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Playing By the Rules?: Early Modern Sport and Control in the Northern Mainland Royal Burghs of Scotland

The history of early modern sport in Scotland, especially in the Lowlands, is beginning to emerge. Impressive works have identified the key sports in Scottish history including bowls, football, golf, horseracing and shinty but more research is required to understand their place in society and how they were regulated. This paper focuses on the northern mainland royal burghs of Scotland and examines the roles of the crown, the Scottish Parliament, the burgh councils and the parochial kirk sessions in governing sport during the early modern period. It argues that sport in the north was controlled, from the authorities' perspective, to guarantee the training of useful members of society, to minimize disruptions to communities and to follow moral and religious expectations. They did so by applying both direct and indirect methods of social control. However, this element of social control was not universal, unremitting or entirely oppressive and the urban populace had agency, and, at times, resisted the authorities' attempts to govern what, where and when sports were to be played. This paper is divided into four sections to illuminate: what sports were played; how they were governed at the national level; where they were played in the urban environment; and finally, when were they deemed appropriate.

Play by the rules or pay the fine: that was the message sportsmen received in the northern mainland royal burghs of Scotland during the early modern period. Each level of government imposed its own regulations on sport in Scotland and the northern burghs followed suit. The northern mainland royal burghs of Scotland were bastions of state influence and locations of international trade situated along the north and north-eastern coast and were within a distinctive region that was neither totally Highland nor Lowland in character. Many of the burghs, especially those west and north of Elgin, exhibited a hybridity that permeated further down through the social ranks in the urban environment than in the rural hinterland because of their frequent interaction and incorporation into a multi-cultural and multi-linguistic world (Highland, Lowland and international).¹ Aberdeen was the largest northern burgh, and rivalled the other major Scottish centres and was regarded, in official documents, from the fifteenth century as the gateway to the 'north pairt' of Scotland, separated geographically and geologically from the south by the Mount.² Inverness and Elgin followed in size but like the majority of Scottish burghs until the mid-eighteenth century, remained relatively small.³

Despite their size, it was important for the burghs to demonstrate to the rest of the country, and themselves, that they reflected ‘civility’ within an otherwise ‘barbarous’ region. In doing so they were sites of commerce, governance, law, justice and education, and the ruling elite sought to control various aspects of everyday life.⁴

This article argues, with evidence from the crown, the Scottish Parliament, the burgh councils and the parochial kirk sessions, that sport in the north was controlled, from the authorities’ perspective, to guarantee the training of useful, war-ready, members of society, to minimize disruptions to communities and to follow moral and religious expectations. However, the utilisation of a framework of oppressive and unrelenting social control is not appropriate. A nuanced approach is required to explain the authorities’ motivations in their attempts to control sport and to acknowledge that the urban populace had agency that they expressed by resisting the authorities’ attempts to govern what, where and when sports were to be played.⁵

The history of early modern sport is beginning to emerge. Peter Burke, Alessandro Arcangeli and Wolfgang Behringer illuminate its development within a European context.⁶ Within the British setting, English perspectives have predominated, whereas, the Scottish and Irish narratives have been largely neglected in monograph-length books, with the exception of works by Grant Jarvie, John Burnett and James Kelly.⁷ Studies on specific sports by Olive Geddes, David Hamilton, Burnett, Roger Hutchinson and Hugh Dan MacLennan, on golf, horseracing and shinty, add to the early-modern Scottish narrative of sport.⁸ This article benefits from Burnett’s conceptualisation of ‘traditional sport’ as a physical activity used either for recreation, leisure or physical training as a release from the pressures of disciplined life.⁹

Sociologists have long debated what the theoretical framework should be in regards to social control. Arguments from the 1960s asserted that social control in pre-modern societies was achieved through the creation, and enforcement, of norms and the identification of deviancy, which gained its power from religious authority and conformity. Marxists have

argued that economic forces, and those who control the means of production, use social control to oppress the powerless labour force through, for example, law and the media. Post-modernists reject these grand theories. They assert that social development does not follow, in the whiggish tradition, a linear progression towards an ultimate goal, nor is social control universal. Instead, it fragments and disrupts the fragile unity of separate social groups in society.¹⁰ D. Stanley Eitzen asserts that while social control is fundamental in building consensus in society its implementation is not perfect as different groups resist and rebel.¹¹ Norbert Elias's 'Civilising Process' argues that with stricter controls on discipline, sentiment and increased self-control, the elite, 'warrior class', obtained a refinement of manners or 'civility' in England, moving towards a 'courtisation' of the nobility.¹² When applied to sport, following the example set by Elias and Eric Dunning, this process has been used to examine changing sporting habits, the creation of rules, the decrease of violence as well as sport's relationship with control and power.¹³ However, Elias's theory has come under scrutiny by historians because of methodological issues. Instead of the 'Civilising Process', many argue for a more nuanced approach when exploring longitudinal changes.¹⁴ Rosalind Mitchison, Leah Leneman and Michael F. Graham, studying social control in early modern Scotland, have demonstrated that the Reformed Church's largest disciplinary issues were sexuality, doctrine and morality.¹⁵ Margo Todd's work on the Scottish Reformation provides an invaluable insight into how the Reformed Kirk approached social discipline and its pragmatism when altering pre-Reformation festive celebrations and sporting habits.¹⁶ Although the imposition of social control influenced the everyday life of Scots, it was not felt evenly in all parts of their lives. Clearly, sexual, moral misdemeanours and the practice of superstition and idolatry were censured; however, as will be seen, sport was only dealt with marginally and even less so in the eighteenth century. Todd reinforces this claim, demonstrating that, while the Kirk was concerned about festivities and sport, the vast majority its interventions only occurred when these interfered with the Sabbath

or when they appeared destructive or morally dubious. Otherwise, they were left alone.¹⁷ Nevertheless, it is still necessary to examine what aspects of sport the Kirk attempted to control alongside attempts by other authorities. Finally, extending the analysis to where sport was deemed appropriate, Emma Griffin's utilisation of space as an analytical tool, when examining early modern English popular recreations, provides a useful conceptual framework for investigating how sites of sport were interpreted, used and controlled in the urban environment.¹⁸

What will emerge from this examination of Scottish Parliamentary legislation, the minutes of northern burgh councils and kirk sessions is that the authorities seemed to have exercised a relatively 'light touch' when governing sport, with the use of direct and indirect methods to reinforce their assertions, and that each body had its own motivations, which occasionally overlapped. Therefore, this article contributes to the argument against the universality of social control. By examining the attempts made to regulate sport, in this regional study, it is evident that the authorities' decrees were resisted, and, in some cases, totally disregarded. The article is divided into four sections to illuminate: what sports were played; how they were governed at the national level; where they were played in the urban environment; and finally, when were they deemed appropriate.

What sports were played

Before examining the mechanisms for controlling where and when sports were played in the northern mainland burghs it is necessary to briefly discuss the popular national and local sports practiced in this region. This article examines early modern sport, prior to the ascendancy of the written rules and vast organisational and bureaucratic structures that governed sport from the late-eighteenth and nineteenth century. It does not focus on blood sports such as cockfighting or bull-baiting because people were not the physically active participants and the 'sport' aspects of these activities were related to gambling. Moreover, it

only briefly mentions field sports and hunting because they were largely the preserve of the elite. It is not the intention to neglect women's involvement in sport but the records of town councils and kirk sessions are largely silent in regards to their participation.

Similarly to the Lowlands, the inhabitants of the northern burghs had access to a rich diversity of martial and civilians sports. 'Wappenschaws' (military gatherings for the purposes of inspection and training) constituted multiple sports such as archery, fencing, jumping, riding, running, throwing the bar, swimming and wrestling. Inverness, in the 1570s, was used as a meeting place for the Frasers of Lovat and the neighbouring clans of Mackenzie, Mackintosh, Munro and Ross. Fraser of Lovat, along with his domestic servant, Lieutenant Thomas Cerr, a native of Inverness and an experienced soldier, trained men from the above clans on the castle hill and on the links. Lovat considered: 'such manly sprightly exercises and recreations, very fit for polishing and refining yowth and to keep them from effeminacy, baseness, loitering and idleness, which fosters vices and inclines men to all evil.'¹⁹ These gatherings were also associated with competitions and festive occasions. For example, in 1635, Simon Fraser, Master of Lovat, had archery butts set up in every parish in his father's lands and 'kept a weekly muster of his men, training them to arching, hagbuting, jumping, wrestling, putting the stone, throwing the barr, and all the manner of manly exercise' which 'caused the young gentlemen to draw on bonspales and wagers'.²⁰ Therefore, wappenschaws were associated with competitive sport, acculturated young men into a form of martial masculinity and were used to keep the adult male population physically fit and ready for the king's service.

Burnett argues that bowls was almost certainly the most popular civilian sport in Scotland until the end of the eighteenth century.²¹ The sport was played in many different forms and in multiple locations, rather than just on the greens. Bullets, or road-bowling, which survives today in Ireland, was one style which was played within towns along the

streets. The object was to hurl a heavy iron ball to a designated landmark in the fewest throws. *Portbowlis* was another popular form of the game played on the streets, especially in Elgin. It was also known as *allay bowls*, possibly where the modern term 'bowling alley' originated. This variation was played over a shorter distance and the bowls were more likely rolled than thrown.²² The last variety, bowls, was well known throughout Britain and Ireland and was played on a small, well-maintained grassy area where the bowls were rolled rather than thrown. Caiche, an early form of handball was also very popular in the urban environment, as was football, which possessed strong festive associations.

Golf was likewise a very popular sport in the north for both nobles and commoners. The history of the sport is well known in Leith, Edinburgh, Montrose and St. Andrews but it is also clear that golf was well developed in the northern burghs.²³ References to golf are scattered throughout burgh and kirk session records, personal correspondence and household account books, and provide an indication of its popularity. Burgh councils in particular give a clear indication of golf's sophistication in this region by regulating the manufacture of golfing equipment. For example, Aberdeen, Elgin and Banff, in the seventeenth century, all had professional golf ball makers and club makers. They were given licences to practice their trade and given burgh status that allowed them access to the markets, to sell their wares freely and to be represented in municipal government via guild association.²⁴ By awarding this status, Aberdeen, Banff and Elgin controlled who could participate in the sports trade within their burghs and the accessibility of golf equipment for their, and nearby, communities. Furthermore, despite strict covenanting ideology, civil war and then Cromwellian occupation, in the tumultuous middle decades of the seventeenth century, golf continued to thrive in the north and supported multiple craftsmen keeping them busy stitching feather-filled leather balls and joining hickory shafts to iron heads.²⁵

Specific local sports existed in the northern burghs. ‘Chew’, a variation of shinty particular to the north-east of Scotland, played with a cork float rather than a wooden or hair-filled ball, was very troublesome for the Elgin Kirk Session when played on Fastern’s E’en (Shrove Tuesday).²⁶ Knotty, played in Caithness, was another variation on the game.²⁷ While ‘chew’ resembled shinty, the name was likely derived from the French game ‘la soule’, a popular ball and stick game played on holidays from the fifteenth to the seventeenth centuries.²⁸ It is possible that this variation of the game came to the region from trading connections with Europe, especially because the first reference to chew being played was by two sons of Edward Auldcorn, known as ‘Dutchman’.²⁹ This overlap of sporting practices was not uncommon in this region. ‘Clekken’ (a form of early badminton played in France) was enjoyed by the servants of the Marquis of Huntly at his house in Elgin.³⁰ Kype was also a sport particular to the northeast of Scotland. The object of the game was for the opponent to sink his ball in a hole in the ground, which was guarded by a batsman. If he was successful then they would switch positions. It was perhaps an early form of cricket in the north.³¹

Governing National Sport

The governance of sport in early modern Scotland was constructed upon a fifteenth century foundation. Four consecutive Scottish kings passed acts of parliament in 1424, 1458, 1471, and 1491, each time in the spring, that promoted the practice of archery and other martial sports, likely in preparation for summer campaigns, and the ‘unprofitable’ exercises of football and golf were banned because they distracted men from their martial duty.³² Archery butts were to be kept at each parish church and in every £10 worth of land.³³ Practice was to begin at the age of twelve. On Sundays, archers were to take a minimum of three shots. A 2d. fine was levied against those absent and the funds collected purchased drink for the archers, an incentive to inspire self-regulation.³⁴ Unfortunately, little is known of the

effectiveness of this rule, which was also related to the repeated decrees concerning wappenschaws.³⁵

On 29th June 1598, James VI signed an Act of Parliament ‘Anent ane pastyme day oulklie’ (Regarding a pastime day weekly). This decreed that masters were to free their servants and labourers for recreation on Mondays. Schoolmasters were likewise instructed to dismiss pupils on Monday afternoons for exercise and not expect them to return until the following morning. The time was to be spent practicing with arms and armour, and at ‘lawful games and pastimes procuring ability of body whereby all persons' minds and bodies may be refreshed’. If they were caught at unlawful activities they were to be punished ‘with all rigour’.³⁶

This was James’s public declaration of the utility of physical education and training for the common man, an argument he expressed in further detail in *Basilikon Doron* (1599) written for his son, Prince Henry. Physical training and military preparedness remained a concern and James VI, like his predecessors, wanted the Scots to be war-ready. The provision of physical training for school pupils and university students at the national level, however, was new. It was argued that the education of the mind as well as the body was vital to the development of a specific form of masculinity embraced by the courtier and gentleman throughout early modern Europe. This was confirmed by the repeated publication, republication and consumption of etiquette guides and pedagogical texts such as Castiglione’s *The Courtier*, Elyot’s *The Boke named the Governor*, Locke’s *Some thoughts concerning Education*, and Rousseau’s *Emile* which all discussed the necessity of training the body as well as the mind.³⁷

James hoped that creating a new day for recreation would make the Scots ‘more willing [to] bestow the whole Sabbath day in God’s service, having that day [Monday] for relaxation from their labours’.³⁸ This, he hoped, would end the profanation of the Sabbath by providing an appropriate time to play. The act appeased Calvinist reformers who generally discouraged non-spiritual activities on Sundays. The Elgin and Aberdeen burgh councils supported this act

of parliament; however, as will be subsequently demonstrated, James's attempt to stop sportsmen from profaning the Sabbath was not fully effective.

The King's Maiesties Declaration To his Subiects Concerning Lawfull Sports to Be Vsed (1618), known as the *Book of Sports*, provides a context for the argument surrounding Sunday sport across Britain during the reigns of James VI & I and Charles I. The *Book of Sports* was largely James' rebuttal to Puritans supressing Sunday sports in England.³⁹ While this publication was primarily aimed at the English audience, it was known in northern Scotland. Sir Robert Gordon of Gordonstoun, tutor to the earl of Sutherland, owned two copies, the original and its republished version from 1633.⁴⁰ James rhetorically asked 'for when shal the common people haue leaue to exercise, if not vpon the Sundayes and Holidayes, seeing they must apply their labour, and winne their liuing in all working dayes?', an issue he had already addressed in Scotland.⁴¹ From his English throne, James was more able to express his disdain for puritanical protestant reform, in relation to the complete divine observation of the Sabbath, and did so by supporting Sunday recreations. He also believed that banning innocent pastimes and sport would breed drunkenness, idleness and could ignite social discontent.⁴²

The *Book of Sports* delineated what he constituted as lawful and unlawful sports, unlike the 1598 Act of Scottish Parliament. Lawful recreations on Sundays could occur only after divine service, a compromise between the wishes of the moderate and puritanical laity and the clergy.⁴³ They included: all martial exercises with inoffensive weapons; recreations like bell-ringing, dancing, leaping and vaulting; and, festive celebrations such as May-games and Morris-dances.⁴⁴ The retention of festive celebrations was important in the cyclical nature of early-modern rural life.⁴⁵ These pastimes and sports contrasted with the unlawful sports of bear baiting, bull baiting and bowling, which were targeted because of their close connection with gambling and 'the meaner sort of people'.⁴⁶

The 1621 Scottish Parliament acknowledged moral and financial concerns associated with gambling with the ratification of the Articles of Perth (1618) and sought to control how much could lawfully be won. Act XIV, 'Anent playing at cardes and dyce and horse races', stipulated that any winnings above 100 merks won within twenty-four hours were, by law, to be paid to the local kirk session then redistributed to the poor.⁴⁷ Clearly, the affluent were wagering considerable sums of money and the Parliament rather ingeniously sought to reduce the possibility of the elites bankrupting themselves with excessive wagers while simultaneously addressing the moral concerns of gambling and redistributing illegal winnings to the poor. This is also an indication of the healthy state of competitive horseracing across Scotland, as the government acknowledged that gambling at races occurred regularly rather than just at singular events, and, therefore, because of the frequency and the value of the wagers they sought to intervene.

Charles I had less patience than his father for puritanical reform and strict Sunday observance. His republication of the *Book of Sports* in 1633 was immediately interpreted as an attack on Puritanism, feeding social discontent. On the 6th of May 1643, about nine months after the entry of England into the Wars of the Three Kingdoms, the Parliamentarians banned the *Book of Sports*, called for all copies to be burnt, and passed an ordinance against Sunday sports.⁴⁸ Similarly, in Scotland, the covenanting period Parliament adhered to strict Sunday observance and attempted to curb all profanations of the Sabbath including: milling grain, fishing, drying clothes, excessive drinking and any other activity done instead of attending sermon.⁴⁹

The Scottish Parliament continued to regulate sport during the Restoration period. In 1661, it decreed that Justices of the Peace were to: 'put his majesty's acts of parliament to execution against cutters and destroyers of planting green wood, ... users of unlawful games with setting dogs, slayers of red and black fish and smolts in forbidden times'.⁵⁰ James VII &

II, in 1685, further passed an Act of Parliament to preserve the depleting stocks of game animals, hunted in field sports. The act was applicable to the whole country but the Lowlands were of particular concern. His 'Act for Preserving Game', as well as those passed during the reigns of William II and Anne I, illuminate that government was not only concerned about popular sport.⁵¹ In this case they asserted their power not to impose obtrusive social control but to ensure the survival and regulation of elite sport.⁵² The unfettered enthusiasm for elite sport during the Restoration had taken its toll on nature and the unsustainable hunting of wildlife and water fowl led to reduced stocks of game and their slow recovery.

The Scottish Parliament asserted its control over sport until the Act of Union in 1707. It supported a form of martial masculinity whereby the male Scots trained to be war-ready. It attempted to curb profane pastimes and even created a new day for recreation, sport and relaxation. Gambling in popular sports was also a concern and the parliament addressed this issue while also assisting the poor. Elite field sports in the sixteenth and seventeenth century had been pursued with enthusiasm but, by the 1680s, the effects had begun to show and the Scottish Parliament attempted to preserve game stocks. After the Act of Union, direct references to controlling Scottish sport at a national level disappear from record but at the local level it continued.

Where to Play

Northern Scottish burgh councils' decrees concerning sports supplemented parliamentary statutes, illuminated the place of sport in society and indicated the popular sites of recreation in the urban environment. Their duty was to guarantee that commerce went unimpeded, that damage to property, both public and private, was minimized, and, to an extent, that sports happened in an orderly and inoffensive manner. Therefore, designating appropriate sites for sport and regulating their accessibility was required. The kirk yard and the streets were more than sites of celebration and commerce. They were also the home to the labouring classes'

and children's sport. Sport in these spaces held symbolic value and was tied to early traditions, recreations and revelry typical of medieval market fairs held on saints' days.⁵³ In English towns, fairs, celebrations and sports moved away from the churchyard to the market square, but in northern Scottish burghs, similar to parishes churchyards in Wales, they remained an important public spaces that were commonly used for sport, market fairs and they soon became contested.⁵⁴ Likewise the streets were a contested space for sport, as sport could interfere with commerce and disrupt the everyday life of non-participants. The surviving kirk session and burgh council minutes emphasise only half of the contest, the other half must be read between the lines. Thus references to disruptions caused by sports should be interpreted within a wider framework of how public space was used.⁵⁵

The burgh councils were not oppressive or anti-sport. Although they attempted to stop sport on the streets and in the kirk yard, the links were offered as an alternative and acceptable place for sport, as were playing greens. The links remain a common geographic feature of the east coast of Scotland. These grassy plains were used for communal grazing, drying of fishing nets, playing of sport and gathering of building materials. This intermixture did not always coexist harmoniously. Thomas Mathison's *The Goff an Heroi-Comical Poem* (1743) mockingly described golf on the links around Edinburgh; however, there was much truth in his verses. His last canto demonstrated the hazards on the links.

The harmless sheep, by Fate decreed to fall.
 Feels the dire fury of the rapid ball;
 Full on her front the raging bullet flew,
 And sudden anguished siez'd the silent ew;
 Stagg'ring she falls upon the verdant plain,
 Convulsive pangs distract her wounded brain.⁵⁶

Thus, this space was lightly governed and regulation in relation to sport stretched to the full limits of the burghs, so that play on the links would remain orderly and safe.

The kirk yard was a central and contested space in the urban landscape. It was primarily used as a gathering place on the Sabbath but it was also a popular place for sport. Burgh

councils and kirk sessions, to safeguard their place of worship, repeatedly reprimanded and fined people caught playing there because of the damage they could cause. On 8th November 1549 the Banff council banned playing ‘hand ball and fuit ball vpon the kyrk and kyrkyard’ because of the damage done to the windows.⁵⁷ Similarly, on 22nd January 1586, the council of Forres enacted that ‘no person must play in the kirkyaird at futt baw or caiche upon the kirk under the penalty of 10s’.⁵⁸ Again, this was likely the reaction to damage done to the church by a football or the smaller ball used in caiche. Inverness burgh councillors restricted access to the chapel yard because the grass was leased yearly to local merchants and craftsmen for their own use, a practice continued until the late-eighteenth century.⁵⁹ However, they passed nearly simultaneous legislation prohibiting the removal of turf on the links to protect it as an appropriate space for recreation.⁶⁰ Nevertheless, sportsmen and children continued to play nearby the kirk and damage the windows. Eventually, in 1758, £100 was required to replace the glass and rebuild the dykes around the yard.⁶¹ Elgin’s St. Giles parish church was also damaged by stray sports balls. In 1727 and 1737 the town council declared that no children or other person was to ‘play with catch ball or any other diversion at the west gavel of the high church or towards any part of the little church because it destroys the glass windows therof under the pain of five pound Scots money for each offence and parent[s] to be liable for their children.’⁶² While Elgin wanted to stop children from playing in the kirk yard, Wick burgh council, in 1756, sought to protect playing fields for children. When a proposed new shore-side warehouse was brought forth the council decreed that it could not encroach on the field near the school house, so to maintain a playground for the pupils within eyesight of the schoolmaster.⁶³

It is clear that children used the kirk yard as a space to play in the urban environment. The burghs clearly expected parents to take responsibility for their children’s actions and teach them which sports were acceptable and where play was allowed. Instilling self-discipline and

self-control in children, and teaching them right from wrong, was fundamental in adolescent education, creating social order and acculturating youth into a 'civilized' society.⁶⁴ The burghs were clearly not anti-sport, however, and provided appropriate and safe places to play.

Streets were also contested areas for sport. Burgh councils deemed playing in the streets inappropriate, especially when it disrupted commerce and transportation. Bowls was the most targeted sport in this regard and sportsmen were repeatedly warned and occasionally fined for not following the rules. The town council of Elgin set about controlling all the variations of bowls. On 10th April 1654, they announced that playing bowls and bullets within the port area was to be prohibited.⁶⁵ Five years later they increased the fine to £5 if offenders were caught playing within the liberty of the burgh.⁶⁶ The council clearly thought that the sport was a menace even if bowlers were of a different mind. Likewise, Old Aberdeen restricted bowls and bullets in March 1663 and again in April 1668 because bullets was, they argued, dangerous and disruptive to the community. This culminated in a ban on the sport and if anyone was caught playing, lending or hiring bowls within the town or in Footdee, including college students, the penalty was £5.⁶⁷ Hurling heavy iron bullets could easily cause property damage if the participant was inaccurate, could injure a participant or an unaware bystander and disrupt commerce. In Cullen, a man was killed by an iron bullet while participating in a game in the late eighteenth century, after which time the sport was officially banned.⁶⁸ By the later eighteenth century, regulations for bowls eased. Possibly, as with golf, the disappearance of bowls in burgh records coincided with the sportsmen recognising the threat posed to their community, acknowledging the wishes of the council and finding appropriate venues for their pastimes.⁶⁹ Two bowling greens were established in Aberdeen. The first was at Kings College which supplied students with a safe and appropriate place to play in the seventeenth and eighteenth centuries, except for during the Revolution when in 1689 it was changed to a mustering field for the men of Old Aberdeen.⁷⁰ The second was at Robert Gordon Hospital, a

school for sons of poor merchants. The green was completed around 1732 and was enjoyed by the pupils and the community until 1833. Similarly to Kings College, bowling at Robert Gordon Hospital was interrupted briefly by hostilities when the Duke of Cumberland requisitioned the Hospital in 1746 as a barracks for his men.⁷¹

Football also attracted the attention of burgh councils. Early modern football could quickly turn riotous and cause considerable damage to participants and property. As noted above, games within the kirk yards were common and caused significant damage. After being ejected from the grassy yards, players took to the streets, but were then met with new restrictions. In Banff, during the Restoration period, anyone caught playing football in the streets was fined 40s.⁷² That being said, the Banff council was not actually opposed to its inhabitants playing football if it was done in an acceptable location and at an appropriate time. In fact, in 1629 when Alexander Cook had taken possession of his grandfather's tenement, he had also accepted that as part of his rent he was to supply two footballs to the burgh for the Christmas day match!⁷³ The yuletide season was typically associated with a variety of recreations in the north of Scotland including football, shinty, singing, dancing and, occasionally, cross-dressing. Immediately after the Reformation, these occasions were targeted because of their symbolic connection to pre-Reformed religion and superstition, but after the Articles of Perth more tolerance was demonstrated towards the formal observation of Christmas.⁷⁴ The Banff council embraced this tolerance and extended it towards sport by provisioning for, and organising, the yuletide football match, as seen in Cook's rental agreement.⁷⁵ In doing so, they remained in control of sport not suppressing it but expressing when and where it was acceptable.

In the northern burghs, sport occurred in a variety of locations. The links and playing greens were deemed acceptable locations by the authorities, while kirk yards and streets were not and players were reprimanded and fined accordingly. Stray balls damaged expensive

windows in the kirk and heavy bowls and football matches were disruptive on the streets. The repeated attempts by officials to enforce sport related decrees, however, demonstrates that they were not wholly effective and that some community members were resistant to changes to their sporting habits. This interchange between sportsmen and local authorities shaped the sporting culture of the region, illustrating that social control was not universal or completely effective and that different social groups had agency in selecting where they practiced their sports.

When To Play

The Reformation transformed Scottish society. The Reformed Kirk sought to eliminate ‘superstitious’ and popish beliefs and build a godly society based on scripture and discipline rather than on iconography.⁷⁶ Attitudes towards Sunday observance also became more disciplined. Profaning the Sabbath was the charge brought against parishioners who disregarded this new discipline and participated in non-religious activities or partook in ‘scandalous’ (mis)behaviours such as drunkenness, quarrelling, travelling, labouring, swearing and playing sports on Sundays. To enforce their discipline session, elders, who were commonly the burgh elite, patrolled their communities on Sundays to enforce church attendance and sent individuals to the kirk session, if they were caught or were accused of profaning the Sabbath.

The height of church discipline in the seventeenth century was between 1638 and 1660 and after 1690 when the Church of Scotland was declared Presbyterian.⁷⁷ However, church discipline was not uniform across different aspects of everyday life. Reforming doctrine, morality and sexuality was the foreground while sport was in the background. Todd argues that the successful conversion of Scots to Protestantism was at least in part attributed to the relative leniency and pragmatism of ministers towards festive celebrations.⁷⁸ That being said, Sunday sport came under scrutiny by the General Assembly and the parochial kirk sessions. The Kirk was generally less worried about what and how sports were played, but when they were played. For the affluent who represented the leisured class, not playing on Sundays had relatively little

influence on their sporting habits. Conversely, for craftsmen, artisans and the labouring class, surrendering their only official non-work day to complete and strict religious observance, instead of relaxation and recreation, was more problematic, an issue that James VI had acknowledged in 1598.

Kirk session records reveal many aspects of social life in Scotland. Those from the northern burghs illuminate the popular northern sports and help to identify ones that are specific to the region. The Aberdeen Kirk Session was very active against sportsmen in the 1570s and many local craftsmen were brought before the session for playing bowls, kyles (ninepins) and golf on the Sabbath.⁷⁹ Charges against craftsmen were also common in Elgin; for example, on 19th January 1596 Walter Hay, a goldsmith, was warned of the £5 charge if he continued to golf and play bowls on the Sabbath.⁸⁰ The Elgin Kirk Session pursued an aggressive line against Sunday sport, especially in the early seventeenth century, possibly because the memories and habits of pre-reformed religion were still fresh in the cathedral burgh. Although frequent announcements made at the sound of a hand bell warned parishioners of the penalties for profaning the Sabbath, it continued. For example, in February 1601, Barbara Pattoun and a friend were summoned by the elders for throwing snowballs on the previous Sunday.⁸¹ On 22 April 1601, Thomas Makean was made an example of as he repented from the joggis (a form of public humiliation where the offender had an iron collar around their neck, attached to chain secured to a wall or post), after being fined 10s. and held in the steeple for 48 hours for playing bowls on the Sabbath.⁸² Evidently, the humiliation and discomfort of Makean went unheeded by the people of Elgin and the session had to reiterate its ban on playing Sunday sports including caiche, bowls, kyles and portiboulis ‘or any uther lewd pastyme during the said tyme under the payne of puneishment in thair bodies and geir’.⁸³

Between 1599 and 1618 there were no fewer than seven cases of playing chew heard before the Elgin Kirk Session. Playing chew on the Sabbath as well as on Fastern’s E’en

(Shrove Tuesday) was a concern. In Lowland Scotland, football and horseracing were common sports on Fastern's E'en. In the northern burghs of Elgin, Keith and Peterhead, chew was played instead.⁸⁴ In the early years of the seventeenth century, the Kirk repeatedly attempted to stop these pre-Reformation celebrations, especially when they were socially disruptive. The Fastern's E'en chew matches were clearly that. They were: conduits for aggression and social violence that was typical of the Catholic carnival season; associated with revelry and drink; and, commonly began in the kirk yards.⁸⁵ These three characteristics, in addition to the underlying doctrinal motivation for stopping participation, added to the concerns of the elders. The continuation of this sport, despite the actions taken against its participants, demonstrates the limitations of the kirk to fully control sport and the ability of the players to resist.

Similarly to the burgh council, elders believed it was the duty of the guardians overseeing youth to instil proper discipline. In Elgin, master craftsmen were specifically reprimanded for failing in this part of their duty, as apprentices were frequently called before the kirk session. A particularly harsh admonishment occurred in 1602 in the aftermath of a violent game of chew.⁸⁶ In Old Aberdeen, in 1646 and 1647, master craftsmen were likewise instructed to ensure their apprentices attended sermon. The kirk session's chastisement failed to resolve the issue and young men were repeatedly called before the elders for playing bowls, golf and kype during divine service.⁸⁷

Burgh magistrates cooperated with session elders, just as the Parliament aided the General Assembly, and together passed complementary statutes to stop the profanation of the Sabbath. The burgh magistrates of Chanonry of Ross, on 27th March 1647, demanded that its councillors practice self-control and attend sermon. The magistrates recorded:

The counsel talking seriouslie to hairt ye fearfull & great profaning of ye Lordis day with yis Toune When yath manie make no constraint Befoir, at ye tyme, and efter divine service to go to kylling bowling penniestane or other Idle and prophane exercise upon ye sabboth day Thairfoir they have statute and ordeanit That if any counsellor be found at any prophane or Idle exercise such at boulling Carding dycing pennistone or ye lyke

To pay for ye first fault eight poundis and if he fall in a relapse to be dischairgit of ye counsel and to lose his freidome with ye [burgh].⁸⁸

The source suggests that Chanonry of Ross had a serious problem as regards profanation of the Sabbath. It was not limited to the lower ranks of society, apprentices or children but included civic leaders. The focus on throwing games was exacerbated by their connection to gambling and the belief they were immoral and idle pastimes. The penalty for being caught far exceeded any other imposed by the northern burghs in relation to sport. The monetary penalty was considerable but the possibility of removal from office and the freedom of the burgh would have proved disastrous for anyone caught. The council members must have taken heed to this warning as no accounts of the full severity of this punishment exist.

Elsewhere, during the covenanting period, the ardent Presbyterians in Parliament and in Kirk Sessions increased pressure on profaners, especially when it was easier to regulate physical manifestations of sin (such as playing sport on Sunday, drunkenness and conceiving illegitimate children) rather than sins of the spirit. In Elgin they repeatedly fined profaners for playing sports as well as dancing and piping.⁸⁹ In Cullen, Sunday golfers were frequently brought before the session and were remonstrated, told to repent and pay a half a merk each.⁹⁰ During the Restoration period, when Episcopalians held greater influence, Sunday sports when played after sermon were not targeted with such enthusiasm. Nevertheless, some chew players remained troublesome and skipped sermon to enjoy their sport.⁹¹

There has been significant historical debate as to the power of the Kirk in implementing programmes of social control after the Revolution, when Presbyterianism became the structure of the Church of Scotland. R.A. Houston, I.D. Whyte, and R. Douglas Brackenridge posit the Kirk's power to enforce social control and discipline had not increased but instead began to wane. Continual reiterations by the General Assembly, the Parliament, Synods, Presbyteries and Kirk Sessions to enforce Sunday observance and stop festive celebrations, lykewakes (wakes) and promiscuous dancing were not demonstrations of power but a lack thereof.⁹² It

was clear that around Inverness, Dingwall, Tain, Dornoch and Wick that the people were resistant to reform and held onto their traditions well into the eighteenth century.⁹³

On 18th April 1707, after two years of consideration and debate, the General Assembly distributed *The Form of Process in the Judicatories of the Church of Scotland, with Relation to Scandals and Censures* to the Presbyteries to use as procedural guidelines for dealing with ‘scandalous’ behaviour and the profanation of the Sabbath. *The Form of Process* demonstrated significant leniency towards lesser discipline issues.⁹⁴ This document reflected the Kirk’s continued efforts to eliminate carnal sins, especially when a child was conceived, but reduced the severity of punishments for drunkenness, swearing, profaning the Sabbath, and implicitly, Sunday sport.⁹⁵ First time offenders were given private rebukes and official cases were only heard when the guilty party was remorseless and remained disobedient. The general disappearance of these minor charges against sportsmen in session minutes coincides with this mandate.

Nevertheless, strict eighteenth-century ministers were not put off and continued their attempts to reform their parishes’ and stop Sunday sport. Daniel Bethune, minister of Rosskeen in Easter-Ross, from 1717 to 1754, ingeniously halted the customary shinty match on Sunday. In the early years of his tenure he approached the leader of the Ardross men, who was famed for his strength and ability at the sport. Bethune, after serious persuasion, convinced the team captain to become a session elder. Bethune then informed him that his first duty as a new elder was to stop the Sunday games! The following week he walked to the playing-grounds with his shinty stick and announced to his former compatriots that if they continued at their games they would feel the full weight of his cudgel. Afterwards, ‘the players thereupon quietly retired, and never afterwards met again on the Sunday for a like purpose.’⁹⁶

Not all ministers hatched such cunning plans and instead were tolerant and allowed sport to continue. Inland from Elgin, in Badenoch, Duncan MacPherson the parish minister of

Laggan, in 1747, played shinty along with his congregation. Upon taking his post, MacPherson acknowledged that if he attempted to stop the match and preach the reformed religion he would be the only one left in the church. Therefore, he decided to arrive at the church prior to sermon, join the match out on the plain and wait for the players to tire, giving him the chance to collect them all inside. Evidently, his sermons were concise and when his parishioners became restless he joined them again, continuing their previous game. The revelry continued until dark before moving into the public houses.⁹⁷ MacPherson's priorities were to ensure that the Christian message was heard in whatever way was most culturally appropriate rather than coercing his parishioners into complete reform.

Efforts to control when sport was played clearly had an influence on its development in Scotland. Throughout the early modern period attempts to stop Sunday sport completely were not constant but depended on which denomination held power. However, participating in sport instead of attending sermon, regardless of the denomination, landed many sportsmen in front of a kirk session. Ministers were pragmatic and prioritised reforms to doctrine and belief, and in many cases allowed activities considered to be more harmless to continue. After the 1690s, the limited mentions of sport in the kirk sessions should not be interpreted as the final success of the Kirk in halting Sunday pastimes. Instead, it coincided with increased leniency, as seen in *The Forms of Process* (1707). Informal rebukes for first time offenders of minor, non-sexual, deviances became the norm.⁹⁸ This reduced the number of official cases recorded before the kirk sessions while still maintaining a degree of social control over parishioners. Furthermore, the Toleration Act of 1712, which allowed the Episcopal Church to hold its own services and use its own texts, required inter-denominational cooperation further complicating the Kirk's attempts to exercise church discipline.⁹⁹ Finally, ministers, elders and burgh council magistrates applied indirect methods of social control on their communities by encouraging, at

times forcefully, parents and craftsmen to teach their children and apprentices self-control, discipline and obedience following the regulations concerning where and when to play sport.

Conclusion

After 1744, when the Honourable Company of Gentleman Golfers created the first written rules of golf, the composition of those in Scottish society who controlled sport began to change dramatically. This coincided with the rise of associational sport, a subsidiary of associational culture which can be viewed as an urban, and predominately male, phenomenon founded on enlightenment ideas of sociability, self-improvement, science, agriculture, leisure and philanthropy. It was accelerated by the growth of the middling and upper-middling social ranks and began in the major British urban centres before expanding in provincial towns.¹⁰⁰ The creation of sports clubs in the northern burghs soon followed this trend. The Fraserburgh Golf Club was founded in 1777 and was followed three years later by The Society of Golfers at Aberdeen.¹⁰¹ The Northern Meeting formed in 1788 to enliven the social scene of the north, meeting annually in October in Inverness for a week's worth of 'pleasure and innocent amusement' and sport quickly became the highlight of the Meeting.¹⁰² Further research is required to examine how this development changed the sporting landscape in the northern burghs and its influence on how sport was controlled as these sporting associations disrupted the old power structure of who governed sport.

This article has demonstrated that governing sport in northern mainland Scotland began in least the fifteenth century, when Scottish kings promoted martial activities which fostered a form of martial masculinity from a young age. James VI & I was the most publically concerned Scottish monarch when it came to sport. Through his Act of Parliament, *Basilikon Doron* and *Book of Sports* he provisioned for, and protected, his subjects' access to lawful recreation. The Scottish Parliament continued to legislate for sport until the Act of Union and developed a strategy and was selective of what aspect of sport it chose to control.

Across Scotland, burgh councils and kirk sessions regulated sport in attempts to reduce disruptions to commerce and minimize property damage. Bowls, caiche and football were frequently targeted. The kirk yard had long been used for both religious and secular purposes but when the kirk was physically damaged it became a contested space. The streets were also contested when sport interfered with business and caused bodily harm. Despite repeated attempts by local authorities, children and sportsmen continued to use these spaces for leisure showing their defiance.

Kirk sessions were particularly concerned with Sunday sport especially when gambling was involved. They sought to transform the Scots into a godly and disciplined people. Ministers had different approaches and prioritised which reforms they sought to enforce. They were pragmatic and acknowledged that a gradual transformation, in regards to festivities and sports, would garner less resistance than a complete cultural transformation. This resulted in an unevenness of social control. Therefore, sport, comparatively, was left alone, especially after the 1690s. With the ratification of the *Forms and Processes* (1707), and the increased presence of Moderates in the General Assembly, the Kirk became more lenient towards minor discipline issues and used informal rather than formal tactics to reform behaviour. This likely led to the disappearance of sportsmen in kirk session minutes.

Examinations of sport in early modern Scotland have largely neglected its state and development in the north. Relatively little is known about how it functioned and its place in society in this region. This article has demonstrated that numerous sports were well developed, thrived and were regulated in the northern burghs. Regional studies, such as this, illuminate the existence of local sports which are important in building a general knowledge about sport history in Scotland. However, raises the question: was this local distinctiveness unique or typical of regional variations throughout the country? To answer this question more regional studies are required. Efforts to control sport certainly affected its development and influenced,

to an extent, what, where, and when sports were played. Resistance to the regulation of sport occurred frequently and some sportsmen, young and old, enjoyed their pastimes when and where they pleased. This reinforces the argument that controlling sport was not simply unidirectional but was a negotiation between multiple parties at different levels of government in the north of Scotland. Therefore, a more nuanced approach than the ‘Civilising Process’ is required when examining the processes and motivations behind governing popular sport in this culturally hybrid region where it was important to demonstrate integration with the state while acknowledging their surroundings. . In the northern mainland royal burghs of Scotland during the early modern period the government and the local authorities sought to impose social control in their communities to create a civil society. However, they met resistance and those who held limited power exercised agency, and resisted regulations by not always playing by the rules.

Notes

¹ See: Charles W. J. Withers, *Urban Highlanders: Highland-Lowland Migration and Urban Gaelic Culture, 1700-1900* (East Linton: Tuckwell Press, 1998); Ian R. M Mowat, *Easter Ross 1750-1850: The Double Frontier* (Edinburgh: John Donald, 1981); Ewen Cameron, ‘Embracing the past: the Highlands in nineteenth century Scotland’, in *Image and Identity: the making and re-making of Scotland through the ages*, ed. D. E. Broun, R.J. Finlay and M. Lynch (Edinburgh: John Donald, 1998); Alison Cathcart, *Kinship and Clientage: Highland Clanship, 1451-1609* (Leiden: Brill, 2006); Allan Kennedy, ‘“Heavy Yock Upon Their Necks”: Covenanting Government in the Northern Highlands’, *Journal of Scottish Historical Studies* 30, no. 2 (2010); 98; Thomas Brochard, ‘The Civilizing of the Far North of Scotland, 1560 -1640’, (Aberdeen: University of Aberdeen, unpublished PhD Thesis, 2010), 223.

² E. Patricia Dennison, David Ditchburn and Michael Lynch, ‘Preface’, in *Aberdeen Before 1800: A New History*, ed. E. Patricia Dennison, David Ditchburn and Michael Lynch (East Linton: Tuckwell Press, 2002), xxv.

³ Iain D. Whyte, ‘Urbanization’, in *Eighteenth-Century Scotland: New Perspectives*, ed. T. M. Devine and J. R. Young (East Linton: Tuckwell Press, 1999), 188.

⁴ Michael Lynch, ‘Introduction’, in *The Early Modern Town in Scotland*, ed. Michael Lynch (London: Croom Helm, 1987), 16, 74-5; Michael Lynch, ‘Continuity and Change in Urban Society’ in *Scottish Society 1500-1800*, ed. R. A. Houston and I. D. Whyte (Cambridge: Cambridge University Press, 2005), 88.

⁵ Frances Shaw, ‘Sources of the History of the Seventeenth Century in the Highlands’, in *The Seventeenth Century in the Highlands*, ed. Loraine Maclean (Inverness: Inverness Field Club, 1986), 10-23. Shaw discusses issues surround records from the Highlands in this period. Prior to 1660 the burghs north of Inverness are unfortunately under-represented in this discussion because of the poor survival rate of institutional records. While non-institutional documents such as memoirs, letter-books, and estate papers are intrinsic to the history of elite sport they will not be employed here in detail given they rarely reflect on how popular sports of the lower social ranks were controlled in burghs.

⁶ Peter Burke, ‘The Invention of Leisure in Early Modern Europe’, *Past & Present* 146 (1995): 136-150; Alessandro Arcangeli, *Recreation in The Renaissance: Attitudes towards Leisure and Pastime in European*

Culture, c.1425-1675 (New York: Palgrave Macmillan, 2003); Wolfgang Behringer, 'Arena and Pall Mall: Sport in the Early Modern Period', *German History* 27, no. 3 (2009): 331-357.

⁷ Grant Jarvie and Graham Walker ed., *Sport Scotland and the Scots* (East Linton: Tuckwell Press, 2000); John Burnett, *Riot, Revelry and Rout Sport in Lowland Scotland Before 1860* (East Linton: Tuckwell Press, 2000); James Kelly, *Sport in Ireland, 1600-1840* (Dublin: Four Courts Press, 2014).

⁸ Olive Geddes, *A Swing Through Time: Golf in Scotland 1457-1744* (Edinburgh: National Library of Scotland, 2007); David Hamilton, *Golf: Scotland's Game* (Kilmalcolm: The Partick Press, 1998); John Burnett 'The Sites and Landscapes of Horse Racing in Scotland Before 1860', *The Sports Historian* 17, no. 2 (1998): 55-75; Roger Hutchinson, *Camanchid! The Story of Shinty* (Edinburgh: Birlinn, 2004); Hugh Dan MacLennan, *Not an Orchid* (Inverness: Kessock Communications, 1995).

⁹ Burnett, *Riot, Revelry and Rout*, 2, 6.

¹⁰ D. Stanley Eitzen, 'Social Control and Sport', in *Handbook of Sports Studies*, ed. Jay Coakey and Eric Dunning (London: Sage, 2000), 370.

¹¹ *Ibid.*

¹² Norbert Elias, 'Introduction', in *Quest for Excitement: Sport and Leisure in the Civilising Process*, ed. Norbert Elias and Eric Dunning (Dublin: University College Dublin Press, 2008), 5.

¹³ Elias, 'Introduction', 5-11; Eric Dunning and Kenneth Sheard, *Barbarians, Gentlemen and Players: A Sociological Study of the Development of Rugby Football*, 2nd ed. (London: Routledge, 2005); Eric Dunning, Dominic Malcolm and Ivan Waddington ed., *Sport Histories Figurational Studies of the Development of Modern Sports* (London: Routledge, 2004).

¹⁴ Martin Polley, *Sports History: A Practical Guide* (Houndsmills: Palgrave Macmillan, 2007), 48; Tony Collins, 'History, Theory and the "Civilizing Process"', *Sport in History* 25, no. 2 (2005): 291; Burke, 'The Invention of Leisure', 137-9; Behringer, 'Arena and Pall Mall', 356.

¹⁵ Rosalind Mitchison and Leah Leneman, *Sexuality and Social Control: Scotland 1660-1780* (Oxford: Basil Blackwell, 1989); Michael F. Graham, *The Uses of Reform: 'Godly Discipline' and Popular Behaviour in Scotland and Beyond, 1560-1610* (Leiden: E. J. Brill, 1996) 340, 346..

¹⁶ Margo Todd, *The Culture of Protestantism in Early Modern Scotland* (New Haven: Yale University Press, 2002).

¹⁷ Margo Todd, 'Profane Pastimes and the Reformed Community: The Persistence of Popular Festivities in Early Modern Scotland', *Journal of British Studies* 39, no. 2 (2000): 154.

¹⁸ Emma Griffin, *England's Revelry: A History of Popular Sport and Pastimes 1660-1830* (Oxford: Oxford University Press, 2005), 19-20.

¹⁹ William Mackay ed., *Chronicles of the Frasers: the Wardlaw manuscript entitled 'Polichroniconseupolicratice temporum' or 'The true genealogy of the Frasers', 916-1674* (Edinburgh: Scottish History Society, 1905), 171.

²⁰ *Ibid.*, 255, 257.

²¹ Burnett, *Riot, Revelry and Rout*, 32.

²² *Ibid.*, 35-7.

²³ See: Robert Browning, *A History of Golf: The Royal and Ancient Game* (London: A & C Black, 1955); Geddes, *A Swing Through Time*; Hamilton, *Golf Scotland's Game*.

²⁴ Browning, *A History of Golf*, 137; Geddes, *A Swing Through Time*, 37; John Stuart ed., *Extracts from the Council Register of the Burgh of Aberdeen 1625-1642* (Edinburgh: The Scottish Burgh Records Society, 1871), 286; William Cramond ed., *Records of Elgin* (Aberdeen: Aberdeen University Press, 1903), I, 187, 302-3; William Cramond ed., *The Annals of Banff* (Aberdeen: The New Spalding Club, 1893), II, 286.

²⁵ See Hamilton, *Golf: Scotland's Game*, for a discussion of early-modern golfing equipment.

²⁶ F. Marian McNeill, *The Silver Bough: A Calendar of Scottish National Festivals from Candlemas to harvest home* (Glasgow: William MacLellan 1959), 39-41. McNeill provides further local variation on the spelling of the sport. In Peterhead it was known as 'cuttie soo'. Elsewhere, in the northeast it was also known as 'cheaw' and 'chow'. The variations of spelling was likely the result of non-standardised spelling in the early modern period.

²⁷ MacLennan, *Not an Orchid*, 355.

²⁸ Tony Money, *Manly & Muscular Diversions: Public Schools and the Nineteenth-Century Sporting Revival* (London: Duckworth, 2001), 14-7.

²⁹ William Cramond ed., *The Kirk Session of Elgin 1567-1779; With a Brief Record of the Readers, Ministers and Bishops, 1567-1897* (Elgin: Courant and Courier, 1897), 56, 78.

³⁰ Donald Crawford ed., *Journals of Sir John Lauder, Lord Fountainhall with his observations on Public Affairs and Other Memoranda 1665-1676* (Edinburgh: Scottish History Society, 1900), 125-6; Cramond ed., *The Kirk Session of Elgin*, 120.

- ³¹ Alexander Macdonald Munro ed., *Records of Old Aberdeen MCLVII-MDCCCXCI* (Aberdeen: The New Spalding Club, 1899), II, 27; 'Kype', *Dictionary of the Scots Language* (Scottish Language Dictionaries Ltd), <http://www.dsl.ac.uk/entry/snd/kype>, accessed June 17 2015.
- ³² K.M. Brown et al ed., *The Records of the Parliaments of Scotland to 1707* (St Andrews: 2007-2015), 1424/21, 1458/3/7, 1471/5/6, 1491/4/17, <http://www.rps.ac.uk/> accessed June 21 2015. The actual enforcement of this ban however is unknown. *The Records of the Parliaments of Scotland to 1707* is hereafter referred to as *RPS*.
- ³³ Note: the currency used in this paper is Scots pounds.
- ³⁴ Brown et al ed., *RPS*, 1424/21, 1458/3/7, accessed June 21 2015.
- ³⁵ *Ibid.*, 1458/3/7, accessed June 21 2015.
- ³⁶ *Ibid.*, 1598/6/3, accessed July 11 2014.
- ³⁷ Baldassare Castiglione, *The Book of the Courtier* (London: 1587); Thomas Elyot, *The Boke Named the Governour* (London: 1531); John Locke, *Some Thoughts Concerning Education* (London: 1695); Jean-Jacques Rousseau, *Émile, ou De L'Éducation* (La Haye: 1762).
- ³⁸ Brown et al ed., *RPS*, 1598/6/3, accessed July 11 2014.
- ³⁹ James VI and I, *The Kings Maiesties Declaration to His Subiects, Concerning Lawfull Sports to Be Vsed* (London: Benj. Ashworth, 1866).
- ⁴⁰ J. G. Cochrane, *A Catalogue of the Singular and Curious Library, originally formed between 1610 and 1650, by Sir Robert Gordon of Gordonstoun.... With some additions by his successors* (London: 1816), 31, 105.
- ⁴¹ James VI and I, *The Kings Declaration*, 7.
- ⁴² *Ibid.*, 6-7.
- ⁴³ *Ibid.*, 10.
- ⁴⁴ *Ibid.*, 8.
- ⁴⁵ Heasim Sul, 'The King's Book of Sports: The Nature of Leisure in Early Modern England', *International Journal of the History of Sport* 17, no. 4 (2000):170-174.
- ⁴⁶ James VI and I, *The Kings Declaration*, 9.
- ⁴⁷ Brown et al ed., *RPS*, 1621/6/26, accessed June 21 2015.
- ⁴⁸ Dorothy Aucter, *Dictionary of Literary and Dramatic Censorship in Tudor and Stuart England* (Westport: Greenwood, 2001), 47-8.
- ⁴⁹ Brown et al ed., *RPS*, 1640/6/30, 1641/8/167, 1649/1/119, accessed June 21 2015.
- ⁵⁰ *Ibid.*, 1661/1/423, accessed June 21 2015.
- ⁵¹ *Ibid.*, 1698/7/159, A1705/6/11; 1706/10/458, accessed June 21 2015.
- ⁵² *Ibid.*, 1685/4/47, accessed June 21 2015.
- ⁵³ Griffin, *England's Revelry*, 199-200.
- ⁵⁴ *Ibid.*, 85-6; Richard Suggett, 'Festivals and Social Structure in Early Modern Wales', *Past & Present* 152 (August, 1996), 80, 83.
- ⁵⁵ Griffin, *England's Revelry*, 54-55, 84
- ⁵⁶ Thomas Mathison, *The Goff: An Heroi-Comical Poem. In Three Cantos* (Edinburgh: James Reid, 1743), 18-9.
- ⁵⁷ Cramond ed., *Annals of Banff*, I, 26.
- ⁵⁸ Robert Douglas ed., *Annals of the Royal Burgh of Forres* (Elgin: Elgin Courant & Courier, 1934), 36.
- ⁵⁹ William Mackay and George Smith Laing ed., *Records of Inverness* (Aberdeen: The New Spalding Club, 1924), I, 232; Inverness Burgh Council Minutes, BI/1/1/12, 2 October 1780, Highland Archive and Registration Centre. The Highland Archive and Registrations Centre is hereafter referred to as HARC.
- ⁶⁰ Inverness Burgh Council Minutes, BI/1/1/5, 20 May 1666, HARC; Inverness Burgh Council Minutes BI/1/1/9, 25 March 1706, HARC
- ⁶¹ Alexander Mitchell ed., *Inverness Kirk-Session Records 1661-1800* (Inverness: Robt. Carruthers & Sons, 1902), 103.
- ⁶² Cramond ed., *The Records of Elgin*, I, 427, 443.
- ⁶³ Morris Potter transcribed, *Second Counsell Record Book of Wick, 1739 to 1772* (Reay: unpublished, 1997), 79, HARC.
- ⁶⁴ See: Brathwaite, R., *Times Treasury: or Academy for Gentry Laying downe excellent grounds both Divine and Humane, in relation to Sexes of Both Kinds ... Summing up all in an exquisite Character of Honour* (London: Nath. Brooke, 1652); John Locke, *Some Thoughts Concerning Education*, 3rd ed. (London: A & J Churchill, 1695); David Fordyce, *Dialogues Concerning Education* (London: 1745).
- ⁶⁵ *Ibid.*, I, 296. Note: A 'bank' was the term used for beating a drum throughout the burgh when making a public proclamation.
- ⁶⁶ *Ibid.*, I, 311.
- ⁶⁷ Munro ed., *Records of Old Aberdeen*, I, 113; II, 58.
- ⁶⁸ 'Cullen', *Statistical Account of Scotland, 1834-45* XIII, 332-3, <http://stat-acc-scot.edina.ac.uk/link/1834-45/Banff/Cullen>, accessed 13 June 2015.
- ⁶⁹ Geddes, *A Swing through Time*, 4-6, 42-3. Hamilton, *Golf, Scotland's Game*, 65-7.

- ⁷⁰ Munro ed., *Records of Old Aberdeen*, I, 150-1.
- ⁷¹ Alexander Clark, 'The Bowling Green at Gordon's Hospital', *The Gordonian* 3, no. 5 (1929): 248.
- ⁷² Cramond ed., *Annals of Banff*, I, 161.
- ⁷³ *Ibid.*, I, 63.
- ⁷⁴ Todd, *Culture of Protestantism*, 200.
- ⁷⁵ Cramond ed., *Annals of Banff*, I, 161.
- ⁷⁶ Todd, 'Profane Pastimes', 123.
- ⁷⁷ R. A. Houston and I.D. Whyte, 'Introduction: Scottish Society in Perspective', in *Scottish Society 1500-1800*, ed. R. A. Houston and I.D. Whyte (Cambridge: Cambridge University Press, 2005), 29.
- ⁷⁸ Todd, 'Profane Pastimes', 126, 152-6; Todd, *Culture of Protestantism*, 185-6; Mitchison and Leneman, *Sexuality and Social Control*, 37, 242-3.
- ⁷⁹ *Ibid.*, 127-8.
- ⁸⁰ Cramond ed., *The Kirk Session of Elgin*, 31.
- ⁸¹ *Ibid.*, 76.
- ⁸² *Ibid.*, 78.
- ⁸³ *Ibid.*, 79.
- ⁸⁴ McNeill, *The Silver Bough*, 39-41.
- ⁸⁵ Burnett, *Riot, Revelry and Rout*, 170-1.
- ⁸⁶ Cramond ed., *The Elgin Kirk Session*, 91.
- ⁸⁷ Munro ed., *Old Aberdeen*, II, 27, 36, 153.
- ⁸⁸ C.G. Macdowall ed., Town Council Minutes and Burgh Court Books of the Burgh of the Chanonry of Ross 1647-1658 and of the Burgh of Fortrose 1674-1710-Transcript, BF/1/1/1a, 4, HARC.
- ⁸⁹ Cramond ed., *The Elgin Kirk Session*, 241 264, 268, 281.
- ⁹⁰ William. Cramond ed., *The Annals of Cullen, 961-1904* (Buckie: George Seivwright, 1904), 95.
- ⁹¹ MacLennan, *Not an Orchid*, 348.
- ⁹² Houston and Whyte, 'Introduction', 30. They cite five acts of Scottish Parliament and fifteen from the General Assembly between 1690 and 1726; R. Douglas Brackenridge, 'The Enforcement of Sunday Observance in Post-Revolution Scotland 1689-1733', *Records of the Scottish Church History Society* 12, part 1 (1969): 33-4. Earlier acts of Scottish Parliament were also passed in attempts to end the profanation of the Sabbath and ensure disciplined behaviour in 1579, 1594, 1640, 1641, 1661 and 1672.
- ⁹³ Presbytery of Dornoch Minutes, CH2/1290/2/8827, May 1735, HARC; Presbytery of Dornoch Minutes, CH2/1290/2/63, 68-70, 31 July 1734, HARC; Kirk Session of Wick, CH2/821/6, 232, 31 August 1702, 31 December 1721, National Records of Scotland; Houston and Whyte, 'Introduction', 29-30.
- ⁹⁴ Thomas Pitcairn ed., *Acts of the General Assembly of Scotland, 1638-1842* (Edinburgh: Edinburgh Publishing and Printing Co., 1843), 403-9.
- ⁹⁵ *Ibid.* The severity and extent of the procedures for reprimanding these discipline issues paled when compared to the procedures against carnal sin with only six as opposed to nineteen measures respectively.
- ⁹⁶ Alexander Mackenzie ed., *History of the Munros of Foulis with Genealogies of the Principal Families of that name To which are added those of Lexington and New England* (Inverness: A. & W. Mackenzie, 1898), 200.
- ⁹⁷ Hutchinson, *Camachd!*, 42.
- ⁹⁸ The Kirk's distaste for premarital and extramarital physical intimacy however remained pronounced and garnered great attention. See: Pitcairn ed. *Acts of the General Assembly*, 344-6; Mitchison and Leneman, *Sexuality and Social Control*, 9-10.
- ⁹⁹ Mitchison and Leneman, *Sexuality and Social Control*, 28.
- ¹⁰⁰ Peter Clark, *British Clubs and Societies 1580-1800: The Origins of an Associational World* (Oxford: Oxford University Press, 2000); Bob Harris, 'Cultural Change in Provincial Scottish Towns, c. 1700-1820', *The Historical Journal*, 54, no. 1 (2011): 105-141; Rosalind Carr, *Gender and Enlightenment in Eighteenth-Century Scotland* (Edinburgh: Edinburgh University Press, 2014);
- ¹⁰¹ Ian Edward, *The Royal Aberdeen Golfers: 225 Years on the Links* (Worcestershire: Grant books, 2005), 1.
- ¹⁰² Angus Fairrie, *The Northern Meeting 1788-1988* (Edinburgh: The Pentland Press Ltd., 1988), 3-4, 13, 16, 20-1. Dancing was also regulated at the evening balls. Prior to the annual meeting, and leading up to the evening dances, pamphlets were distributed so that participants were aware of the proper dances and etiquette for the balls.