Major Weir: A Justified Sinner?

DAVID STEVENSON

The Legend

The legend of Major Thomas Weir was once one of the best known of Edinburgh traditions. In many nineteenth-century works on the burgh he appears as a great warlock, who was executed in 1670 for witchcraft. Popular stories of his magical powers, of his staff, of his fiery coach, of his sister's supernatural skill at spinning and of how his house was haunted long after his death, have often been recounted (*e.g.* Wilson 1878: II. 115–18; Chambers 1869: 42–9). Robert Louis Stevenson's father was one of generations of Edinburgh children introduced to the wicked major through tales told in the nursery (Stevenson 1954: 49).

Yet Major Weir was never convicted, and indeed was never even accused, of witchcraft. How then did the myth of the great wizard arise? The answer is simple: the crimes of which he was in fact convicted were long regarded as quite literally unmentionable. His sister was accused, though not convicted, of witchcraft, and her confessions implicated him so the crime somehow got transferred to him as a sort of euphemism for his real crimes. He was convicted of fornication, adultery, incest and bestiality, and his sister found guilty of incest. His supreme wickedness, especially since it was hidden under an outer cloak of godliness, made a great impression on his own and later generations, yet his true crimes were so great that they became bowdlerised into witchcraft: they were so wicked that it was assumed that they must result from some sort of pact with the devil and thus amount to witchcraft.

Some continued to be aware of his real crimes. Lord Hailes discovered what they had been, but the legend was well enough established for him to be surprised to find that Weir had not been accused of witchcraft (Black 1938: 76). Hugo Arnot in 1785 also knew that Weir was no warlock, but firmly concluded 'I decline publishing the particulars of this case', contenting himself with saying that Weir had been accused of 'having exceeded the common depravity of mankind'. But his knowledge of the truth did not prevent him from giving support to the legend by discussing Weir's case in the section of his book dealing with witchcraft (Arnot 1785: 359–60). Arnot's method of treating Weir, of beginning with vague hints of terrible crimes before hurrying on to dwell on popular superstitions concerning the case, has been one often followed since. Robert Louis Stevenson, for example, dismissed the crimes of which Weir was convicted as 'happily beyond the reach of our intention' (Stevenson 1954: 49), as if he considered such an evasion of the truth as positively virtuous. As late as 1913 William

Roughead lamented how difficult it was to deal with such a 'veritable monster': he therefore resolved to discuss the case 'gingerly' and with a 'nice discretion'. He only ventured to hint at incest through obscure literary allusions, and did not even hint at bestiality (Roughead 1913: 41–62).

Sir Walter Scott's imagination was greatly stirred by the tale of Major Weir. In 1798 he remarked 'if I were ever to become a writer of prose romances, I think I would choose him, if not for my hero, at least for an agent and leading one in my production'. His companion, William Erskine (later Lord Kinneddar), replied 'The Major was a disgusting fellow, however. I never could look at his history a second time. A most ungentlemanlike character'. This suggests that both knew the true nature of Weir's crimes, but Scott urged that it was unfair to judge him by what his enemies said of him: 'all this does not afford any sufficient reason why a poet or novelist should not introduce him as a highly intelligent, well-educated personage.' The major's own statements 'rely on it, have been suppressed' (Gillies 1837: 108–9). Presumably when Scott did become a writer of 'prose romances' he had second thoughts and decided that Weir was not really suitable material out of which to build a romantic hero.

Some, however, did believe that one romantic hero was based on Major Weir. Charles Kirkpatrick Sharpe was interested in Weir and knew his real crimes. When Byron's *Manfred* appeared in 1817 with its hints at incest—probably in fact originating in Byron's relationship with his half sister—Sharpe jumped to the conclusion that the incest theme was derived from the Weir case. He wrote to Scott 'I have just finished *Manfred*, and written a doggerel Prologue for him.

> Most gentle Readers, 'twill appear
> Our Author fills this scene
> With what betided Major Weir
> And his frail sister Jean.
>
> He freely here his fault avows
> In bringing not before us,
> The Major's Cat, and Mares, and Cows
> Assembled in a Chorus.
>
> But by and bye he'll mend his Play,
> And then the World shall see
> That Incest only paves the way
> For Bestiality'

(Partington 1930: 186). A sick joke if ever there was one.

Scott and Sharpe both regarded Major Weir's house as one of the sights of Edinburgh—Sharpe tried to take Lady Stafford to see it but failed to find it (Fraser 1892: II. 321). But while Sharpe accepted Weir as a man guilty of incest and bestiality, and therefore makes no mention of him in his work on witchcraft in Scotland (Law 1818:

vii-cxiv), Scott preferred to ignore the truth and concentrate on the witchcraft legend. Thus Weir is discussed in his own book on witchcraft: the fact that there were allegations of incest is mentioned only in passing (Scott 1830:329–33). Scott apparently approved of his wife calling his walking stick 'Major Weir' since it was always getting lost and thus seemed 'like the staff of that famous wizard, to be capable of locomotion' (Scott 1891:346–7). Similarily it was elements from the witchcraft legend that Scott borrowed in 'Wandering Willie's Tale' in *Redgauntlet* (1824). Sir Robert Redgauntlet's devilish 'great ill-favoured jackenape' is called 'Major Weir, after the warlock that was burnt', a footnote explaining that Weir was a celebrated wizard executed 'for sorcery and other crimes'. When Redgauntlet frowns the wrinkles on his forehead take the shape of a horseshoe: this may be copied from Weir's sister Jean who had such a frown and claimed that her mother had it too, and that it was the sign of a witch. However, the horseshoe frown also appears in an account of the laird of Lag, the famous persecutor of covenanters in Weir's time on whom Scott modelled Redgauntlet (Parsons 1964: 179–83; Sharpe 1888:1. 4), a coincidence which suggests that there may have been some earlier connection between the Lag and Weir legends. Other details in the 'Tale' are taken from the Weir legend. The dying Redgauntlet's shouts of 'Hell, hell, hell, and its flames' recalls Weir's sudden terror at the word 'burn' shortly before his confession. Papers which hiss like squibs as they burn occur both in the 'Tale' and in descriptions of Weir's arrest.

Sources for Weir's Life

Accounts of Major Weir's life and death are contained in the records of his trial and in several accounts written by contemporaries which circulated after his death. Some of the details of his life given in such accounts can be checked in a variety of record sources.

The most reliable evidence for much of his life is that contained in the record of his trial (Justiciary Court Records), a version of which also contains a contemporary commentary (Scott-Moncrieff 1905:9–15).

The earliest published account of Weir's life appeared in George Hickes's *Ravillac Redivius* in 1678. Hickes was concerned mainly with discrediting the covenanters and in particular with denouncing John Mitchell, who had been executed in 1678 for attempting to murder the Archbishop of St. Andrews. Until his confessions Weir had been known as a staunch covenanter and godly man. He had known Mitchell, and the two had lodged in the same house in Edinburgh at one time. This provided Hickes with much useful ammunition for smearing the covenanting cause as a whole by its association with Weir. He relates Jean Weir's confessions of witchcraft but also emphasises the major's incest and bestiality (Hickes 1678:59–72. *Spirit of Fanaticism* 1710:47–58 is simply a paraphrase of Hickes).

By contrast, the account given in George Sinclair's *Satans Invisible World Discovered* in 1685 concentrates almost exclusively on the supernatural elements in the Weir

legend, retailing the rumours of magic and haunting which began to grow immediately after his execution. The account he prints is in the form of a letter to him written in 1684 (Sinclair 1871:225–41). It is worth noting that his brother John Sinclair (formerly minister of Ormiston) had been a friend of Weir and a fellow supporter of the covenants. It is therefore possible that George Sinclair got his information from his brother: against this are the facts that John would surely be more likely to try to hush up than to publicise the story, and that in 1684 John had other things on his mind, being accused and convicted of treason.

Other brief, contemporary, summaries of the Weir case occur in the works of Robert Law (Law 1818:22–3) and John Lamont (Lamont 1830:271–2). Finally, James Fraser, minister of Wardlaw, wrote an account of Major Weir. This contains many details not given elsewhere, but it is so inaccurate where it can be checked (for example, Fraser states that Weir never married, and gives his sister's name as Grizel) that no reliance can be placed on it (Fraser MS: ff. 156–158^{v}).

The Lives and Deaths of Thomas and Jean Weir

Thomas Weir was born in about 1600. He was the son of a Clydesdale laird, Thomas Weir of Kirkton, who was descended from the Weirs of Stonebyres and the Lords Somerville. The family lived in the house of Wicketshaw on the Clyde. As well as his sister Jean, who was some years younger than he, the young Thomas had at least one other sister, Margaret. When Jean was about sixteen she and her brother were discovered by Margaret committing incest. She told their parents and Jean was sent away from Wicketshaw. Later, however, Thomas and Jean lived together, probably until Thomas's marriage. In February 1642 he married Isobel Mein, the widow of an Edinburgh merchant John Burdoun (Paton 1905:102, 729), and a few days later he was made a burgess and guild brother of Edinburgh without paying any fee, presumably because he had married the widow of a merchant (Wilson 1929:519).

Meanwhile the Weir family appears to have fallen on bad times. In 1636 the estate of Kirkton had been sold with the consent of the younger Thomas (Carluke 1874: 279–80; RMS:IX, no. 455, XI, no. 242). Perhaps in an attempt to recoup his fortunes Weir enlisted shortly after his marriage in the Scottish army being sent to Ireland to oppose the Catholic rebels. His rank is given as captain lieutenant (perhaps indicating that he was an acting-captain, or the senior lieutenant in his regiment). He did not stay in Ireland very long, for in May 1643 he was back in Edinburgh and donated 200 merks to a voluntary loan being raised to help pay the army in Ireland in which he was supposed to be serving (RPC:VIII. 88). In 1644 he appears as major of the earl of Lanark's regiment in the Scots army which had intervened in the English civil war on the side of parliament (Terry 1917: I. lxii; II. 307, 328). In December of the same year orders were given to pay him 600 merks for his expenses in carrying intelligence several times to and from Dumfries (MS Register of the Committee of Estates 1644–5: f. 142)—perhaps this

was at the time of Montrose's raid on the burgh the previous April. However, in 1647 he still had not been paid his 600 merks and also had arrears due to him for nineteen months' service in Ireland and twelve months with Lanark's regiment in England (APS:VI i. 715, ii. 723).

In October 1645 Weir was back in Edinburgh and was elected to command the guard which was being raised to watch and defend the burgh (Wood 1938:179). When the extreme 'kirk party' regime came to power late in 1648 Weir proved an ardent supporter of it: in March 1649 he was awarded £50 sterling by parliament for his zeal in guarding it (Wood 1938:184, 201; APS:VI, ii. 355). The following year he achieved some notoriety by his harsh and unsympathetic treatment of Montrose in the days before the latter's execution, and when later in the same year the kirk split into two factions Weir joined the extremists, the remonstrants (Hickes 1678:61, 68).

The next incident that we know of in Weir's life occurred in August 1651. While riding westward he was seen committing an act of bestiality and reported to a local minister, and soldiers were sent to apprehend him. But his reputation as a fanatical covenanter stood him in good stead: his denials were believed and the woman who had informed against him was, it is said, whipped through the streets of Lanark for slandering so godly a man (Hickes 1678:65, 67; Sinclair 1871:231). The dating of some of his other crimes which he revealed at his trial is not certain. He committed incest with his step-daughter, Margaret Burdoun, and, it is said, married her off to an Englishman when she became pregnant. For twenty-two years Weir also had an adulterous relationship with one of his servants, Bessie Wemyss. Though these are the only acts of adultery and bestiality by Weir that are specified, they apparently were not isolated occurrences. When his wife died (perhaps also in the 1650s) his sister Jean, who had been supporting herself by keeping a school at Dalkeith and by spinning, came to live with him in Edinburgh.

By the 1660s they were established in a house in the West Bow, an area where many disappointed covenanters, known sarcastically as 'the Bowhead Saints', lived, lamenting the abandonment of the covenants but mainly living peacefully enough to escape persecution. The Weirs were probably living 'in reduced circumstances', and in 1669 the burgh council rewarded his former services as captain of the burgh guard by authorising him to collect a duty on goods imported from England (Wood 1950:59). His old age now seemed provided for: he was about seventy, and there would seem to be little chance that at this late date his sins and perversions would be discovered.

Less than a year later, however, he began to show terror at the word 'burn', as if suddenly fearing hell fire. Shortly thereafter he broke down completely and insisted on confessing his crimes to his horrified friends. Not unnaturally they at first thought he had gone mad, a facile opinion shared by many later commentators. Eventually the provost, Lord Abbotshall, was told of his confessions. He too assumed that madness lay behind them, and sent physicians to examine Weir. But they reported that he was quite sane. Weir and his sister were therefore arrested, and on 9 April 1670 they were tried

before the justiciary court, with the lord advocate prosecuting (Hickes 1678:62–3; Sinclair 1871:226–9; Scott-Moncrieff 1905:15).

The charges against Major Weir were of fornication, adultery, incest and bestiality. Rather oddly, he refused to answer the indictment beyond saying that he thought himself guilty of the crimes described and that he could not deny them. This and his own former confessions made his conviction certain, especially as enough of his confessions were substantiated by witnesses to rule out the possibility that he was innocent but insane. The witnesses called against him included his sister Margaret (who had married the Edinburgh bookseller Alexander Weir), and two baillies, one former baillie and a merchant, who had heard his confessions. The evidence of John Sinclair, whom Weir had sent for and confessed to in prison, provided the only hint of the supernatural in the case. He asked Weir if he had ever seen the devil: Weir replied that he had not, but had felt his presence in the dark (Hickes:63–5; Scott-Moncrieff:10–13; Justiciary Court Records MS). One later source (Hickes:64) asserts that he also confessed to lying with the devil in the shape of a beautiful woman; but this is not mentioned in the records of the trial and is almost certainly a later invention, one of the many in the fast-growing legend.

The jury found Weir guilty of fornication and adultery by a majority, of the other charges unanimously. He was duly sentenced to death by burning. In prison both before and after sentence his attitude was one of utter despair (Hickes:68–71; Sinclair: 229–31, 241; Scott-Moncrieff:14; Justiciary Court Records MS). Though he is said to have asked John Sinclair to pray for him, he refused to pray himself or to let ministers (even ones of covenanting sympathies) pray in his cell, crying 'torment me not before the time' (Sinclair:230). He said he could not 'be the better for all the Prayers that Men or Angels could offer up to Heaven upon his account'; but for the terrors that tormented him, he would doubt the existence of God. 'Trouble me no more with your beseechings of me to Repent, for I know my sentence of damnation is already seal'd in Heaven; and I feel myself so hardened within that I could not even wish to be pardoned if such a wish could save me . . . I find nothing within me but blackness and darkness, Brimstone, and burning to the bottom of Hell' (Hickes:70–1). On 11 April Weir was executed. Too weak to walk, he was dragged on a sledge (the horse being led by the executioner) to the Gallowlee between Edinburgh and Leith. There he was strangled at the stake and burnt. He died still in his terrible despair, declaring that he had no hope of mercy (Scott-Moncrieff:14; Lauder 1900:232).

Jean Weir was tried at the same time as her brother, being accused of incest and sorcery. It was perhaps inevitable in the seventeenth century that an old woman accused of so serious a crime as incest should also be accused of witchcraft: in any case, she confessed to several points of witchcraft, some implicating her brother. Probably, looking back over her past life, intermittently wracked with guilt, she interpreted various events, and especially her brother's power over her, in supernatural terms. Indeed it is notable that the witchcraft she confessed to shows her more bewitched than

bewitching. Two points in the charges against her related to the period when she lived in Dalkeith: a mysterious stranger (later interpreted as having been the devil) had visited her, and she spun so much yarn that she must have had the devil's help. She admitted both these charges—though at one point she denied the second, claiming to be unusually good at spinning. Even allowing for how absurd so many charges of witchcraft appear in retrospect, these charges against Jean Weir seem extraordinarily weak (Hickes:64–7; Sinclair:234–8; Scott-Moncrieff:11–14; Justiciary Court Records MS). Yet all her other confessions related to her brother rather than to herself. She had found the devil's mark on his shoulder. She said she knew that her brother had dealings with the devil and was jealous of them (was it perhaps she and not her brother who said he had lain with the devil?). The most specific magical event that she confessed was that in 1648 (Hickes: 66–7) or 1651 (Sinclair:228, 236) she and her brother had driven with the devil in a fiery coach (which nobody else could see) drawn by six horses to Musselburgh (or Dalkeith), and that the devil had foretold the then imminent defeat of the Scots army at Preston (or Worcester). Both these times were ones of confusion, danger and intrigue, so possibly she refers to some real secret journey undertaken by the major which again she later saw in terms of bewitchment.

Finally comes the story of Major Weir's staff. Jean stated that the staff which he always carried was the source of all his magical powers. This staff soon became one of the main items in the Weir legend (Hickes:66; Sinclair:228, 236). In the circumstances it is tempting to see the magic staff which she said gave him power over her as a phallic symbol—but then with a little imagination it is possible to find phallic symbols practically anywhere. In spite of the importance given to these witchcraft stories in the early published accounts of the Weirs and in the later legend, they made little impression on the justiciary court: no attempt was made to secure a conviction of Jean on these charges. She was therefore found guilty of incest alone (Hickes:66; Justiciary Court Records MS). Her attitude in prison was very different from her brother's. She claimed to be penitent, but those who visited her saw no sign of real, heartfelt contrition. She admitted that her sins deserved a worse death than she was condemned to but seemed little concerned about her fate beyond stating mysteriously that she was resolved to die with all possible shame. What she meant by this was seen on 12 April when she mounted the scaffold in the Grassmarket. After making a short speech abusing the crowd for not mourning the broken covenants she tried to throw off her clothes so as to die naked, but, after a sordid struggle, was prevented, pushed off the ladder and so hanged (Hickes:66, 72; Sinclair: 239–40).

The Weirs and the Antinomian Heresy

What is one to make of the squalid lives and deaths of Thomas and Jean Weir? Are they not simply stories of perversion and hypocrisy, best either entirely forgotten or transformed into homely tales of sorcery and witchcraft? But to go behind the legend and discover their real crimes brings one nearer to the truth, and provides an interesting

example of crude reality transformed into folklore. Yet a bald relation of the facts of their lives still leaves many questions unanswered. How did the Weirs for so long combine lives of public godliness and private perversion, contradictions which must have imposed great strains on them? Was their godliness merely hypocrisy?—and if not how could they reconcile it with their actions? How are we to explain the major's sudden confession, and his sister's very different but equally remarkable behaviour thereafter? To dismiss them simply as evil or mad evades such questions.

There is one assumption which, if applied to both Thomas and Jean, seems to provide answers. This is the assumption that they believed themselves to be unable to do any wrong since they were among the elect, predestined to salvation.

Debate about such ideas was fairly common. The antinomian or 'against the law' heresy, that believers or (as in this case) the elect were not bound by moral law, dates back to early Christian times (Huehns 1951:11–54). Many dualistic Gnostic sects were tinged with it (*e.g.* Runciman 1955:22). The connection with gnosticism is worth noting in this context as George Hickes, having denounced John Mitchell and Major Weir, proceeds to call the Gnostics the archetype of the presbyterian extremists in Scotland (Hickes:74–6)—though without mentioning Weir directly or referring to antinomianism.

Controversy over antinomianism was active in the American colonies in the 1630s (Hall 1968) and in England especially in the 1640s and 1650s (Huehns 1951) in connection with disputes among Calvinists over problems raised by predestination, grace, and good works. Many were willing to argue that, though salvation or damnation were predestined and could not be influenced by an individual's good or bad behaviour on earth, yet the fact that a man did lead a moral life at least provided a strong presumption that he was one of the saved. Thus a puritan merchant could write 'though I believe that all my ways of holiness are of no use to me in point of justification. . . . They are good fruits and evidences of justification' (Keayne 1965:2). To others this seemed a dangerous belief, tending to undermine strict predestination by 'arguing some necessary connection between man's own works and his redemption by Christ', indicating that man could be saved by good works instead of predestined divine grace (Hall 1968: 6–7, 17). In reacting against this, in insisting that outward life and good works told one nothing about man's eternal destination, some strict Calvinists slipped into antinomianism. They claimed not only that obedience to moral law was no sign of salvation, but also that the saved need not obey moral law. The saved could do no evil.

For antinomians it was 'as impossible . . . to recognise the existence of evil in themselves as in God. For in truth they were part of the divine' (Huehns 1951:15). Saved by divine grace, all that they did must be godly. If a man was one of the elect chosen by a just God, then surely he could do no evil. For sin deserved punishment and he was not going to be punished. And for God not to punish him if he deserved it would be unjust. The extreme antinomian position could thus rest partly on the rather naive assumption that if you were not going to be punished for an action then it could not be wrong.

The great majority of antinomians, though asserting that they were free from moral law and had no obligation to obey it, nonetheless did obey it. They claimed that they were guided in how to act by divine grace acting within them, expressing itself in impulses: what they wanted to do was right and should be done. And in practice impulse often guided them into continuing to obey moral law, for their impulses were largely governed by habit, by inhibitions, by the conventions of their society—and above all by their religious beliefs, for their point was that they *need not* obey moral law, not that they *would not*. Indeed they claimed that they would obey it as or more carefully than other men (Huehns: 12–13). But in spite of such assertions by antinomians that they were as or more moral than other men, the dangers of their beliefs were obvious. If to act on any impulse that stirred them was right, they 'were left alone and defenceless in the world of their own instincts and desires. Given their premises, it was hard to escape the conclusion that every one of their whims was a divine impulse. For how could they dare to resist the will and the power of the spirit exerted in them?' (Huehns: 12–13, 17). Not only were they free to obey every impulse, they were obliged to do so.

The history of antinomian ideas in Scotland before the eighteenth century is obscure, to say the least, but news of the controversies in England must have circulated, and it would be very surprising if the orthodox teachings of the kirk on predestination had not led some to deduce antinomian ideas from them. Thus, as antinomian ideas were widely debated in early seventeenth century England and had a suitable soil in which to germinate in Scotland, the Weirs could easily have access to such ideas or develop them for themselves. If they were indeed antinomians, they were of a very different and much cruder variety than the earnest and moral puritans of the main antinomian tradition. For the Weirs, if they had such beliefs, carried them to the extreme of not only believing they had no need to obey moral law but of actually acting in accordance with this by following their own impulses regardless of any law or convention. The assumption that this was so would explain much in their lives. Their crimes would then not be crimes, for they could do no wrong. Their godliness and devotion to the covenants would not be hypocrisy if they were convinced that they had received divine grace and were justified in all they did. The fact that they kept their crimes secret and outwardly obeyed moral law would be merely a matter of expediency to guard themselves against the reprobate who did not understand the divine will so well as they did. It might be called hypocrisy, but again it could not be wrong: the very fact that they did it made it right. Thus the seemingly unbearable tension between their private and public lives may be reconciled. Robert Louis Stevenson was nearer the truth than he knew when he wrote of Major Weir being 'the outcome and fine flower of dark and vehement religion' (Stevenson 1954: 49).

If this interpretation is accepted, then it would appear that what happened in 1670 was that Thomas Weir lost his complete conviction of his own election, on which he had built his life of defiance of morality. He did not lose his belief in predestination:

more terribly, a complete conviction that he was of the elect seems to have changed to an equally strong belief that he was predestined to damnation. This would explain his dreadful despair. Previously no amount of what was conventionally regarded as evil-doing could have harmed him. Now no amount of virtue or repentance could save him. There was no use praying, for praying would now be an irrelevant mockery. Indeed, to him praying had always seemed pointless. Whether predestined to heaven or hell, the simple fact of predestination meant that prayer could not have any effect. He confessed that his previous skill in extemporary prayer, for which he had been famous, had been a sham. With divine grace working within him, he himself was semi-divine and had no need to pray.

The assumption that Weir was an antinomian who lost his conviction of his election does not of itself fully explain why he confessed. If predestined to damnation, confession could not help him—as he realised when he refused to repent or pray. Why then confess to capital crimes which would speed his inevitable departure to hell? It may be that he continued to hold the antinomian belief that the moral law, though not applicable to the elect, did bind the reprobate. As he now saw himself as one of the reprobate his crimes which he had previously regarded as no sin were now grave ones. Being thus bound by moral law he was obliged to confess his breaches of it, even if this could not save him from damnation. However, it is doubtful that the motives of this broken old man were so logical. With the sudden collapse of the belief on which he had based his life and the realisation of his guilt the impulse to seek relief through confession was irresistible.

Jean Weir's attitude was in some ways more complicated than her brother's. She made some show of repentance but on the whole seemed confident as to her future. Her confessions concerning witchcraft and the devil perhaps indicate that at times she had doubts: had she and her brother perhaps been inspired not by God but by the devil? Her determination to die with shame by pulling off her clothes also suggests guilt, but on the other hand she did this immediately after rebuking those present for not mourning the breaches of the covenants, which indicates that she retained her terrible conviction of her own superior godliness even in these circumstances. Perhaps the exhibitionist way in which she tried to 'shame' herself is best seen as a last gesture of defiance, showing that she still regarded herself as free from normal conventions and behaviour.

That the Weirs really were antinomians cannot be proved, but it does seem to be the only explanation that gives their lives some sort of sense and consistency, however horrible.

The Weirs and the Justified Sinner

We have seen that the story of Major Weir was well known in Scottish literary circles in the early nineteenth century. In 1824 James Hogg published his *Private Memoirs and*

Confessions of a Justified Sinner, about an antinomian who followed out the logic of his beliefs by sinning greatly. It seems virtually certain that Hogg knew of the Weir legend, and this leads to the question of whether he was at all influenced by the legend in creating his justified sinner. The most obvious and important objection to such an idea is that there is no evidence whatsoever that Hogg or anyone else interpreted Major Weir's life in antinomian terms. Moreover there are no specific incidents common to the Weir story and the *Justified Sinner*, only the general similarity that both concern extreme antinomians who hid their great sins under a cloak of godliness. There had been much controversy over antinomian ideas in Scotland early in the eighteenth century. Disputes over the 'Auchterarder creed' and the 'marrowmen' (both suspected of antinomian tendencies) had been among the leading religious issues in the country for several years, attracting much attention from the public and action from the general assembly (Ferguson 1968:106–7, 116–19; Simpson 1962:170–3).[1] It is probable that these controversies were the main sources of Hogg's theme, but the fascinating possibility remains that he was partly inspired by the lives of the Weirs. If he was, it is understandable that he should have written a completely new story around the central theme, for incest and bestiality were hardly fit subjects for a novelist.

To conclude, it seems likely that Thomas and Jean Weir believed themselves predestined to salvation and guiltless in all they did in their lives which seemed so incomprehensible to their contemporaries and to later writers. Their fate caught the popular imagination but their real crimes tended to be ignored either on the assumption that they were insane and that they confessed to crimes they had not committed, or that even if guilty these crimes were unmentionable. Hogg was to postulate in fiction the phenomenon of an exceedingly wicked 'justified sinner' arising in a context of extreme presbyterianism. In fact, whether he knew it or not, such individuals had probably actually existed in Scotland a century and a half before he wrote. Even if in this case truth may not have inspired fiction, it had at least forestalled it.

NOTE

1 Simpson (190–2) discusses the case of Nicol Muschet, executed in 1721 in Edinburgh for murdering his wife, as a case which may have provided one of Hogg's sources, perhaps taking the idea from Roughead (1917:38). But the parallel between the case and the justified sinner are not very close, for Muschet always seems to have felt guilt for his sins, even if this did not prevent him from committing them. Thus he was no antinomian. Admittedly he suggested that God might have prompted him to murder his wife, but he did not claim that this justified his act; it remained a great crime but God might have inspired him to do it for his own good, to bring punishment on him for his life of sin, to bring him to repentance. It was a sign of God's interest in him and his fate. He was confident of going to heaven through God's mercy (whether predestined or not) rather than through belief that his sins had not been sins because he was one of the elect. This is not antinomian, but the far more common case of an intensely self-centred individual who sees events and the fates of those about him as being messages and signs from God to him. Such an individual tends to see his fellow men as pawns, not as

individuals whose souls are of equal value to God as his own. This is one of the dangers of a religion which stresses the intense personal relationship between God and the individual.

REFERENCES

1 *Printed Books*

APS
1870–2 *The Acts of the Parliaments of Scotland* vol. VI, 1643–60.

ARNOT, HUGO
1785 *A Collection of Celebrated Criminal Trials in Scotland, 1536–1784.* Edinburgh.

BLACK, G. F.
1938 *A Calendar of Witchcraft Cases in Scotland.* New York.

CARLUKE
1874 *Notices Historical, Statistical, and Biographical, relating to the Parish of Carluke.* Glasgow.

CHAMBERS, R.
1869 *Traditions of Edinburgh.* New edn. London.

FERGUSON, W.
1968 *Scotland: 1689 to the Present.* Edinburgh and London.

FRASER, W.
1892 *The Sutherland Book.* Edinburgh.

GILLIES, R. P.
1837 *Recollections of Sir Walter Scott.* London.

HALL, D. D.
1968 *The Antinomian Controversy, 1636–1638.* Middletown, Connecticut.

HICKES, G.
1678 *Ravillac Redivius, Being a Narrative of the late Tryal of Mr James Mitchell . . . To which is Annexed, An Account of the Tryal of that most wicked Pharisee Major Thomas Weir . . .* London.

HUEHNS, G.
1951 *Antinomianism in English History, with special reference to the period 1640–1660.* London.

KEAYNE, R.
1965 *The Apologia of Robert Keayne.* Ed. B. Bailyn. New York.

LAMONT, J.
1830 *Diary.* Maitland Club.

LAUDER, J.
1900 *Journals of Sir John Lauder, Lord Fountainhall.* Ed. D. Crawford. Scottish History Society.

LAW, R.
1818 *Memorialls.* Ed. C. K. Sharpe. Edinburgh.

MUSCHET, N.
1818 *The Confession etc. of Nicol Muschet of Boghal, who was executed for the Murder of his Wife . . .* Edinburgh.

PARSONS, C. O.
1964 *Witchcraft and Demonology in Scott's Fiction.* Edinburgh and London.

PARTINGTON, W.
1930 *The Private Letter-Books of Sir Walter Scott.* London.

PATON, H.
1905 *The Register of Marriages for the Parish of Edinburgh, 1595–1700.* Scottish Record Society.

RMS
Registrum Magni Sigillii Regum Scotorum, Register of the Great Seal of Scotland.
1897 Vol. IX, 1634–51.
1914 Vol. XI, 1660–8.
RPC
Register of the Privy Council of Scotland. Second Series.
1908 Vol. VIII, 1544–1660.
ROUGHEAD, W.
1913 *Twelve Scots Trials.* Edinburgh and London.
1917 'Nicol Muschet.' *Juridical Review* XXIX:18–43.
RUNCIMAN, S.
1955 *The Medieval Manichee. A Study of the Christian Dualist Heresy.* Cambridge.
SCOTT, SIR WALTER
1830 *Letters on Demonology and Witchcraft.* London.
1891 *Journal . . . 1825–32.* Ed. D. Douglas. Edinburgh.
SCOTT-MONCRIEFF, W. G.
1905 *The Records of the Proceedings of the Justiciary Court, 1661–78.* Scottish History Society.
SHARPE, C. K.
1888 *Letters from and to Charles Kirkpatrick Sharpe.* Ed. A. Allardyce. Edinburgh.
SIMPSON, L.
1962 *James Hogg. A Critical Study.* Edinburgh and London.
SINCLAIR, G.
1871 *Satan's Invisible World Discovered.* Edinburgh.
SPIRIT OF FANATICISM
1710 *The Spirit of Fanaticism: Exemplify'd in the Tryals of Mr James Mitchell . . . and Major Thomas Weir . . .* London.
STEVENSON, R. L.
1954 *Edinburgh. Picturesque Notes.* London. (First published 1879.)
TERRY, C. S.
1917 *Papers Relating to the Army of the Solemn League and Covenant, 1643–7.* Scottish History Society.
WILSON, C. B. B.
1929 *Roll of Edinburgh Burgesses and Guild-Brethren, 1406–1700.* Scottish Record Society.
WILSON, D.
1878 *Memorials of Edinburgh in Olden Times.* Edinburgh.
WOOD, M.
Extracts from the Records of Edinburgh. Edinburgh.
1938 1642–55.
1950 1665–80.

2 *Manuscripts*

FRASER, J.
Providentia . . . A Collection of Providential Passages. National Library of Scotland MS Adv. 32.4.7.
REGISTER OF THE COMMITTEE OF ESTATES 1644–5
Scottish Record Office PA. 11/3.
JUSTICIARY COURT RECORDS
Books of Adjournal, Old Series vol. XII (1669–73). Scottish Record Office.