degree of the offence; yet so, as there be clear ground laid for their suspension or deposition; yea far more, because they not onely appoint censures equivalent to the suspension or deposition of Ministers upon Expectants and Elders, and have gone before by their own example, suspending some Ministers, and deposing others: but do ordain Presbyteries and Provinciaall Assemblies, to call before them all persons that do not acknowledge that Assembly at *Dundee*, and to censure them; and do also in the beginning of the first Act declare, That all persons who protest against, and decline the authority of the Generall Assembly, are censurable by the Acts and Constitutions of this Kirk, with the highest censures of this Kirk; and in the body thereof do declare, That the two Acts of the Assembly at *Glasgow* 1638. (The first whereof ordains Presbyteries

to proceed with the censures of the Kirk to excommunication) are not onely to be extended against Ministers censured at *Dundee*, but also against all those that oppose the Publick Resolutions thereof.

The censures that relate to Church-fellowship and communion, are designed in the first Act, which strikes equally against all persons whatsoever, who are Church-members, Ministers, Elders, Expectants and Professors, who if they do not acknowledge that Assembly at *Dundee*, are appointed to be cited and censured according to the degree of their contempt and obstinacy against the Acts of this Kirk, and if they oppose the Resolutions, or do not acquiesce to the Acts and Constitutions of that Assembly, then to be proceeded against and censured according to these Acts at *Glasgow* which are extended unto them; now the not acknowledging or declining the authority of the Assembly is in their construction in the beginning of this Act, censurable with the highest censures of the Kirk, according to the Acts and Constitutions of this Kirk, and the opposing of the Publick Resolutions, or the not acquiescing to the Acts and Constitutions of the Assembly at *Dundee*, is to be censured with the censures contained in the Act at *Glasgow*, Dec. 18. Sess 28. 1638. Thus all the Ministers, Elders and Expectants in the Church of *Scotland*, who do not acknowledge that Assembly, or oppose the Resolutions thereof, or do not acquiesce to the Acts and Constitutions thereof, are to be laid aside, discharged, silenced, suspended or deposed; yea all the Ministers, Elders, Expectants and Professors in the Church of *Scotland*, who do not acknowledge that Assembly, or who do oppose the Resolutions thereof, or who do not acquiesce to the Acts and Constitutions thereof, are made liable to excommunication, if after conference they do not receive satisfaction.

From what is already said it doth appear who are the persons (as to the matter of their supposed offence) are to be censured, I shall onely adde, that as to their reall qualification and carriage, that they are not such who have been enemies, or disaffected to the Work of Reformation, or scandalous or loose in their conversation, but such as have been zealous thereof, and faithfull therein from the beginning, and blamelesse in their conversation, and cannot acknowledge that Assembly, nor acquiesce to the Acts and Constitutions

tutions thereof for conscience sake, having a well-warranted persuasion in themselves, that they do herein walk according to former sound principles, to depart from which were but to involve themselves in the common defection with others. And as these persons are so qualified in their carriage to the Publick Work, and in their conversation, so for their number they make up a very great part of the godly in the Land, whether Ministers Elders, Expectants or Professors.

*An Act and Overture of the Generall Assembly, for the Peace and Union of the Kirk.*

*Edinburgh 2. August, 1652. Postmeridiem. Sess. 18.*

“**T**He Generall Assembly being deeply affected with sense of  
 “the many and sad evils & calamities that have already arisen  
 “both to Kirk and State within this Land, by the lamentable divisions  
 “and distractions amongst Ministers and others of the People  
 “of God in this Kirk, and apprehensive of greater evils which may  
 “yet follow, to the overthrowing of the blessed Work of Reformation,  
 “(which the Lord, in his great and speciall mercy, was pleased to set up  
 “amongst us, having carryed it through many difficulties and oppositions )  
 “and to the laying of the Kirk of God waste and desolat, if these divisions  
 “and distractions shal continue;  
 “And being most desirous, as the Servants of Jesus Christ, who is  
 “the Prince of Peace, to use all necessary and lawfull means (so far  
 “as their knowledge and power can reach) for preventing the encrease  
 “of these divisions, and making up of the breaches. And being  
 “firmly resolved, for obtaining of this desirable end, in all meekness,  
 “gentleness and moderation, to condescend so far as they can, without  
 “violation of Truth, and of the just authority of the Government  
 “and Courts of Jesus Christ in his Kirk ) unto their Brethren of the  
 “Ministry and others of the People of God, who have been this late time  
 “by-past, and are at difference with the Judicatories of the Kirk,  
 “for bringing them to an happy conjunction

“junction with their Brethren in unity of the Spirit in the bond of  
 “Peace.

“ Therefore, for giving an evidence and demonstration of their  
 “real intentions & sincere purpose about the premisses, as they have  
 “already, by some of their number commissioned for that effect,  
 “Declared and made offer to some of these their Dissenting Bre-  
 “thren, who were here in the time of the Assembly, so now again do  
 “Declare and make offer by this present Act, That the four Bre-  
 “thren, who, by the preceding General Assembly at *S. Andrews* and  
 “*Dundee*, were upon speciall consideration justly censured, for pro-  
 “testing against and declining the Authority thereof, shal have the  
 “censures inflicted on them by that Assembly for the cause foresaid,  
 “taken off them; And further, that no censure shall be inflicted on  
 “them for not submitting to the foresaid censures; yea, and that no  
 “censure shal be inflicted for their Protesting against, and declining  
 “of this present Gen. Ass. Providing 1. that they do passe from the  
 “said two Protestations against, and declinators of the two foresaid  
 “Assemblies, judicially under their hand, between and the second  
 “Wednesday of *November* next ensuing, in their severall Presbyte-  
 “ries or Synods *respectivè*. 2. That they also give assurance in  
 “manner foresaid, that they shall forbear holding up divisions by  
 “debates about matters of our late differences since the Assembly  
 “1650. in preaching, writing, or any otherwise. Likeas the As-  
 “sembly doth Declare and make offer, that all such as did concur in,  
 “or have been accessory unto the Protestation and Declinatour a-  
 “gainst the Assembly at *S. Andrews* and *Dundee*, and were not  
 “censured, shall be free from whatsoever censure might have been  
 “inflicted by any Act of the said Assembly, and that no such Act  
 “shall have any force against them hereafter in any Judicatory of  
 “this Kirk, and that no censure shall be inflicted on them for their  
 “accession unto the late Protestation and Declinatour against the  
 “present Assembly, Providing they shall perform the foresaid pro-  
 “visions within the time, and after the manner therein specified.  
 “ And for prosecution of this purpose, the Generall Assembly  
 “ordains the severall Presbyteries or Synods of this Kirk to present  
 “this offer, with the Provisions therein contained, unto all such per-  
 “sons as are before-mentioned within their bounds *respectivè*: And

"in case the plurality of Presbyteries or Synods shall refuse to pro-  
 "pound the same, the Assembly doth warrand such Brethren as ac-  
 "knowledge the Authority of these Assemblies, to propound them:  
 "and, having made report of their diligence and successe therein to  
 "the next ensuing Quarterly Meeting of the Commission of the  
 "Kirk, if they be then sitting, thereafter to do as they finde  
 "by the Rule of the Word of GOD, and the Acts and  
 "Constitutions of Generall Assemblies of this Kirk, to be most ne-  
 "cessary and conducible for preservation of truth, for procuring  
 "the Peace and welfare of the Kirk, and maintenance of the Au-  
 "thority of the Assemblies thereof, as they will be answerable to  
 "the next Generall Assembly; And recommends unto them to  
 "take a dvice of the Commission of the Kirk for their proceeding  
 "in any matter of importance of this kinde.

" And now the Generall Assembly having out of tender affe-  
 "ction toward their Brethren, and sincere desire of unity and con-  
 "cord with them in the Lord, and for the Lord, condescended unto  
 "this moderation and meeknesse, do obtest all and every one of  
 "them in the Name of Jesus Christ, and expect, as they tender the  
 "preservation of the Government of this Kirk (which adversaries  
 "without and within, taking advantage of our divisions and di-  
 "stractions are labouring to subvert) and as they love the esta-  
 "blishing and promoting of the Kingdom of Christ in this Land,  
 "and will be answerable to him in the great Day, that they would,  
 "accepting of this offer of love, return unto unity with their Bre-  
 "thren in their severall respective places and Judicatories, and con-  
 "cur in an unanimous way, for preserving and promoting the  
 "Work of Reformation in all the parts thereof, and for electing of  
 "Commissioners to the next ensuing Generall Assembly. And if  
 "they shall (refusing to accept this offer) continue to hold up the  
 "divisions, the Assembly leaveth it to the judgement of all the  
 "Kirks of Christ abroad, to bear witnesse if we have not faithfully  
 "endeavoured for our part, to heal our present breaches; and if we  
 "shall not be free of the guilt of the sad consequences that may  
 "come to the Work and people of God in this Land, by continued  
 "distractions.

J. Makghie.

**T**His Overture, for the substance of it (as is hinted in the Paper it self ) was in the time of the sitting of that Assembly communicated in a Conference by some of the Members thereof in the name of the rest, unto some who were sent from the Meeting of these who differ from the Publick Resolutions, and being reported by these Brethren unto the rest of their number , was taken in consideration, and reasons then given (which are herewith printed) shewing the unsatisfactorinesse thereof, and why it could not be embraced; which reasons are still in force. I shall therefore now only desire these two things to be taken notice of in this Overture. 1. That notwithstanding of all the Solemne professions of reall intentions and sincere purposes. of peace and of meekness, gentleness, moderation and condescendence, which are contained in this and others of their Papers , yet they not onely justify and hold fast all their former grounds and proceedings in reference to themselves and their own judgments , but impose them also upon their Brethren ( who differ from them , and have been so much stumbled therewith ) as the onely mean of healing and of Peace. And therefore in reference to what is past, whosoever have concurred in, or been accessory to the Protestation against these two Assemblies, must passe from the same judicially under their hands, between and the second Wednesday of *November* next ensuing in their severall Presbyteries or Synods *respective*, and in order to the Publick Resolutions , must give assurance in manner foresaid, that they shall forbear to speak or to testify any more against the sin of these which they expresse, by forbearing to hold up divisions by debates, about matters of our late differences since the Assembly 1650. in preaching, writing, or any otherwise, and in reference to what is to come, the Acts of the Assembly at *Dundee*, for censuring of all these who do not acknowledge the Constitution of that Assembly, or who do oppose the Resolutions, or who do not acknowledge the Acts and Constitutions thereof , stand unrepealed ; to which, a new one in this Assembly at *Edinburgh* is added, excluding all Expectants and Ruling Elders , who refuse the conditions contained in this Overture. When I think upon these things, I can not but call to minde and lay before others to whom Union and Peace ( which is so much pleaded and pretended ) may and ought

to be sweet and dear. 1. That which was spoken publickly in that Assembly at *Edinburgh* by one of their own Members, whilst they were upon the debate of their Acts and Overtures about these differences; to wit, *All the Reverend Brethren speak for moderation, but I think We are very like those in Micah, Who cry peace peace and bite with their teeth*, Micah. 3. v. 5.

Secondly, The practice of our Prelates in *Scotland*, who after they had usurped upon the Church, and brought in many of their corruptions did aggravate & cry out of all the evils of divisions, and schisme, and much plead for, and make great professions of a desire of union and peace, that the Church might be strengthened against the common enemy, by whom it was threatned with great danger, and against whom they did profess much zeal, but so as they did alway hold fast their corruptions, and go on therein from year to year, and would not yeeld to any other grounds of union and peace, but such as did include the approbation of, and subjection to their authority and proceedings, and yet did alwayes charge their Brethren who did bear testimony against their defection, and could not be consenting to their courses, as men of unpeaceable dispositions, and turbulent spirits, who would rather rend the Church of GOD, and fill all with confusion and division, before they did not satisfie their own proud and contentious humours, in striving ( as they alledged ) about things ( of no great consequence ) relating to Church Policy, when there was no difference in matters of Doctrine; who so pleases to look upon the records of that corrupt Assembly at *Lithgow* 1608. will find that the Prelates and their party who prevailed in that Assembly, make a great deal of noise concerning the distractions of affections, and diversity of judgments that was arisen amongst the Ministry, and upon the first of these they do insist at length, holding it forth to be carnall, and therefore say they, the more dangerous, because it suffers not the Brethren whose affections were separated to unite themselves with effault and unforme counsels and advice to resist the subtil practices of the common enemy, and so gave him place with his subtil crafts and shifts to enter into the Kirk of GOD, and thereby to supplant and undermine the same: Therefore their advise is, that as the danger increases by the nourishing of the distracted affections of the Brethren, even so the cure was the more necessary, and hastily

sily to be applied, to wit, that the whole Brethren of the Ministry should presently in the fear of God lay down all rancour and distraction of hearts and affections which either of them hath born against others in any times, and be reconciled with hearty affection in CHRIST, as becomes them who are Ministers of the Word of GOD, and Preachers of peace and Christian life and charity to his people, to the effect that by this hearty reconciliation, hearts and advice may be communicate for disappointing of the crafty devise of this common Enemy. But as to that which was the reall and first fountain of this distraction and difference of judgment, to wit, Ministers voting in Parliament, their taking of Prelacies, and setting constant Moderators; no acknowledging of these things as a sin, or passing from them as corruptions, but holding them fast, and building a further superstructure of declining upon them, whilst in the mean time by their professed forwardnesse against Papists, who was then the enemy with whom the Church had to do, and the arguments taken from the benefite of union and peace, and the sad consequences, and bitter fruits of distraction and division, and the small importance of the things which were then in question amongst Brethren did prevail with many of the Ministry, not only to engage themselves in a solemn way in the Assembly, and in their Presbyteries, with holding up of their hands to lay down, and cast away all grudge and rancour that any of them did bear at another, and to maintain union of hearts and affections, and to continue in mutuall friendship and holy amity in GOD, as becomes the Pastors of the Kirk of Christ, (which was a thing in it self very good and commendable) but also to be silent in all matters of difference about the Government and Discipline of the Kirk, by which it came to passe, lest they should thereby hinder union and peace, and weaken joynt endeavours against the common enemy, that whilst the Shepherds were sung asleep, the foxes came in and destroyed the vines, which may give warning to all the Ministers, Elders and Members of this Church who desire to have the work of Reformation preserved in purity, and promoted in power, that they be not as their fathers and Predecessors not long ago, charmed into silence by the sweet songs of union and peace, untill they be cheated out of the precious Truth, and pure Ordinances of GOD, but that they take notice of, and resist the beginnings of evill, by refusing to

be consenting thereto, and concurring therein, though haply they should because of this, be cryed out on, as the troublers of *Israel*, and as these who weaken the hands of the Church against the common enemy, by contending about things of no great importance.

The other thing which I take notice of in this Overture is, that notwithstanding the authors and approvers thereof charge the Protesters with laying of the grounds of separation, and for making good their charge, do amongst other grounds alledge, that though they be but the smaller and the fewer number, they take upon them to judge and act in the things of the Church, and to exercise jurisdiction and authority over their Brethren: Yet in this Overture this power seems to be given by the Assembly to the smaller part, or fewer number in Presbyteries or Synods who acknowledge the authority of these two Assemblies at *Dundee* and *Edinburgh*, because both in the matter of propounding the Overture, and in the matter of reporting of diligence, and in after doings, the same things are committed and intrusted to the fewer or smaller number which are committed & intrusted to the whole, or greater part of the Presbytery or Synod. It is true that they ordain them to do as they find by the rule of the Word, and the Acts and Constitutions of the Gen. Assemblies of this Kirk to be most necessary and conduceable for preservation of Truth, for promoting the peace and welfare of the Kirk, and maintaining of the authority of the Assemblies thereof, but yet puts a restriction upon the smaller part to proceed even to censures against the greater part, but onely layes down the rule according to which they ought to proceed, and the ends which they ought to have before them in their procedures when they do proceed unto, or abstain from censures, as seems to be clear by their way of Expression; and to confirm that this is the meaning, I desire it to be considered: First, that if they had an other meaning it had been easie for them to expresse it in such words as would have holden forth their sense clearly and unquestionably. Secondly, these limitations which they use as to the matter of procedure, are equally holden forth both to the greater and smaller part of Presbyteries and Synods. Thidly, They did take notice of the smaller parts of Presbyteries in severall places of the Country who had withdrawn and separated from the greater part, and acted Presbyterially, and apart by themselves, not onely without the

concurrence and consent, but against the Authority and declaration of the greater part, yea they did receive Commissioners from some of them, and admitted them to sit as Members of their Assembly. Fourthly, they gave Commissions for over-powering the greater part in some Presbyteries, that Churches might be planted, and things done contrary to the minde of the greater part. If notwithstanding of these things, or any thing that is intended in the Overture it self, they will vindicate it from such a meaning; I believe it shall be acceptably taken off their hands, but untill it be done, I wish none of them may charge the Protesters with separation upon that ground for which they themselves, to the apprehension of the Protesters, have both in their acts and practice clearly paved the way.

*Edinb. 5. Aug. 1 52. Antemer. Sess. 23.*

*a Right Honourable, right Worshipfull, and Worthily respected;*

“VV<sup>E</sup>, being met in *Edinburgh* at the time appointed by  
 “the former Assembly at *Dundee*,<sup>b</sup> of purpose to study  
 “the healing of begun breaches in this Kirk, were interrupted at  
 “our first down-sitting, and hindered from constitution of the As-  
 “sembly by our Dissenting Brethren their offer of Propositions and  
 “desires to be granted by us, which could not to any good purpose,  
 “either be debated or effectually granted, as was required, before  
 “the Assembly was constitute, and the Judicatory fixed. Which  
 “short delay of our answer, till we were in capacity to answer,<sup>d</sup> was  
 “met with a Protestation, prepared before hand, for a declinatour  
 “of the Judicatory, and all the Commissioners of Presbyteries,<sup>e</sup> as  
 “freely chosen as any were, and sent forth from all parts of the King-  
 “dom. In which Protestation were contained<sup>f</sup> many grievous and  
 “unjust aspersions upon us and others ( who dare not pass from  
 “the possession of<sup>g</sup> yearly Generall Assemblies; which, being in  
 “former times interrupted; was purchased at a dear rate, before it  
 “was recovered)<sup>h</sup> and all this was presently put in Print, to the  
 “great disadvantage of us, and mis-information of all the King-  
 dom.

dom. After the Assembly was constitute, a conference was offered by us, wherein some from us desired, That to the intent we might joyn the better for promoting the Work of Reformation, legall bars hindering us from peace, to wit, Protestations on the one hand, and Censures inflicted, or which might be inflicted, on the other hand, being removed. They should give assurance to forbear to trouble the Kirk, by holding up debates on the matter of our late Differences, about the managing of Publick Affairs. \* But after conference, finding no ground of hope for present agreement, we have made the same offer to all them who adhered to the Protestation, whether in the Town for the time, or not, as our Act ( the Copy whereof is with these come to your hands ) at more length doth declare, and granted unto all, time to advise till the second Wednesday of *November* next to come. And now because our Dissenting Brethren have the advantage of the Prefs for the present, and are too too diligent and painfull in gathering of hands and subscriptions to their Protestation, of young men or elder, masters or servants, without any tryall of their qualification, to make the world think, that the generality of the godly ( as they in their Papers presume to call themselves ) and that in great number do stand for their divisive way, ° Therefore we thought it our duty to write unto you all, who love the Union and Peace of this afflicted Kirk, that by your counsell, conference, and all other godly means, so many as in your bounds, Ministers, or others, are upon this divisive way, which tendeth so much to the hinderance of the Work of Reformation, and peace of the LORDS distressed people may be timously reclaimed, and moved to accept the peaceable offer made to them by the Generall Assembly, and the rest within your bounds may be kepted free from this uncouth separation, that it grow not greater, ° and that difference of judgment about the managing of publick affairs in our late troubles, which occasioned this unhappy rupture, may be no prejudice to our joynt acting in Ecclesiastick Judicatories, for keeping the Liberties thereof, and the peace of this Kirk, which at this time doth so much call for communion of counsels and writings: Wherein as you shall prove instrumental, you shall be found to do a work of service unto

GOD,

“GOD, of love to your Mother-Kirk, now distressed on all hands,  
 “most sureable to your Covenant and Profession, and contributive  
 “as to your peace, comfort and credit in this life, so to the fur-  
 “therance of your reckoning in the day of the LORD.

*Subscribed in name and at command  
 of the General Assembly, by*

### OBSERVATIONS.

A. It sufficeth not the authors and abettors of the Publick Resolutions who were Members of that Assembly to have stirred up the Civil Magistrate against their Brethren, and to have made acts in the Commission where these Resolutions were first taken, first requiring Presbyteries to censure the opposers thereof, then to cite them to the Assembly, and in these two Assemblies for excluding and removing them from all Ecclesiastick employments, from Church communion and fellowship; but they must now for ensnaring of them or rendering them contemptible and hateful throughout the land, write this Letter to Noblemen, Barrons, &c. in all the parts of the Country.

The direction or inscription is comprehensive (which is also proven by the deliverance of these Letters to sundry such in severall parts of the Country, and by their sticking upon the receipt thereof) even of many of these whose admittance to Church-fellowship, and to power and trust, is the great ground of the Protesters stumbling and grievance; I mean many malignant and disaffected persons, who being formerly excluded were received by the Commission 1650. without sufficient evidences of their Repentance, and are cleaving unto their former bad Principles, and continuing in their former evill courses, must these be first admitted without repentance, and then whilst they are proclaiming their impenitency to the whole Land by their evil fruits, be sent to reclaim such who did bear testimony against receiving of them; surely this is a strange method, and if there had not been a turning of things up-side down it would not have been thus.

B. That some of them had such a purpose I do not question, but that the greater part had it, is not like. 1. Because at their former Meeting at *Edinburgh* the twelfth of *May*, they did refuse to delay the indicting the Diet of their Assembly for a few dayes, until

some considerable number of those who did differ from them might be advertised to meet : Notwithstanding that, it was earnestly desired, to the effect that by mutual previous conference some right understanding might have been begotten, and way made for the chusing of Commissioners and sitting of an Assembly, with the mutual consent and satisfaction of both. 2. Because it being most earnestly desired, and the Reasons thereof at large remonstrated unto them the first day of their Meeting, that they would forbear to constitute themselves in an Assembly, until first there might be a Conference upon these Propositions. ( which desire and Remonstrance they do here suppress, putting another face upon the business ) yet did they refuse the same, notwithstanding that the present constituting of the Assembly was to make the matter hopeless, and to put us upon the necessity of a Protestation, unless by our silence being present, we would have involved our selves in the acknowledgment of an unlawful Authority : and notwithstanding that the delay was pressed by some of their own number, and that it might have been condescended unto, without any detriment to themselves, or their cause, ( unless it had been two or three dayes longer stay in town ) seeing they could conveniently according to the sundry former instances of that kind, which were then given, have kept their Assembly under adjournment, though not constituted.

C. They might have been debated and granted to very good purpose before the Assembly was constituted, and the Judicatorie fixed ; because the debating and granting of them in an amicable way, and in a mutual free Meeting of both, was the most effectual means of removing differences and begetting a right understanding, and so of having a free and lawful General Assembly, which would have produced an unanimous and effectual Conclusion upon these Propositions, whereas to refuse to Debate, or grant any thing by way of friendly conference, or constituting of the Assembly, and fixing of the Judicatories, was in effect to deny these Propositions and make them ineffectual, because a main intent of these Propositions was, to find a remedy for the wrong constitution of the former Assembly at *Dundee*, and for preventing of the like now at *Edinburgh*, which was altogether disappointed by their proceeding to constitute the Assembly.

D. There

D. There was a necessity of a Protestation, because the desire of delaying the constitution of the Assembly, until there might be a previous conference, was so peremptorily and needlessly rejected.

E. The choice was not free, because the Letter of their Commission from their Meeting at *Edinburgh* in *May*, did contain a pre-limitation, appointing the election to be made according to a rule, which did include the Acts and Constitutions of the Assembly at *Dundee*, which do exclude all that are opposit to the Publick Resolutions; and because there were dissents and protestations against the election in several places, neither were they sent forth from all parts of the Kingdom, because there were many Presbyteries who did send forth no Commissioners at all.

F. Whether there were any grievous aspersions, and unjust imputations contained in that Protestation, doth appear from the Reply that is given to the Paper, wherein those pretended aspersions and imputations are holden forth.

G. Yearly General Assemblies, rightly constituted, and proceeding rightly, are as much and as earnestly desired by the Protesters as by any others; and from the desire which they have to preserve the liberty and freedom of these, they do bear testimony against the pre-limiting and corrupting thereof.

H. Nothing was put in print by order of the Meeting, nor was it at all done, until there was no hopes to obtain what was desired: And what was printed, though it might be to their disadvantage, yet was it not the disadvantage of the Truth, or mis-informing of the Kingdom; but for giving them a true accompt of matters as they then were, and though by the order of narration which they do here make, they insinuate that things came out in print before the Conference ended, which they afterwards mention, yet was nothing published in print, until that Conference was given up and made hopeless.

I. They alleage, That a Conference was offered by them; but they neither tell when, nor how, nor to whom it was offered; and I beleeve it would trouble them so to do, for they did keep such a distance that they would neither send nor allow any of their number to motion a Conference to their Brethren who were met together, but desired some of their number to tell such of them as they met with upon the streets, that they were willing to confer; and

when at length there was some meeting of some few of both sides, those of that Assembly, who were upon the Conference, could by no perswasion nor reason be induced to give any note of their Overtures in writing, though it was often and earnestly desired, that being clearly communicated to the whole Meeting of Protesters, they might return a clear Answer thereunto.

K. Why this desire was not hearkened unto, good and relevant reason, is given in another Paper long since printed and published.

L. That advantage at that time, for any thing their Brethren know, was open to both alike, and did appear immediately thereafter to be so by their Papers against the Remonstrance and Protestation which came abroad in print.

M. There was no diligence nor pains used to gather any Hands to their Protestation, only those who were come together from several parts of the Country from their respect and affection to the Cause (many of which came commissioned from others) did put to their Hands; and for that which they say of yong-men, or elder, masters or servants, without any tryal or qualification, it is a little disdainfully and too liberally spoken; there were many honourable and grave persons there, and though some were young-men or servants, yet is that no imputation either to themselves, or to the cause which they maintain: for it's neither mens age nor condition that doth difference them in the matters of God, but their qualification and carriage which is known to be blameless and christian, as to those who subscribed the Protestation; and if they can give any instance to the contrary, I beleve the Protesters will take it for a favour to have any inordinate walker of their number discovered unto them, & shall accompt it not the weakening, but the strengthening of their Cause to be rid of such; yea, at that Meeting where the Protestation was subscribed, it was their care to admit none to joyn with them, but such as were of a known integrity, or if not so well known to all, yet such as had the testimonie of others who were known to all; and being such, how mean soever their condition was, that could not be a reason or ground to refuse their testimony, when it was willingly offered.

N. Albeit a great deal adoe is made upon that expression, yet there is truth in the bottom of it, most of these in the Land, who have a testimony in the consciences of truly godly Ministers or

Professors either upon the one side or the other, for acquaintance with God and the power of godlinesse, being of that mind; and if this expresseion satisfie not, that the generality of the godly stand for that divisive way, I shall give them one that they can lesse contradict, that is, that the generality of the wicked are against that divisive way, and for their uniting way; yea, I trow that sober men among themselves will not refuse it, that the wicked, Malignant, loose, prophane persons in the Land, almost to a man, and as one man, do zealously, and to their pith, oppose, and contradict and reproach that divisive way, and cordially promote and commend their uniting way, or the way of these two Assemblies at *Dundee* and *Edinburgh*; and though this argument be now undervalued, yet was it wont to bear weight in the 48 year of God against the unlawfull engagement. And, I confesse, with me is of a very great weight. That which relisnerh so well to the palate of prophane loose men, and of such as have zealously opposed the Work of God, and the power of godlinesse these years past, and wherein their hearts doth so much rejoyce, I fear, hath too much of the spirit of the world, & too little of the spirit of God in it.

O. This way doth not divide from any point of the truth of God, but leads in the good old path of former sound principles, and cannot be justly charged as divisive, because it will not unite with a course of defection, and therefore there can be no just reason to say, that it tends to the hindering of Reformation and Peace. The true fountain of our divisions doth spring from the Publick Resolutions, which divided many from received truths and former principles, and did necessitate others to evidence their cleaving thereto, by testifying against such back-sliding; neither know I any thing that hath so directly tended to the hinderance of the Work of Reformation as their Publick Resolutions did. The Work of Reformation, as to the outwards of it in Church and State, did much stand in purging the Ministerie and Elderships, and the Judicatories and the Army, and have not all these been obstructed by the Publick Resolutions, which laid a foundation for bringing into the Army and the Judicatories, men of questionable integrity, disaffected to Reformation, and of scandalous conversation, and hath not onely blunted, but turned the edge of any zeal that was formerly bent against ignorant, disaffected and scandalous Ministers and

and Elders, and Professours, against these who cannot be consenting to the late courses.

P. Separation and Schisme hath been the ordinary charge of back-sliders, against such as would not concur with them in every age of the Church, and some of the most eminent of these who are now for the Publick Resolutions, may remember, that they were not only loaden herewith by the Prelats, when they did oppose the course of conformity, but also by all the Malignant and disaffected persons in the Land, when they did oppose the course of malignancie; but to say nothing, that this Assembly at *Edinburgh* have taught the Protesters a way of separation, which they cannot well condemne, unlesse they condemne their own judgment and practice, I mean, the allowing of the smaller part, not only to divide from the greater, but also to act without them, and exercise authority over them. I desire 1. that they will be pleased to let the world know what truth that hath been taught in the Church of *Scotland*, either concerning Faith, or good Works, or Worship, or Discipline, or Government, they have departed or separated from. Is it a separation, because they will not approve of, nor submit unto the authority of two corrupt and unfree Assemblies. 2. I desire it to be considered, that whatsoever be in the matter of separation, the Protesters are not *separantes* but *separati*, not *fugientes* but *fugati*, they are driven violently by unjust censures and persecuti-on, as I have already shewen from the Publick Acts.

Q. If they be indeed of the opinion, that difference of judgment in these things should be no prejudice to joynt acting in Publick Judicatories, then it concernes them for their own vindication, and for reconciling their practice with their opinion, to tell us why their Assembly at *S. Andrews* did not onely approve of the Act of Commission, appointing those who oppose the Publick Resolutions to be censured, but also made Acts of their own for censuring of such; and why the Assembly at *Edinburgh* did ordain, That Elders and Expectants, who will not engage themselves under their hands, to abstain from holding up this difference, are to be excluded from sitting in Presbyteries, and being received as Ministers; sure if this difference need be no prejudice to joynt acting in Publick Judicatories, the maintaining thereof is without ground made a cause of censure, which must incapacitat men to act, or of exclusion, which

which must bar them from joynt acting in Judicatories, what shall be said to this, I do not know, unlesse it be alleaged, that it is not simply difference of judgment, that is made a ground of censure or exclusion, but difference of judgment kythed in opposing the Publick Resolutions, or holding up debates and controversies in preaching or writing about these things; but first, if it be meant of that difference of judgment that is inward onely, it is to small purpose, because that being latent and not known to me, cannot be made a ground for my with-drawing from joynt acting with these who thus differ from me: and if it be known and professed, how shall there be any known difference of judgment, without some opposition to the adverse judgment, especially if it be established in a Law, he who professes and declares the difference of his judgement from the Law, and dis-satisfaction therewith, is he not in so far, a weakner, gainsayer, and opposer thereof. 2. If they mean it thus, they have not measured the same measure unto themselves and to others; they will have others to passe from their Protestations under their hands, and to engage themselves not to hold up debates, otherwise they will not act joyntly with them in the Judicatories, nor allow them the legall capacity to act at all, and yet while they will do no such things themselves in reference to their Assemblies and the Acts thereof, yea, will have these Assemblies to stand as free and lawfull, and all the Acts thereof, wherein their judgment is involved, as binding and obligatory, they desire that their Brethren may be dealt with, not to let this hinder them from a joynt acting in the Publick Judicatories. 3. If it be onely the opposing of Publick Resolutions, and the holding up of debates that they quarrell with, how is it that in Presbyteries they will have young men who have hitherto been silent, publicly to declare themselves anent these things, or else refuse to admit them to their tryals, or to stop them being admitted, or to refuse them Testimonials being approven.

Act

*Act for putting in execution former Acts and Constitutions of Generall Assemblies, anent trying, admitting, removing, and deposing of Church Officers, censuring of scandalous persons, receiving of penitents, and debarring of persons from the LORDS Table.*

*Edinburgh 3. August. 1652. Postmeridiem. Sess. 20.*

“ **T**He Generall Assembly, considering the obligations that lyes  
“ upon all Ecclesiastick Judicatories and Ministers within this  
“ Land, by the commandment of **G O D**, and our Covenants and  
“ Engagements taken upon us, before **G O D** and the World,  
“ (whereunto they resolve, in the power of the **L O R D**’S might,  
“ constantly to adhere) and to shew themselves faithfull and zea-  
“ lous in all their administrations for the **L O R D**, and for advancing  
“ the Work of Reformation; and particularly, considering that the  
“ condition of this time doth require in speciall wayes, that in try-  
“ ing, admitting, removing, and deposing of Church-Officers, cen-  
“ suring of scandalous persons, dispensing of Ordinances, receiving of  
“ penitents, the Rules of the Word of **G O D**, and Constitutions of  
“ this Kirk be diligently put in execution, and accuratly observed.

“ Therefore,  
“ The Assembly Ordains, That Presbyteries and Synods, in ad-  
“ mitting of Persons to the Ministry, be accurate in their tryals, ac-  
“ cording to the Order prescribed in this Church, that none be ad-  
“ mitted to the holy and high function, but such as are qualified  
“ according as is required in the Word of **G O D**, and Constitutions  
“ of this Kirk, both for knowledge in the mystery of godlinesse, and  
“ abilities to teach and convince the gain-sayers, as also in conver-  
“ sation and godlinesse, that they lay hands suddenly on no man,  
“ nor be partaker of other mens sin; and for this end, that every  
“ Presbyterie be careful to have gathered together such Acts of As-  
“ semblies as concerneth the triall of Ministers, and have them be-  
“ fore them, whensoever any person is called to any place of the  
“ Ministry, and is upon his trials.

“ 2. Ordains that Presbyteries and Synods, in their respective  
 “ bounds, make conscience, that such Ministers as are found ei-  
 “ ther ignorant and not apt to feed the people of God with  
 “ knowledge and understanding, or erroneous in their judgment  
 “ in matters of Religion, or are scandalous in their life and con-  
 “ versation, and are not examples unto their flocks in godly and  
 “ holy walking, or disaffected to the work of Reformation, be  
 “ censured according to the degree of their offence, and Acts of  
 “ Assemblies. And for this end, that they be frequent and accurate  
 “ in visitation of Kirk, and therein make conscientious use of the  
 “ rules prescribed for visitations, and of such Acts of former As-  
 “ semblies, as holds forth the duties of Ministers, and the grounds  
 “ and causes of censure.

“ 3. Ordains that, where Ministers lawfully deposed; are  
 “ unlawfully admitted, and not according to the Order prescri-  
 “ bed in the Acts of Generall Assemblies, or intrudes themselves  
 “ into places, Presbyteries and Synods make use of that power  
 “ and Authority which Christ hath put in their hands, to remedy  
 “ the same, and to censure such disorders and enormities, as they  
 “ deserve, And that people be not accessory unto, or concurring  
 “ with any Ministers that are deposed, in intruding themselves  
 “ into places, nor give them any countenance that does so, as  
 “ they would not draw upon themselves the wrath of God, by  
 “ contemning and despising Christs Ordinance of Discipline, And  
 “ that no Presbyteries or Synods proceed to open the mouths of,  
 “ or re-admit unto the Ministry, any deposed Ministers, but ac-  
 “ cording to the Order prescribed in the Acts of Generall Assem-  
 “ blies, As they will be answerable unto the General Assembly.

4. Ordains that Sessions be carefull that none be admitted to  
 “ be Elders in Congregations, but such as are in some competent  
 “ measure able and qualified with knowledge of Religion, and  
 “ understanding of the duties of their Calling, for discharging the  
 “ duties of that Office, and of a blameless, Christian and godly  
 “ conversation; And that before any be admitted to be an Elder,  
 “ the Persons name that is designed, be publickly intimate to the  
 “ Congregation the Lords day before, that if any have any thing  
 “ to object against him, they may present the same to the Session  
 “ or to the Minister. And that if any Elder be found negligent

“ in the duties of his charge, and continue so after admonition,  
 “ or scandalous in his life and conversation, or to be a neglecter  
 “ of the worship of G O D in his Family, he be removed from,  
 “ and purged out of the Session.

“ 5. Ordains that Sessions and Presbyteries be carefull, and  
 “ make conscience by all means to censure impartially all per-  
 “ sons of whatsoever rank or condition, that are scandalous, ei-  
 “ ther in things of the first, or in things of the second Table, ac-  
 “ cording to the Rules and Order which Christ hath prescribed  
 “ in his Word, and to proceed to the highest censures, with  
 “ such as are grossely and obstinately scandalous, or are ignorant,  
 “ and contemn, and continuedly neglect the means of knowledge,  
 “ as publick and private catechizing, &c. after they are made in-  
 “ excusable by sufficient means used to reclaim and gain them.

“ 6. Ordains that Ministers and Sessions in Congregations be  
 “ carefull, as they will be answerable to Christ Jesus, to debar  
 “ from the Lords Table, all such persons as are found not to walk  
 “ suitably to the Gospel, and being convinced and admonished  
 “ thereof, do not reform; As also all such as have not knowledge  
 “ to examine themselves, and to discern the Lords Body. And  
 “ that for the more orderly performing of this, the Minister in  
 “ examination of the people, have some of the Elders always  
 “ with him, and represent unto the Session such as are found  
 “ grossely ignorant, that by order of the Session they may be de-  
 “ barred.

“ 7. That Presbyteries and Sessions make conscience, that such  
 “ persons as are found scandalous; and are under censure for that  
 “ cause, be not received nor absolved from their censure, unlesse  
 “ they give such satisfaction and evidences of their repentance, as  
 “ are expressed in the Acts of the Assemblies, concerning the re-  
 “ ceiving of penitents.

J. MARGHIE.

#### OBSERVATIONS.

This Act ( as is professed and given out by many ) was not  
 only intended, but if they may be trusted, doth indeed and upon  
 the matter give full and clear satisfaction to the Propositions  
 which were offered by the Protesters unto their Brethren of the  
 Assembly

Assembly at their first down-sitting, as the best means for satisfying of their consciences, securing of the Work of Reformation, purging the Church, promoting the power of godliness, removing of these sad differences, and for attaining and preserving a good understanding, and therefore these (as they alleadge being satisfied) the propounders of them not acquiescing therein, must have some other thing before them: Therefore for vindicating of these, I shal mark a few things for shewing how unsatisfactory all that is contained in this Act is, unto the desires contained in these Propositions, untill there may be opportunity to make a more full discovery thereof. 1. To passe the ambiguity of their Answer to the first part of the first Proposition, wherein it is desired that they give evidence, &c. They omit the whole second Proposition, to wit, That it be seriously laid to heart, &c. which in order to the ends that are propounded in the Preface to these Propositions, to wit, the satisfaction of our Consciences, is as to the present condition of affairs betwixt them and the Protesters, the most important of these Propositions, yea in their other Papers these things which the Protesters complain of as defectiō, they commend as duty, and profess their adherence thereunto, and appoint censures to be inflicted upon all the opposers thereof.

2. They also omit the whole third Proposition, to wit, That as we are ready in our station, &c. by which omission they give just ground to suspect, that there is in their apprehension no malignant party that needs to be discovered, or from whom the Work of God stands in danger; and though the Protesters do not in the first part of the Proposition take upon them to secure and guard the Cause and Work of God against error heresie and schisme, but onely by this Overture gave evidence of the sincerity of their intentions in order to that end, that so they may satisfie their Brethren in the matter of their Jealousies thereanent, yet as they do still apprehend a great danger to the Lords Work from a numerous party of malignants still in the Land, so are they much unsatisfied that the Assembly gave no expression of their sense of danger this way, nor evidence of their willingness to concur in securing against the same, nor hold forth any way for the discovering and knowing of these for the time to come.

3. Whereas they seem to grant much in order to the trying,

admitting, removing, and deposing of Church-Officers, censuring of scandalous persons, dispensing of Ordinances, and receiving of penitents, they do really and in effect grant little or nothing; yea they do expressly refuse the desire of the Propositions upon these things, and establish the very contrary: Because the desire of the Propositions is, that the late Meeting at *Dundee* and the Acts thereof being taken out of the way, and the Work and People of G O D secured from the harm and evil consequences which have already, and may further ensue from the same, as is expressed in the last Proposition ( which they wholly omit ) all these things may be done according to the Acts of former uncontroverted Assemblies of this Church, concerning the Work of Reformation in the literall and genuine sense and meaning thereof; but their grants and concessions do include for the rule, according to which they are to be regulated, *viz.* the Acts of General Assemblies, and Constitutions of this Church indefinitely, which in their sense doth clearly and undeniably include the Acts of the last Assembly at *Dundee* and *Edinburgh*, which instead of purging of the Church from ignorant and disaffected and scandalous Ministers and Professors purge it from a very great part of the able well affected & good Ministers, Elders, Expectants, and Professors of the Land, because of their not acknowledging the authority, and acquiescing to the Constitutions of these Assemblies.

4. Their actions ( which before the Lord, and also with intelligent and discerning men, are the most reall evidences of the reallity and sincerity of mens intentions ) since that time do demonstrate, whether they have granted the desire of these Propositions: Tell me how many ignorant, disaffected, scandalous Ministers or Elders; are censured by the Authors of the Publick Resolutions since the last Assembly, or how many lawfully deposed and unlawfully admitted are proceeded against, &c. They would fain find some shadow of an excuse for so gross an oversight, and cast the blame upon the Protesters, who say they have so weakened the authority of the Church, that her censures are rendered altogether ineffectuall. But 1. To say nothing that spirituall censures are not alwayes to be foreborn, because men refuse to obey; yea in many cases they are the more vigorously to be prosecuted. 2. With what colour of reason can it be alleadged that those

those who not onely acknowledge their authority, but very zealously pleading for it, as most of the scandalous and disaffected Ministers and Elders of the Land do, will not submit unto it. 3. It is time for them to plead, that excuse when they meet with that difficulty; tell me how many of that kind can be instanced whom they have not censured, who have not submitted to their censures. 4. The not submitting to their censures doth not hinder them to proceed very zealously against sundry Ministers, and many Elders who adhere unto the Protestation, and bear testimony against the Publick Resolutions? Let Consciences speak as before the Lord, whether they have faithfully and zealously improven the power and authority that remains with them in Synods, Presbyteries and Sessions for purging of the house of God, even according to these things which they seem to grant, or whether they have not been negligent exceedingly in this, to say no worle, and imployed most of their endeavours and zeal to bear down the Protesters.

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**R E A S O N S** why the *Ministers, Elders,*  
and *Professors,* who protested against the Pretended  
Assemblies at *St. Andrews, Dundee* and *Edinburgh,*  
cannot agree to the Overtures made unto them at the Confe-  
rence, upon the 28. and 29 of *July, 1652. &c.*

**A**lbeit the Essayes and Endeavors which were used by us, before our coming hither, for removing of Differences, and attaining of Union and Peace, upon such grounds as might (indeed) bring forth a discovery of our, and the Lands Sin, and contribute for removing the guilt thereof, and for securing and promoting the Work of Reformation amongst us, might in a great part have acquitted our consciences, and cleared us before the world; yet the deep sense that we had of the many and great prejudices which do ensue to the Work and People of God, by our continued Divisions, and our ardent desire of Peace and Union, upon the grounds foresaid, constrained us to lay hold upon the opportunity of your meeting together at this time, and to represent unto you, some necessary and just Pro-  
positions,

positions, as a fit subject of our conference; and that we were willing to hear what should be offered by you to us, in order to these ends; and, that therefore you would forbear to assume unto your selves the power of, or constitute your selves into a Gen. Assembly. And when we found this in-effectual, and our Union rendred more hopeless, by your denying a desire so just and reasonable, and so agreeable to the practice of former Assemblies, as was instanced before you by these who knew the Records: Nevertheless upon a surmise of a purpose in you to confer with us, we did for divers dayes wait upon you, being desirous to have seen upon your part, some serious applying of your selves to the real means of healing, and to have found solid satisfaction unto the things contained in the Propositions offered to you by us: But in place of this, the Brethren who were appointed by you to confer with some of our number, did intimate unto us, that all which they had in Commission to make offer of, was, That ye were willing to take-off the Censures inflicted by the former Assembly at *St. Andrews* and *Dundee*, and the Censurableness that persons, who have transgressed against the Acts thereof might be liable unto: Providing, that these Brethren censured, and deserving Censure, should pass from their Protestation against the former and present Assemblies, and judicially before their Presbyteries and Synods, engage themselves under their hands, not hereafter to deliver their Judgments in Preaching or Writing, or any way else to hold up the late differences. Which Overture when it was earnestly desired by these of our number to be given to them in writing according to their Instructions, not only because it was divers wayes represented by such of your number as did confer with them, but also that they might the more perfectly and better understand the same, and be able to make an exact report thereof to these who sent them, and mistakes thereupon might be Prevented: It was most peremptorily refused, albeit most earnestly urged and desired during the whole time of the Conference: Therefore having set down the same as truly and impartially as our judgments and memories could attain; We do for our own vindication, and satisfaction of others, give these Reasons following, why we cannot accept thereof.

“I. Because there is hereby no remedy at all offered for the  
 ,course

“course of defection involved in the Publick Resolutions, nor for  
 “preventing the like for time to come, which is the main ground  
 “of difference; but upon the contrary we are required upon the  
 “matter to retract our Testimonies thereanent, and judicially to  
 “give Bonds and Engagements hereafter to be silent concerning  
 “the sin and guilt thereof.

“II. Because our passing from our Protestation doth import a  
 “real acknowledgement of the lawfulness and freedom of the  
 “Assemblies in regard of their constitution, and of power in them  
 “to inflict and take-off Censures, and so by our own consent, doth  
 “not only retract and condemn the testimony which we former-  
 “ly gave against the same; But also obstructeth the remeading  
 “of what is past, and the attaining a lawful, free, General Assem-  
 “bly for the time to come, and so wreaths about our own neck,  
 “and the necks of the Lords People, the yoke of unfree, corrupt,  
 “and unlawful Assemblies.

“III. Because the offer which is made, though it contains Im-  
 “munity in regard of these who have not acquiesced unto, or op-  
 “sed these Acts for the time past, yet the Acts of themselves do  
 “notwithstanding thereof, still stand in force, as a ground of per-  
 “secution against all these Ministers and Professors, who shall not  
 “accept of the conditions contained in this offer, or thereafter fail  
 “in performance of the same.

“IV. Because this offer is so far from reaching satisfaction to  
 “all, or most part of the Propositions offered by us, that it doth  
 “not give satisfaction to any one of them, but pitcheth upon a  
 “particular, which ought to be of least consequence with us, (as  
 “importing but our personal suffering) without taking notice of  
 “the Lands defection, and of those things which do concern the  
 “Kingdom and Interest of JESUS CHRIST, and the purging  
 “of his House; and what a sin and provocation should it be a-  
 “gainst the Lord, and what a stumbling and grief of heart unto  
 “the godly who have concurred in these Propositions, and after  
 “such a defection, do expect repentance and reformation, and the  
 “purging of his House of corrupt Officers and Members, if we  
 “should make such a transaction, as seems to promise present se-  
 “curity to our selves, but doth not contribute for preserving of  
 “the Truth, and attaining a solid Peace and Union in the Lord.

“V. We

"V. We cannot see how the passing from these Propositions,  
 "and the taking upon us such Engagements for the time to come  
 "as are desired, should not involve us in the condemning of our  
 "own judgments, and in the acknowledgment of a sin and of-  
 "fence in making these Protestations, and bearing testimony a-  
 "gainst the Publick Resolutions, and import that what is done by  
 "you in taking off of Censures and censurableness ( as you term  
 "it ) is an Act of meer favour and grace upon your part, unto De-  
 "linquents, upon their repentance. And though we hope that we  
 "shall never be ashamed, but esteem it our mercy and glory to ac-  
 "knowledge any thing whereby we have provoked the Lord, or  
 "offended others, yet being more and more convinced in our con-  
 "sciences, that what we did in these things was a necessary duty,  
 "we dare not purchase immunity and exemption from Censures  
 "at so dear a rate, as to deny the same, we shall rather choole still  
 "to be sufferers, and to wait upon the issue that the Lord shall  
 "give, then to provoke the eyes of his Glory, grieve the spirits of  
 "his People, and wound our own Consciences, by so unsatisfying  
 "and so sinful a transact on.

And conceiving that, we shall not have the opportunity to  
 speak unto you hereafter, as being now about to dissolve our  
 Meeting; We do from the zeal that we owe to the honour of  
 God, and from the tender respect we owe to you as Brethren,  
 and for exonerating our own Consciences, most earnestly beseech  
 and obtest you, by your appearing before the Lord Jesus Christ,  
 to give your selves unto Prayer, and searching of your own hearts  
 and way, in Order to Publick Resolutions and Actings, untill each  
 of you finde out wherein ye have turned aside from the straight  
 way of the Lord, and imployed your gifts and power not for Edi-  
 fication; but for grieving the spirits of many of the Godly, and  
 strengthening of the hands of the wicked, and to Repent thereof,  
 and to do no more so, lest wrath be increased from the L O R D,  
 the Godly of the Land more offended, and our breach made wider,  
 and our wound more incurable. If both you and we might obtain  
 mercy of the Lord to know our trespass, and why he contends,  
 and to accept the punishment of our iniquity, and humble our  
 selves before him, who knoweth but that he might yet have com-  
 passion upon us, and pardon our sins, and heal our Land.

July the 28. Antemerid. 1652.

**M**r. Andrew Cant, Mr Samuel Rutherford, Mr James Guthry, My Lord Waristoun, Mr Robert Trail, Mr John Nevey, Mr James Nasmyth, being nominated to meet & confer with some Brethren, Members of the present pretended Assembly, the Instructions following were given them, and the Meeting doth require and expect, that they will walk according thereto.

I. *That they shall declare to the Brethren With whom they are to meet, That as they do adhere to the Protestations formerly and lately given in; so they do protest, that they do not meet nor confer with them, nor receive any Papers from them, as being in the capacity of Commissioners of a General Assembly, but onely as sent from a meeting of Ministers and Elders, Wanting any such Authority.*

II. *That whatever be offered by the Brethren with whom they do confer, they desire to get it in writing from them, as the mind of the Meeting Whereof they are Members; That it being communicated to us, Answer may be given thereunto by our Whole Meeting.*

III. *That they do not engage in Conference with them at first about the matter of Censures; It being neither the chief nor only ground of our grievance; and because with us things of that nature, and any thing of personal concernment, ought to be of the smallest value, while there are many things in question betwixt them and us, of far higher consequence to the Kingdom of Christ and his Interest, as ament the causes of Gods controversie with the Land, and the way of remedy and cure of the former and late defection, and the way of preventing the like in time coming. The establishing and promoting the Work of Reformation, and the purging of the Kirk, and the like, as are laid before them in our Propositions given in to their Meeting; And that they do intimate to the Brethren foresaid, that we cannot look upon an offer relating onely to the Censures, upon some of our number, as satisfaction to them or us, and that (besides what we have said) for other reasons to be communicated in due time to their Meeting. And that therefore they shall offer to these Brethren, and desire of them, that if there be any Conference at all, the subject matter of it may be*

upon the whole Propositions in the order as they stand.

IV. That in case of their refusing the latter part of the former Article, they shall require and demand from the Brethren of the other Meeting, That they would declare whether we may expect, that these from whom they were sent, Will either by the said Brethren, or any other Way, give answer and satisfaction to us anent the Propositions, and What is their sense and meaning of the Publick Resolutions, and anent the Constitution, Acts and Proceedings of the Meeting at Dundee, and of this at Edinburgh, and What they minde to do in reference to the same.

V. That in case there be not satisfaction obtained in these so just and necessary things, They do professe their own and our dissatisfaction with any thing that hath been offered by them to us, or answered to our desires first or last. And that they protest for themselves and us, That as we have sought Peace, and pursued it by all lawfull and possible means, though much in vain on their part. So we are henceforth free from the guilt and blame of the sad prejudices and evil consequences whatsoever, which may follow upon their present Way, and their former and future actings of that nature, so contrary and destructive to Edification and Peace.

Right Reverend,

**W**E have now for these fourteen dayes past, been employed in using our best endcavours, and waited for Overtures from you, for healing the breach, and removing the differences that are amongst us; And now there being no ground of hope given us, nor any desire made unto us for continuing the Conference, whereby a better understanding might be attained; We have thought good before our parting from this place, to send unto you this inclosed Paper, together with the Instructions given in Writing to these who were sent from us to the Conference, the Copy whereof was offered by them to these who were sent from your number, and left with them; Both which Papers we desire you to communicate to those of your meeting. And so we rest,

Your very loving Brethren in the Lord.

Edinb. 29. July 1652.

Subscribed in the name of many Ministers, Elders, and Professors throughout the Land, who desire truth and peace. Directed, For the Reverend Brother, Mr. David Dickson, Professor of Divinity in the Colledge of Edinburgh.

**PROPOSITIONS** *which were offered*  
*to the Meeting of Ministers and others, appointed to*  
*be kept at Edinburgh, July 21. 1652.*

**W**Hereas we, and many of the godly in the Land have been really scandalized and stumbled at their late Acts and Proceedings, relating to Publick Resolutions concerning the same in the nature and Intention of the Work, to have obstructed and shaken the Work of Reformation ( although we think honourably of diverse Godly and Learned men who have been concurring in the same, and dare not judge their Intentions to be such as we think their Work hath been, and do allow charity to others.) Therefore for satisfaction of our conscience, and for securing the Work of Reformation, for purging the Church, and for promoting the power of godliness, and for removing of these sad differences, and for attaining and preserving a good understanding, We desire,

That they give evidence and assurance, that they approve of, and will adhere unto the solemn Publick Confession of sins and engagement to duties, and all the Acts of the uncontroverted Assemblies of this Church, concerning the Work of Reformation, in the literal and genuine sense and meaning thereof. And that in dispensing of the Ordinances, censuring of scandalous persons, receiving of Penitents, trying, admitting, removing and deposing of Church-Officers, they will walk according to the same. That it be laid seriously to heart before the LORD, how after such a defection, and so sad judgments for it, the LORD may be restored to his honor, the Land to his favor, and the like defection prevented in time coming.

That as we are ready in our station, to follow all religious and conscionable means and Overtures for securing and guarding the Cause and Work of GOD against Error, Heresie and Schisme on the one hand, so they would hold out to us a solid way for securing the same against dangers from Malignancy on the other. And we would know what shall be the Characters in time coming, by which Malignancy may be known and judged.

That a reall and effectuall course be taken, according to the established

blished rules of this Kirk, for purging out, and holding out all such Church-Officers as have not the Position, and qualifications required in the Word of God, & Acts of this Kirk; particularly, where Ministers deposed by lawfull Assemblies, have intruded themselves, or have been unwarrantably restored by Synods and Presbyteries to their Charges, contrary to the form and order prescribed in the Acts of Assemblies, be removed, and condign censures inflicted, and that sufficient Provision be made for preventing the like in time coming.

That after means be fallen upon and followed for censuring of all scandals and scandalous persons, and casting out of these who shall be found grossly and obstinately scandalous or ignorant, after they are made inexcusable by sufficient means and pains taken for their instructing and reclaiming.

That some course more effectually than any hath been fallen upon hitherto, may be condescended upon; for putting in execution the Acts of this Kirk, anent debarring from the Lord's Table such persons who are found not to walk suitably to the Gospel, and have not knowledge to examine themselves, and to discern the Lord's Body.

That in the receiving of Penitents, care may be had that none be admitted to the publick Profession of repentance, or reconciled to the Church, but these who are found to give such evidence of their repentance, as is exprest in the Acts of the Assemblies, concerning the receiving of Penitents.

That an effectual course may be taken for securing of the Work and People of God from the harm and evill consequences which hath already, and may further ensue from the late pretended Assemblies at *S. Andrews* and *Dundee*, and the Acts thereof.

**F I N I S.**



